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108TH CONGRESS
2d Session

HOUSE OF REPRESENTATIVES

REPORT
108–792

MAKING APPROPRIATIONS FOR FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2005, AND FOR OTHER PURPOSES

CONFERENCE REPORT

TO ACCOMPANY

H.R. 4818

NOVEMBER 20 (legislative day, NOVEMBER 19), 2004.—Ordered to be printed

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NOVEMBER 20 (legislative day of NOVEMBER 19), 2004.—Ordered to be printed

Mr. YOUNG of Florida, from the committee of conference, submitted the following

CONFERENCE REPORT

[To accompany H.R. 4818]

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 4818) "making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2005, and for other purposes", having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate, and agree to the same with an amendment, as follows:

In lieu of the matter stricken and inserted by said amendment, insert:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Consolidated Appropriations Act, 2005".

SEC. 2. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

Sec. 1. Short Title
Sec. 2. Table of Contents
Sec. 3. References
Sec. 4. Statement of Appropriations

DIVISION A—AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2005

Title I—Agricultural Programs
Title II—Conservation Programs
Title III—Rural Development Programs

Title IV—Domestic Food Programs
Title V—Foreign Assistance and Related Programs
Title VI—Related Agencies and Food and Drug Administration
Title VII—General Provisions

DIVISION B—DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS ACT, 2005

Title I—Department of Justice
Title II—Department of Commerce and Related Agencies
Title III—The Judiciary
Title IV—Department of State and Related Agency
Title V—Related Agencies
Title VI—General Provisions
Title VII—Rescissions
Title VIII—Patent and Trademark Fees
Title IX—Oceans and Human Health Act

DIVISION C—ENERGY AND WATER DEVELOPMENT APPROPRIATIONS ACT, 2005

Title I—Department of Defense—Civil
Title II—Department of the Interior
Title III—Department of Energy
Title IV—Independent Agencies
Title V—General Provisions
Title VI—Reform of the Board of Directors of the Tennessee Valley Authority

DIVISION D—FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS APPROPRIATIONS ACT, 2005

Title I—Export and Investment Assistance
Title II—Bilateral Economic Assistance
Title III—Military Assistance
Title IV—Multilateral Economic Assistance
Title V—General Provisions

DIVISION E—DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS ACT, 2005

Title I—Department of the Interior
Title II—Related Agencies
Title III—General Provisions
Title IV—Urgent Wildland Fire Suppression Activities
Title V—General Reduction

DIVISION F—DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2005

Title I—Department of Labor
Title II—Department of Health and Human Services
Title III—Department of Education
Title IV—Related Agencies
Title V—General Provisions

DIVISION G—LEGISLATIVE BRANCH APPROPRIATIONS ACT, 2005

Title I—Legislative Branch Appropriations
Title II—General Provisions

DIVISION H—TRANSPORTATION, TREASURY, INDEPENDENT AGENCIES, AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 2005

Title I—Department of Transportation
Title II—Department of the Treasury
Title III—Executive Office of the President and Funds Appropriated to the President
Title IV—Independent Agencies
Title V—General Provisions
Title VI—General Provisions

DIVISION I—DEPARTMENTS OF VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT, AND INDEPENDENT AGENCIES APPROPRIATIONS ACT, 2005

Title I—Department of Veterans Affairs

Title II—Department of Housing and Urban Development
Title III—Independent Agencies
Title IV—General Provisions

DIVISION J—OTHER MATTERS

Title I—Miscellaneous Provisions and Offsets
Title II—225th Anniversary of the American Revolution Commemoration Act
Title III—Rural Air Service Improvement Act of 2004
Title IV—L–1 Visa and H–1B Visa Reform Act
Title V—National Aviation Heritage Area Act
Title VI—Oil Region National Heritage Area Act
Title VII—Mississippi Gulf Coast National Heritage Area Act
Title VIII—Federal Lands Recreation Enhancement Act
Title IX—Satellite Home Viewer Extension and Reauthorization Act of 2004
Title X—Snake River Water Rights Act of 2004

DIVISION K—SMALL BUSINESS

SEC. 3. REFERENCES.

Except as expressly provided otherwise, any reference to "this Act" contained in any division of this Act shall be treated as referring only to the provisions of that division.

SEC. 4. STATEMENT OF APPROPRIATIONS.

The following sums in this Act are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2005.

DIVISION A—AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2005

TITLE I

AGRICULTURAL PROGRAMS

PRODUCTION, PROCESSING, AND MARKETING

OFFICE OF THE SECRETARY

For necessary expenses of the Office of the Secretary of Agriculture, $5,124,000: Provided, That not to exceed $11,000 of this amount shall be available for official reception and representation expenses, not otherwise provided for, as determined by the Secretary.

EXECUTIVE OPERATIONS

CHIEF ECONOMIST

For necessary expenses of the Chief Economist, including economic analysis, risk assessment, cost-benefit analysis, energy and new uses, and the functions of the World Agricultural Outlook Board, as authorized by the Agricultural Marketing Act of 1946 (7 U.S.C. 1622g), $10,317,000.

NATIONAL APPEALS DIVISION

For necessary expenses of the National Appeals Division, $14,331,000.

OFFICE OF BUDGET AND PROGRAM ANALYSIS

For necessary expenses of the Office of Budget and Program Analysis, $8,228,000.

HOMELAND SECURITY STAFF

For necessary expenses of the Homeland Security Staff, $775,000.

OFFICE OF THE CHIEF INFORMATION OFFICER

For necessary expenses of the Office of the Chief Information Officer, $16,595,000.

COMMON COMPUTING ENVIRONMENT

For necessary expenses to acquire a Common Computing Environment for the Natural Resources Conservation Service, the Farm and Foreign Agricultural Service, and Rural Development mission areas for information technology, systems, and services, $125,585,000, to remain available until expended, for the capital asset acquisition of shared information technology systems, including services as authorized by 7 U.S.C. 6915–16 and 40 U.S.C. 1421–28: Provided, That obligation of these funds shall be consistent with the Department of Agriculture Service Center Modernization Plan of the county-based agencies, and shall be with the concurrence of the Department's Chief Information Officer.

OFFICE OF THE CHIEF FINANCIAL OFFICER

For necessary expenses of the Office of the Chief Financial Officer, $5,742,000: Provided, That the Chief Financial Officer shall actively market and expand cross-servicing activities of the National Finance Center: Provided further, That no funds made available by this appropriation may be obligated for FAIR Act or Circular A–76 activities until the Secretary has submitted to the Committees on Appropriations of both Houses of Congress and the Committee on Government Reform of the House of Representatives a report on the Department's contracting out policies, including agency budgets for contracting out.

WORKING CAPITAL FUND

For the acquisition of disaster recovery and continuity of operations technology of the National Finance Center's data, $12,850,000, to remain available until expended.

OFFICE OF THE ASSISTANT SECRETARY FOR CIVIL RIGHTS

For necessary salaries and expenses of the Office of the Assistant Secretary for Civil Rights, $818,000.

OFFICE OF CIVIL RIGHTS

For necessary expenses of the Office of Civil Rights, $19,889,000.

OFFICE OF THE ASSISTANT SECRETARY FOR ADMINISTRATION

For necessary salaries and expenses of the Office of the Assistant Secretary for Administration, $669,000.

AGRICULTURE BUILDINGS AND FACILITIES AND RENTAL PAYMENTS

(INCLUDING TRANSFERS OF FUNDS)

For payment of space rental and related costs pursuant to Public Law 92–313, including authorities pursuant to the 1984 delegation of authority from the Administrator of General Services to the Department of Agriculture under 40 U.S.C. 486, for programs and activities of the Department which are included in this Act, and for alterations and other actions needed for the Department and its agencies to consolidate unneeded space into configurations suitable for release to the Administrator of General Services, and for the operation, maintenance, improvement, and repair of Agriculture buildings and facilities, and for related costs, $163,870,000, to remain available until expended: Provided, That not to exceed 5 percent of amounts which are made available for space rental and related costs for the Department of Agriculture in this Act may be transferred between such appropriations to cover the costs of new or replacement space 15 days after notice thereof is transmitted to the Appropriations Committees of both Houses of Congress.

HAZARDOUS MATERIALS MANAGEMENT

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Department of Agriculture, to comply with the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9601 et seq.) and the Resource Conservation and Recovery Act (42 U.S.C. 6901 et seq.), $15,532,000, to remain available until expended: Provided, That appropriations and funds available herein to the Department for Hazardous Materials Management may be transferred to any agency of the Department for its use in meeting all requirements pursuant to the above Acts on Federal and non-Federal lands.

DEPARTMENTAL ADMINISTRATION

(INCLUDING TRANSFERS OF FUNDS)

For Departmental Administration, $22,626,000, to provide for necessary expenses for management support services to offices of the Department and for general administration, security, repairs and alterations, and other miscellaneous supplies and expenses not otherwise provided for and necessary for the practical and efficient work of the Department: Provided, That this appropriation shall be reimbursed from applicable appropriations in this Act for travel expenses incident to the holding of hearings as required by 5 U.S.C. 551–558.

OFFICE OF THE ASSISTANT SECRETARY FOR CONGRESSIONAL RELATIONS

(INCLUDING TRANSFERS OF FUNDS)

For necessary salaries and expenses of the Office of the Assistant Secretary for Congressional Relations to carry out the programs funded by this Act, including programs involving intergovernmental affairs and liaison within the executive branch, $3,852,000: Provided, That these funds may be transferred to agencies of the Department of Agriculture funded by this Act to maintain personnel at the agency level: Provided further, That no funds made available by this appropriation may be obligated after 30 days from the date of enactment of this Act, unless the Secretary has notified the Committees on Appropriations of both Houses of Congress on the allocation of these funds by USDA agency: Provided further, That no other funds appropriated to the Department by this Act shall be available to the Department for support of activities of congressional relations.

OFFICE OF COMMUNICATIONS

For necessary expenses to carry out services relating to the coordination of programs involving public affairs, for the dissemination of agricultural information, and the coordination of information, work, and programs authorized by Congress in the Department, $9,365,000: Provided, That not to exceed $2,000,000 may be used for farmers' bulletins.

OFFICE OF THE INSPECTOR GENERAL

For necessary expenses of the Office of the Inspector General, including employment pursuant to the Inspector General Act of 1978, $78,289,000, including such sums as may be necessary for contracting and other arrangements with public agencies and private persons pursuant to section 6(a)(9) of the Inspector General Act of 1978, and including not to exceed $125,000 for certain confidential operational expenses, including the payment of informants, to be expended under the direction of the Inspector General pursuant to Public Law 95–452 and section 1337 of Public Law 97–98.

OFFICE OF THE GENERAL COUNSEL

For necessary expenses of the Office of the General Counsel, $35,861,000.

OFFICE OF THE UNDER SECRETARY FOR RESEARCH, EDUCATION AND ECONOMICS

For necessary salaries and expenses of the Office of the Under Secretary for Research, Education and Economics to administer the laws enacted by the Congress for the Economic Research Service, the National Agricultural Statistics Service, the Agricultural Research Service, and the Cooperative State Research, Education, and Extension Service, $592,000.

ECONOMIC RESEARCH SERVICE

For necessary expenses of the Economic Research Service in conducting economic research and analysis, as authorized by the Agricultural Marketing Act of 1946 (7 U.S.C. 1621–1627) and other laws, $74,768,000.

NATIONAL AGRICULTURAL STATISTICS SERVICE

For necessary expenses of the National Agricultural Statistics Service in conducting statistical reporting and service work, including crop and livestock estimates, statistical coordination and improvements, marketing surveys, and the Census of Agriculture, as authorized by 7 U.S.C. 1621–1627 and 2204g, and other laws, $129,480,000, of which up to $22,405,000 shall be available until expended for the Census of Agriculture.

AGRICULTURAL RESEARCH SERVICE

SALARIES AND EXPENSES

For necessary expenses to enable the Agricultural Research Service to perform agricultural research and demonstration relating to production, utilization, marketing, and distribution (not otherwise provided for); home economics or nutrition and consumer use including the acquisition, preservation, and dissemination of agricultural information; and for acquisition of lands by donation, exchange, or purchase at a nominal cost not to exceed $100, and for land exchanges where the lands exchanged shall be of equal value or shall be equalized by a payment of money to the grantor which shall not exceed 25 percent of the total value of the land or interests transferred out of Federal ownership, $1,110,887,000: Provided, That appropriations hereunder shall be available for the operation and maintenance of aircraft and the purchase of not to exceed one for replacement only: Provided further, That appropriations hereunder shall be available pursuant to 7 U.S.C. 2250 for the construction, alteration, and repair of buildings and improvements, but unless otherwise provided, the cost of constructing any one building shall not exceed $375,000, except for headhouses or greenhouses which shall each be limited to $1,200,000, and except for 10 buildings to be constructed or improved at a cost not to exceed $750,000 each, and the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building or $375,000, whichever is greater: Provided further, That the limitations on alterations contained in this Act shall not apply to modernization or replacement of existing facilities at Beltsville, Maryland: Provided further, That appropriations hereunder shall be available for granting easements at the Beltsville Agricultural Research Center: Provided further, That the foregoing limitations shall not apply to replacement of buildings needed to carry out the Act of April 24, 1948 (21 U.S.C. 113a): Provided further, That funds may be received from any State, other political subdivision, organization, or individual for the purpose of establishing or operating any research facility or research project of the Agricultural Research Service, as authorized by law: Provided further, That all rights and title of the United States in the 1.0664-acre parcel of land including improvements, as recorded at Book 1320, Page 253,

records of Larimer County, State of Colorado, shall be conveyed to the Board of Governors of the Colorado State University for the benefit of Colorado State University.

None of the funds appropriated under this heading shall be available to carry out research related to the production, processing, or marketing of tobacco or tobacco products.

BUILDINGS AND FACILITIES

For acquisition of land, construction, repair, improvement, extension, alteration, and purchase of fixed equipment or facilities as necessary to carry out the agricultural research programs of the Department of Agriculture, where not otherwise provided, $187,838,000, to remain available until expended.

COOPERATIVE STATE RESEARCH, EDUCATION, AND EXTENSION SERVICE

RESEARCH AND EDUCATION ACTIVITIES

For payments to agricultural experiment stations, for cooperative forestry and other research, for facilities, and for other expenses, $660,781,000, as follows: to carry out the provisions of the Hatch Act of 1887 (7 U.S.C. 361a–i), $180,148,000; for grants for cooperative forestry research (16 U.S.C. 582a through a–7), $22,384,000; for payments to the 1890 land-grant colleges, including Tuskegee University and West Virginia State University (7 U.S.C. 3222), $37,000,000, of which $1,507,496 shall be made available only for the purpose of ensuring that each institution shall receive no less than $1,000,000; for special grants for agricultural research (7 U.S.C. 450i(c)), $121,284,000; for special grants for agricultural research on improved pest control (7 U.S.C. 450i(c)), $15,280,000; for competitive research grants (7 U.S.C. 450i(b)), $181,000,000; for the support of animal health and disease programs (7 U.S.C. 3195), $5,098,000; for supplemental and alternative crops and products (7 U.S.C. 3319d), $1,196,000; for grants for research pursuant to the Critical Agricultural Materials Act (7 U.S.C. 178 et seq.), $1,111,000, to remain available until expended; for the 1994 research grants program for 1994 institutions pursuant to section 536 of Public Law 103–382 (7 U.S.C. 301 note), $1,087,000, to remain available until expended; for rangeland research grants (7 U.S.C. 3333), $1,000,000; for higher education graduate fellowship grants (7 U.S.C. 3152(b)(6)), $3,000,000, to remain available until expended (7 U.S.C. 2209b); for higher education challenge grants (7 U.S.C. 3152(b)(1)), $5,500,000; for a higher education multicultural scholars program (7 U.S.C. 3152(b)(5)), $998,000, to remain available until expended (7 U.S.C. 2209b); for an education grants program for Hispanic-serving Institutions (7 U.S.C. 3241), $5,645,000; for noncompetitive grants for the purpose of carrying out all provisions of 7 U.S.C. 3242 (section 759 of Public Law 106–78) to individual eligible institutions or consortia of eligible institutions in Alaska and in Hawaii, with funds awarded equally to each of the States of Alaska and Hawaii, $3,500,000; for a secondary agriculture education program and 2-year post-secondary education (7 U.S.C. 3152(j)), $1,000,000; for aquaculture grants (7 U.S.C. 3322), $4,000,000; for sustainable agriculture research and education (7 U.S.C. 5811), $12,500,000; for a program of capacity building

grants (7 U.S.C. 3152(b)(4)) to colleges eligible to receive funds under the Act of August 30, 1890 (7 U.S.C. 321–326 and 328), including Tuskegee University and West Virginia State University, $12,411,000, to remain available until expended (7 U.S.C. 2209b); for payments to the 1994 Institutions pursuant to section 534(a)(1) of Public Law 103–382, $2,250,000; for resident instruction grants for insular areas under section 1491 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3363), $500,000; and for necessary expenses of Research and Education Activities, $42,889,000.

None of the funds appropriated under this heading shall be available to carry out research related to the production, processing, or marketing of tobacco or tobacco products: Provided, That this paragraph shall not apply to research on the medical, biotechnological, food, and industrial uses of tobacco.

NATIVE AMERICAN INSTITUTIONS ENDOWMENT FUND

For the Native American Institutions Endowment Fund authorized by Public Law 103–382 (7 U.S.C. 301 note), $12,000,000.

EXTENSION ACTIVITIES

For payments to States, the District of Columbia, Puerto Rico, Guam, the Virgin Islands, Micronesia, Northern Marianas, and American Samoa, $449,225,000, as follows: payments for cooperative extension work under the Smith-Lever Act, to be distributed under sections 3(b) and 3(c) of said Act, and under section 208(c) of Public Law 93–471, for retirement and employees' compensation costs for extension agents, $277,742,000; payments for extension work at the 1994 Institutions under the Smith-Lever Act (7 U.S.C. 343(b)(3)), $3,273,000; payments for the nutrition and family education program for low-income areas under section 3(d) of the Act, $58,909,000; payments for the pest management program under section 3(d) of the Act, $10,000,000; payments for the farm safety program under section 3(d) of the Act, $4,600,000; payments to upgrade research, extension, and teaching facilities at the 1890 land-grant colleges, including Tuskegee University and West Virginia State University, as authorized by section 1447 of Public Law 95–113 (7 U.S.C. 3222b), $16,912,000, to remain available until expended; payments for youth-at-risk programs under section 3(d) of the Smith-Lever Act, $7,538,000; for youth farm safety education and certification extension grants, to be awarded competitively under section 3(d) of the Act, $444,000; payments for carrying out the provisions of the Renewable Resources Extension Act of 1978 (16 U.S.C. 1671 et seq.), $4,093,000; payments for Indian reservation agents under section 3(d) of the Smith-Lever Act, $1,774,000; payments for sustainable agriculture programs under section 3(d) of the Act, $4,100,000; payments for rural health and safety education as authorized by section 502(i) of Public Law 92–419 (7 U.S.C. 2662(i)), $1,981,000; payments for cooperative extension work by the colleges receiving the benefits of the second Morrill Act (7 U.S.C. 321–326 and 328) and Tuskegee University and West Virginia State University, $33,133,000, of which $1,724,884 shall be made available only for the purpose of ensuring that each institution shall receive no less than $1,000,000; for grants to youth organizations pursuant to sec-

tion 7630 of title 7, United States Code, $2,667,000; and for necessary expenses of Extension Activities, $22,059,000.

INTEGRATED ACTIVITIES

For the integrated research, education, and extension grants programs, including necessary administrative expenses, $55,153,000, as follows: for competitive grants programs authorized under section 406 of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7626), $43,058,000, including $12,971,000 for the water quality program, $14,967,000 for the food safety program, $4,200,000 for the regional pest management centers program, $4,500,000 for the Food Quality Protection Act risk mitigation program for major food crop systems, $1,400,000 for the crops affected by Food Quality Protection Act implementation, $3,131,000 for the methyl bromide transition program, and $1,889,000 for the organic transition program; for a competitive international science and education grants program authorized under section 1459A of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3292b), to remain available until expended, $1,000,000; for grants programs authorized under section 2(c)(1)(B) of Public Law 89–106, as amended, $750,000, to remain available until September 30, 2006 for the critical issues program, and $1,345,000 for the regional rural development centers program; and $9,000,000 for the homeland security program authorized under section 1484 of the National Agricultural Research, Extension, and Teaching Act of 1977, to remain available until September 30, 2006.

OUTREACH FOR SOCIALLY DISADVANTAGED FARMERS

For grants and contracts pursuant to section 2501 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 2279), $5,935,000, to remain available until expended.

OFFICE OF THE UNDER SECRETARY FOR MARKETING AND REGULATORY PROGRAMS

For necessary salaries and expenses of the Office of the Under Secretary for Marketing and Regulatory Programs to administer programs under the laws enacted by the Congress for the Animal and Plant Health Inspection Service; the Agricultural Marketing Service; and the Grain Inspection, Packers and Stockyards Administration; $721,000.

ANIMAL AND PLANT HEALTH INSPECTION SERVICE

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For expenses, not otherwise provided for, necessary to prevent, control, and eradicate pests and plant and animal diseases; to carry out inspection, quarantine, and regulatory activities; and to protect the environment, as authorized by law, $814,623,000, of which $4,119,000 shall be available for the control of outbreaks of insects, plant diseases, animal diseases and for control of pest animals and birds to the extent necessary to meet emergency conditions; of which $47,500,000 shall be used for the boll weevil eradication program

for cost share purposes or for debt retirement for active eradication zones; of which $33,197,000 shall be available for a National Animal Identification program: Provided, That no funds shall be used to formulate or administer a brucellosis eradication program for the current fiscal year that does not require minimum matching by the States of at least 40 percent: Provided further, That this appropriation shall be available for the operation and maintenance of aircraft and the purchase of not to exceed four, of which two shall be for replacement only: Provided further, That, in addition, in emergencies which threaten any segment of the agricultural production industry of this country, the Secretary may transfer from other appropriations or funds available to the agencies or corporations of the Department such sums as may be deemed necessary, to be available only in such emergencies for the arrest and eradication of contagious or infectious disease or pests of animals, poultry, or plants, and for expenses in accordance with sections 10411 and 10417 of the Animal Health Protection Act (7 U.S.C. 8310 and 8316) and sections 431 and 442 of the Plant Protection Act (7 U.S.C. 7751 and 7772), and any unexpended balances of funds transferred for such emergency purposes in the preceding fiscal year shall be merged with such transferred amounts: Provided further, That appropriations hereunder shall be available pursuant to law (7 U.S.C. 2250) for the repair and alteration of leased buildings and improvements, but unless otherwise provided the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building: Provided further, That no funds shall be used to implement a national animal identification system prior to notification to the Committees on Appropriations which shall include a detailed explanation of the components of such system.

In fiscal year 2005, the agency is authorized to collect fees to cover the total costs of providing technical assistance, goods, or services requested by States, other political subdivisions, domestic and international organizations, foreign governments, or individuals, provided that such fees are structured such that any entity's liability for such fees is reasonably based on the technical assistance, goods, or services provided to the entity by the agency, and such fees shall be credited to this account, to remain available until expended, without further appropriation, for providing such assistance, goods, or services.

BUILDINGS AND FACILITIES

For plans, construction, repair, preventive maintenance, environmental support, improvement, extension, alteration, and purchase of fixed equipment or facilities, as authorized by 7 U.S.C. 2250, and acquisition of land as authorized by 7 U.S.C. 428a, $4,967,000, to remain available until expended.

AGRICULTURAL MARKETING SERVICE

MARKETING SERVICES

For necessary expenses to carry out services related to consumer protection, agricultural marketing and distribution, transportation, and regulatory programs, as authorized by law, and for administration and coordination of payments to States, $75,698,000, including

funds for the wholesale market development program for the design and development of wholesale and farmer market facilities for the major metropolitan areas of the country: Provided, That this appropriation shall be available pursuant to law (7 U.S.C. 2250) for the alteration and repair of buildings and improvements, but the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building.

Fees may be collected for the cost of standardization activities, as established by regulation pursuant to law (31 U.S.C. 9701).

LIMITATION ON ADMINISTRATIVE EXPENSES

Not to exceed $64,459,000 (from fees collected) shall be obligated during the current fiscal year for administrative expenses: Provided, That if crop size is understated and/or other uncontrollable events occur, the agency may exceed this limitation by up to 10 percent with notification to the Committees on Appropriations of both Houses of Congress.

FUNDS FOR STRENGTHENING MARKETS, INCOME, AND SUPPLY (SECTION 32)

(INCLUDING TRANSFERS OF FUNDS)

Funds available under section 32 of the Act of August 24, 1935 (7 U.S.C. 612c), shall be used only for commodity program expenses as authorized therein, and other related operating expenses, except for: (1) transfers to the Department of Commerce as authorized by the Fish and Wildlife Act of August 8, 1956; (2) transfers otherwise provided in this Act; and (3) not more than $15,800,000 for formulation and administration of marketing agreements and orders pursuant to the Agricultural Marketing Agreement Act of 1937 and the Agricultural Act of 1961.

PAYMENTS TO STATES AND POSSESSIONS

For payments to departments of agriculture, bureaus and departments of markets, and similar agencies for marketing activities under section 204(b) of the Agricultural Marketing Act of 1946 (7 U.S.C. 1623(b)), $3,847,000, of which not less than $2,500,000 shall be used to make a grant under this heading.

GRAIN INSPECTION, PACKERS AND STOCKYARDS ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses to carry out the provisions of the United States Grain Standards Act, for the administration of the Packers and Stockyards Act, for certifying procedures used to protect purchasers of farm products, and the standardization activities related to grain under the Agricultural Marketing Act of 1946, $37,299,000: Provided, That this appropriation shall be available pursuant to law (7 U.S.C. 2250) for the alteration and repair of buildings and improvements, but the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building.

LIMITATION ON INSPECTION AND WEIGHING SERVICES EXPENSES

Not to exceed $42,463,000 (from fees collected) shall be obligated during the current fiscal year for inspection and weighing services: Provided, That if grain export activities require additional supervision and oversight, or other uncontrollable factors occur, this limitation may be exceeded by up to 10 percent with notification to the Committees on Appropriations of both Houses of Congress.

OFFICE OF THE UNDER SECRETARY FOR FOOD SAFETY

For necessary salaries and expenses of the Office of the Under Secretary for Food Safety to administer the laws enacted by the Congress for the Food Safety and Inspection Service, $595,000.

FOOD SAFETY AND INSPECTION SERVICE

For necessary expenses to carry out services authorized by the Federal Meat Inspection Act, the Poultry Products Inspection Act, and the Egg Products Inspection Act, including not to exceed $50,000 for representation allowances and for expenses pursuant to section 8 of the Act approved August 3, 1956 (7 U.S.C. 1766), $823,760,000, of which no less than $742,305,000 shall be available for Federal food safety inspection; and in addition, $1,000,000 may be credited to this account from fees collected for the cost of laboratory accreditation as authorized by section 1327 of the Food, Agriculture, Conservation and Trade Act of 1990 (7 U.S.C. 138f): Provided, That no fewer than 63 full time equivalent positions above the fiscal year 2002 level shall be employed during fiscal year 2005 for purposes dedicated solely to inspections and enforcement related to the Humane Methods of Slaughter Act: Provided further, That of the amount available under this heading, notwithstanding section 704 of this Act, $3,000,000, available until September 30, 2006, shall be obligated to include the Humane Animal Tracking System as part of the Field Automation and Information Management System following notification to the Committees on Appropriations, which shall include a detailed explanation of the components of such system: Provided further, That of the total amount made available under this heading, no less than $20,653,000 shall be obligated for regulatory and scientific training: Provided further, That this appropriation shall be available pursuant to law (7 U.S.C. 2250) for the alteration and repair of buildings and improvements, but the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building.

OFFICE OF THE UNDER SECRETARY FOR FARM AND FOREIGN AGRICULTURAL SERVICES

For necessary salaries and expenses of the Office of the Under Secretary for Farm and Foreign Agricultural Services to administer the laws enacted by Congress for the Farm Service Agency, the Foreign Agricultural Service, the Risk Management Agency, and the Commodity Credit Corporation, $631,000.

FARM SERVICE AGENCY

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses for carrying out the administration and implementation of programs administered by the Farm Service Agency, $1,007,597,000: Provided, That the Secretary is authorized to use the services, facilities, and authorities (but not the funds) of the Commodity Credit Corporation to make program payments for all programs administered by the Agency: Provided further, That other funds made available to the Agency for authorized activities may be advanced to and merged with this account.

STATE MEDIATION GRANTS

For grants pursuant to section 502(b) of the Agricultural Credit Act of 1987, as amended (7 U.S.C. 5101–5106), $4,000,000.

DAIRY INDEMNITY PROGRAM

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses involved in making indemnity payments to dairy farmers and manufacturers of dairy products under a dairy indemnity program, $100,000, to remain available until expended: Provided, That such program is carried out by the Secretary in the same manner as the dairy indemnity program described in the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2001 (Public Law 106–387, 114 Stat. 1549A–12).

AGRICULTURAL CREDIT INSURANCE FUND PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For gross obligations for the principal amount of direct and guaranteed farm ownership (7 U.S.C. 1922 et seq.) and operating (7 U.S.C. 1941 et seq.) loans, Indian tribe land acquisition loans (25 U.S.C. 488), and boll weevil loans (7 U.S.C. 1989), to be available from funds in the Agricultural Credit Insurance Fund, as follows: farm ownership loans, $1,610,000,000, of which $1,400,000,000 shall be for guaranteed loans and $210,000,000 shall be for direct loans; operating loans, $2,035,000,000, of which $1,100,000,000 shall be for unsubsidized guaranteed loans, $285,000,000 shall be for subsidized guaranteed loans and $650,000,000 shall be for direct loans; Indian tribe land acquisition loans, $2,000,000; and for boll weevil eradication program loans, $100,000,000: Provided, That the Secretary shall deem the pink bollworm to be a boll weevil for the purpose of boll weevil eradication program loans.

For the cost of direct and guaranteed loans, including the cost of modifying loans as defined in section 502 of the Congressional Budget Act of 1974, as follows: farm ownership loans, $18,655,000, of which $7,420,000 shall be for guaranteed loans, and $11,235,000 shall be for direct loans; operating loans, $139,049,000, of which $35,530,000 shall be for unsubsidized guaranteed loans, $37,934,000 shall be for subsidized guaranteed loans, and

$65,585,000 shall be for direct loans; and Indian tribe land acquisition loans, $105,000.

In addition, for administrative expenses necessary to carry out the direct and guaranteed loan programs, $301,764,000, of which $293,764,000 shall be transferred to and merged with the appropriation for "Farm Service Agency, Salaries and Expenses".

Funds appropriated by this Act to the Agricultural Credit Insurance Program Account for farm ownership and operating direct loans and guaranteed loans may be transferred among these programs: Provided, That the Committees on Appropriations of both Houses of Congress are notified at least 15 days in advance of any transfer.

RISK MANAGEMENT AGENCY

For administrative and operating expenses, as authorized by section 226A of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6933), $72,044,000: Provided, That not to exceed $1,000 shall be available for official reception and representation expenses, as authorized by 7 U.S.C. 1506(i).

CORPORATIONS

The following corporations and agencies are hereby authorized to make expenditures, within the limits of funds and borrowing authority available to each such corporation or agency and in accord with law, and to make contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act as may be necessary in carrying out the programs set forth in the budget for the current fiscal year for such corporation or agency, except as hereinafter provided.

FEDERAL CROP INSURANCE CORPORATION FUND

For payments as authorized by section 516 of the Federal Crop Insurance Act (7 U.S.C. 1516), such sums as may be necessary, to remain available until expended.

COMMODITY CREDIT CORPORATION FUND

REIMBURSEMENT FOR NET REALIZED LOSSES

For the current fiscal year, such sums as may be necessary to reimburse the Commodity Credit Corporation for net realized losses sustained, but not previously reimbursed, pursuant to section 2 of the Act of August 17, 1961 (15 U.S.C. 713a–11): Provided, That of the funds available to the Commodity Credit Corporation under section 11 of the Commodity Credit Corporation Charter Act (15 U.S.C 714i) for the conduct of its business with the Foreign Agricultural Service, up to $5,000,000 may be transferred to and used by the Foreign Agricultural Service for information resource management activities of the Foreign Agricultural Service that are not related to Commodity Credit Corporation business.

HAZARDOUS WASTE MANAGEMENT

(LIMITATION ON EXPENSES)

For the current fiscal year, the Commodity Credit Corporation shall not expend more than $5,000,000 for site investigation and cleanup expenses, and operations and maintenance expenses to comply with the requirement of section 107(g) of the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9607(g)), and section 6001 of the Resource Conservation and Recovery Act (42 U.S.C. 6961).

TITLE II

CONSERVATION PROGRAMS

OFFICE OF THE UNDER SECRETARY FOR NATURAL RESOURCES AND ENVIRONMENT

For necessary salaries and expenses of the Office of the Under Secretary for Natural Resources and Environment to administer the laws enacted by the Congress for the Forest Service and the Natural Resources Conservation Service, $741,000.

NATURAL RESOURCES CONSERVATION SERVICE

CONSERVATION OPERATIONS

For necessary expenses for carrying out the provisions of the Act of April 27, 1935 (16 U.S.C. 590a–f), including preparation of conservation plans and establishment of measures to conserve soil and water (including farm irrigation and land drainage and such special measures for soil and water management as may be necessary to prevent floods and the siltation of reservoirs and to control agricultural related pollutants); operation of conservation plant materials centers; classification and mapping of soil; dissemination of information; acquisition of lands, water, and interests therein for use in the plant materials program by donation, exchange, or purchase at a nominal cost not to exceed $100 pursuant to the Act of August 3, 1956 (7 U.S.C. 428a); purchase and erection or alteration or improvement of permanent and temporary buildings; and operation and maintenance of aircraft, $837,360,000, to remain available until June 30, 2006, of which not less than $10,500,000 is for snow survey and water forecasting, and not less than $14,433,000 is for operation and establishment of the plant materials centers, and of which not less than $23,500,000 shall be for the grazing lands conservation initiative: Provided, That appropriations hereunder shall be available pursuant to 7 U.S.C. 2250 for construction and improvement of buildings and public improvements at plant materials centers, except that the cost of alterations and improvements to other buildings and other public improvements shall not exceed $250,000: Provided further, That when buildings or other structures are erected on non-Federal land, that the right to use such land is obtained as provided in 7 U.S.C. 2250a: Provided further, That this appropriation shall be available for technical assistance and related expenses to carry out programs authorized by section 202(c) of title II of the Colorado River Basin Salinity Control Act of 1974 (43 U.S.C. 1592(c)): Provided further, That qualified

local engineers may be temporarily employed at per diem rates to perform the technical planning work of the Service: Provided further, That none of the funds made available under this paragraph by this or any other appropriations Act may be used to provide technical assistance with respect to programs listed in section 1241(a) of the Food Security Act of 1985 (16 U.S.C. 3841(a)).

WATERSHED SURVEYS AND PLANNING

For necessary expenses to conduct research, investigation, and surveys of watersheds of rivers and other waterways, and for small watershed investigations and planning, in accordance with the Watershed Protection and Flood Prevention Act (16 U.S.C. 1001–1009), $7,083,000: Provided, That none of the funds made available under this paragraph by this or any other appropriations Act may be used to provide technical assistance with respect to programs listed in section 1241(a) of the Food Security Act of 1985 (16 U.S.C. 3841(a)).

WATERSHED AND FLOOD PREVENTION OPERATIONS

For necessary expenses to carry out preventive measures, including but not limited to research, engineering operations, methods of cultivation, the growing of vegetation, rehabilitation of existing works and changes in use of land, in accordance with the Watershed Protection and Flood Prevention Act (16 U.S.C. 1001–1005 and 1007–1009), the provisions of the Act of April 27, 1935 (16 U.S.C. 590a–f), and in accordance with the provisions of laws relating to the activities of the Department, $75,576,000, to remain available until expended; of which up to $10,000,000 may be available for the watersheds authorized under the Flood Control Act (33 U.S.C. 701 and 16 U.S.C. 1006a): Provided, That not to exceed $35,000,000 of this appropriation shall be available for technical assistance: Provided further, That not to exceed $1,000,000 of this appropriation is available to carry out the purposes of the Endangered Species Act of 1973 (Public Law 93–205), including cooperative efforts as contemplated by that Act to relocate endangered or threatened species to other suitable habitats as may be necessary to expedite project construction: Provided further, That none of the funds made available under this paragraph by this or any other appropriations Act may be used to provide technical assistance with respect to programs listed in section 1241(a) of the Food Security Act of 1985 (16 U.S.C. 3841(a)).

WATERSHED REHABILITATION PROGRAM

For necessary expenses to carry out rehabilitation of structural measures, in accordance with section 14 of the Watershed Protection and Flood Prevention Act (16 U.S.C. 1012), and in accordance with the provisions of laws relating to the activities of the Department, $27,500,000, to remain available until expended: Provided, That none of the funds made available under this paragraph by this or any other appropriations Act may be used to provide technical assistance with respect to programs listed in section 1241(a) of the Food Security Act of 1985 (16 U.S.C. 3841(a)).

RESOURCE CONSERVATION AND DEVELOPMENT

For necessary expenses in planning and carrying out projects for resource conservation and development and for sound land use pursuant to the provisions of sections 31 and 32 of the Bankhead-Jones Farm Tenant Act (7 U.S.C. 1010–1011; 76 Stat. 607); the Act of April 27, 1935 (16 U.S.C. 590a–f); and subtitle H of title XV of the Agriculture and Food Act of 1981 (16 U.S.C. 3451–3461), $51,641,000, to remain available until expended: Provided, That none of the funds made available under this paragraph by this or any other appropriations Act may be used to provide technical assistance with respect to programs listed in section 1241(a) of the Food Security Act of 1985 (16 U.S.C. 3841(a)): Provided further, That the Secretary shall enter into a cooperative or contribution agreement with a national association regarding a Resource Conservation and Development program and such agreement shall contain the same matching, contribution requirements, and funding level, set forth in a similar cooperative or contribution agreement with a national association in fiscal year 2002: Provided further, That not to exceed $3,504,300 shall be available for national headquarters activities.

TITLE III

RURAL DEVELOPMENT PROGRAMS

OFFICE OF THE UNDER SECRETARY FOR RURAL DEVELOPMENT

For necessary salaries and expenses of the Office of the Under Secretary for Rural Development to administer programs under the laws enacted by the Congress for the Rural Housing Service, the Rural Business-Cooperative Service, and the Rural Utilities Service of the Department of Agriculture, $632,000.

RURAL COMMUNITY ADVANCEMENT PROGRAM

(INCLUDING TRANSFERS OF FUNDS)

For the cost of direct loans, loan guarantees, and grants, as authorized by 7 U.S.C. 1926, 1926a, 1926c, 1926d, and 1932, except for sections 381E–H and 381N of the Consolidated Farm and Rural Development Act, $716,049,000, to remain available until expended, of which $89,180,000 shall be for rural community programs described in section 381E(d)(1) of such Act; of which $552,689,000 shall be for the rural utilities programs described in sections 381E(d)(2), 306C(a)(2), and 306D of such Act, of which not to exceed $500,000 shall be available for the rural utilities program described in section 306(a)(2)(B) of such Act, and of which not to exceed $1,000,000 shall be available for the rural utilities program described in section 306E of such Act; and of which $74,180,000 shall be for the rural business and cooperative development programs described in sections 381E(d)(3) and 310B(f) of such Act: Provided, That of the total amount appropriated in this account, $25,000,000 shall be for loans and grants to benefit Federally Recognized Native American Tribes, including grants for drinking water and waste disposal systems pursuant to section 306C of such Act, of which $4,500,000 shall be available for community facilities grants to tribal colleges, as authorized by section 306(a)(19) of the Consolidated

Farm and Rural Development Act, and of which $250,000 shall be available for a grant to a qualified national organization to provide technical assistance for rural transportation in order to promote economic development: Provided further, That of the amount appropriated for rural community programs, $6,350,000 shall be available for a Rural Community Development Initiative: Provided further, That such funds shall be used solely to develop the capacity and ability of private, nonprofit community-based housing and community development organizations, low-income rural communities, and Federally Recognized Native American Tribes to undertake projects to improve housing, community facilities, community and economic development projects in rural areas: Provided further, That such funds shall be made available to qualified private, nonprofit and public intermediary organizations proposing to carry out a program of financial and technical assistance: Provided further, That such intermediary organizations shall provide matching funds from other sources, including Federal funds for related activities, in an amount not less than funds provided: Provided further, That of the amount appropriated for the rural business and cooperative development programs, not to exceed $500,000 shall be made available for a grant to a qualified national organization to provide technical assistance for rural transportation in order to promote economic development; $1,000,000 shall be for grants to the Delta Regional Authority (7 U.S.C. 1921 et seq.) for any purpose under this heading: Provided further, That of the amount appropriated for rural utilities programs, not to exceed $25,000,000 shall be for water and waste disposal systems to benefit the Colonias along the United States/Mexico border, including grants pursuant to section 306C of such Act; not to exceed $26,000,000 shall be for water and waste disposal systems for rural and native villages in Alaska pursuant to section 306D of such Act, with up to 2 percent available to administer the program and/or improve interagency coordination may be transferred to and merged with the appropriation for "Rural Development, Salaries and Expenses", of which $100,000 shall be provided to develop a regional system for centralized billing, operation, and management of rural water and sewer utilities through regional cooperatives, of which 25 percent shall be provided for water and sewer projects in regional hubs, and the State of Alaska shall provide a 25 percent cost share, and grantees may use up to 5 percent of grant funds, not to exceed $35,000 per community, for the completion of comprehensive community safe water plans; not to exceed $18,250,000 shall be for technical assistance grants for rural water and waste systems pursuant to section 306(a)(14) of such Act, of which $5,600,000 shall be for Rural Community Assistance Programs and not less than $800,000 shall be for a qualified national Native American organization to provide technical assistance for rural water systems for tribal communities; and not to exceed $13,500,000 shall be for contracting with qualified national organizations for a circuit rider program to provide technical assistance for rural water systems: Provided further, That of the total amount appropriated, not to exceed $22,166,000 shall be available through June 30, 2005, for authorized empowerment zones and enterprise communities and communities designated by the Secretary of Agriculture as Rural Economic Area Partnership Zones; of which $1,081,000 shall be for the rural community programs described in

section 381E(d)(1) of such Act, of which $12,582,000 shall be for the rural utilities programs described in section 381E(d)(2) of such Act, and of which $8,503,000 shall be for the rural business and cooperative development programs described in section 381E(d)(3) of such Act: Provided further, That of the amount appropriated for rural community programs, not to exceed $21,000,000 shall be to provide grants for facilities in rural communities with extreme unemployment and severe economic depression (Public Law 106–387), with 5 percent for administration and capacity building in the State rural development offices: Provided further, That of the amount appropriated, $28,000,000 shall be transferred to and merged with the "Rural Utilities Service, High Energy Cost Grants Account" to provide grants authorized under section 19 of the Rural Electrification Act of 1936 (7 U.S.C. 918a): Provided further, That any prior year balances for high cost energy grants authorized by section 19 of the Rural Electrification Act of 1936 (7 U.S.C. 901(19)) shall be transferred to and merged with the "Rural Utilities Service, High Energy Costs Grants Account".

RURAL DEVELOPMENT SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses for carrying out the administration and implementation of programs in the Rural Development mission area, including activities with institutions concerning the development and operation of agricultural cooperatives; and for cooperative agreements; $148,452,000: Provided, That of funds appropriated under this title for salaries and expenses, not less than $5,000,000 shall be used to complete the consolidation of Rural Development activities in St. Louis, to the Goodfellow facility also in St. Louis: Provided further, That notwithstanding any other provision of law, funds appropriated under this section may be used for advertising and promotional activities that support the Rural Development mission area: Provided further, That not more than $10,000 may be expended to provide modest nonmonetary awards to non-USDA employees: Provided further, That any balances available from prior years for the Rural Utilities Service, Rural Housing Service, and the Rural Business-Cooperative Service salaries and expenses accounts shall be transferred to and merged with this appropriation.

RURAL HOUSING SERVICE

RURAL HOUSING INSURANCE FUND PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For gross obligations for the principal amount of direct and guaranteed loans as authorized by title V of the Housing Act of 1949, to be available from funds in the rural housing insurance fund, as follows: $4,459,297,000 for loans to section 502 borrowers, as determined by the Secretary, of which $1,150,000,000 shall be for direct loans, and of which $3,309,297,000 shall be for unsubsidized guaranteed loans; $35,000,000 for section 504 housing repair loans; $100,000,000 for section 515 rental housing; $100,000,000 for section 538 guaranteed multi-family housing loans; $5,045,000 for section 524 site loans; $11,501,000 for credit sales of acquired property,

of which up to $1,501,000 may be for multi-family credit sales; and $10,000,000 for section 523 self-help housing land development loans.

For the cost of direct and guaranteed loans, including the cost of modifying loans, as defined in section 502 of the Congressional Budget Act of 1974, as follows: section 502 loans, $166,778,000, of which $133,170,000 shall be for direct loans, and of which $33,608,000, to remain available until expended, shall be for unsubsidized guaranteed loans; section 504 housing repair loans, $10,171,000; section 515 rental housing, $47,090,000; section 538 multi-family housing guaranteed loans, $3,490,000; multi-family credit sales of acquired property, $727,000: Provided, That of the total amount appropriated in this paragraph, $7,100,000 shall be available through June 30, 2005, for authorized empowerment zones and enterprise communities and communities designated by the Secretary of Agriculture as Rural Economic Area Partnership Zones: Provided further, That any funds under this paragraph initially allocated by the Secretary for housing projects in the State of Alaska that are not obligated by September 30, 2005, shall be carried over until September 30, 2006, and made available for such housing projects only in the State of Alaska.

In addition, for administrative expenses necessary to carry out the direct and guaranteed loan programs, $448,342,000, which shall be transferred to and merged with the appropriation for "Rural Development, Salaries and Expenses".

RENTAL ASSISTANCE PROGRAM

For rental assistance agreements entered into or renewed pursuant to the authority under section 521(a)(2) or agreements entered into in lieu of debt forgiveness or payments for eligible households as authorized by section 502(c)(5)(D) of the Housing Act of 1949, $592,000,000; and, in addition, such sums as may be necessary, as authorized by section 521(c) of the Act, to liquidate debt incurred prior to fiscal year 1992 to carry out the rental assistance program under section 521(a)(2) of the Act: Provided, That of this amount, $5,900,000 shall be available for debt forgiveness or payments for eligible households as authorized by section 502(c)(5)(D) of the Act, and not to exceed $20,000 per project for advances to nonprofit organizations or public agencies to cover direct costs (other than purchase price) incurred in purchasing projects pursuant to section 502(c)(5)(C) of the Act: Provided further, That agreements entered into or renewed during the current fiscal year shall be funded for a four-year period: Provided further, That any unexpended balances remaining at the end of such four-year agreements may be transferred and used for the purposes of any debt reduction; maintenance, repair, or rehabilitation of any existing projects; preservation; and rental assistance activities authorized under title V of the Act.

MUTUAL AND SELF-HELP HOUSING GRANTS

For grants and contracts pursuant to section 523(b)(1)(A) of the Housing Act of 1949 (42 U.S.C. 1490c), $34,000,000, to remain available until expended: Provided, That of the total amount appropriated, $1,000,000 shall be available through June 30, 2005, for authorized empowerment zones and enterprise communities and

communities designated by the Secretary of Agriculture as Rural Economic Area Partnership Zones.

RURAL HOUSING ASSISTANCE GRANTS

For grants and contracts for very low-income housing repair, supervisory and technical assistance, compensation for construction defects, and rural housing preservation made by the Rural Housing Service, as authorized by 42 U.S.C. 1474, 1479(c), 1490e, and 1490m, $43,992,000, to remain available until expended: Provided, That $3,000,000 shall be made available for loans to private non-profit organizations, or such non-profit organizations' affiliate loan funds and State housing finance agencies, to carry out a housing demonstration program to provide revolving loans for the preservation of low-income multi-family housing projects: Provided further, That loans under such demonstration program shall have an interest rate of not more than one percent direct loan to the recipient: Provided further, That the Secretary may defer the interest and principal payment to the Rural Housing Service for up to three years and the term of such loans shall not exceed 30 years: Provided further, That of the total amount appropriated, $1,800,000 shall be available through June 30, 2005, for authorized empowerment zones and enterprise communities and communities designated by the Secretary of Agriculture as Rural Economic Area Partnership Zones.

FARM LABOR PROGRAM ACCOUNT

For the cost of direct loans, grants, and contracts, as authorized by 42 U.S.C. 1484 and 1486, $34,118,000, to remain available until expended, for direct farm labor housing loans and domestic farm labor housing grants and contracts.

RURAL BUSINESS—COOPERATIVE SERVICE

RURAL DEVELOPMENT LOAN FUND PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For the principal amount of direct loans, as authorized by the Rural Development Loan Fund (42 U.S.C. 9812(a)), $34,213,000.

For the cost of direct loans, $15,868,000, as authorized by the Rural Development Loan Fund (42 U.S.C. 9812(a)), of which $1,724,000 shall be available through June 30, 2005, for Federally Recognized Native American Tribes and of which $3,449,000 shall be available through June 30, 2005, for Mississippi Delta Region counties (as determined in accordance with Public Law 100–460): Provided, That of such amount made available, the Secretary may provide up to $1,500,000 for the Delta Regional Authority (7 U.S.C. 1921 et seq.): Provided further, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That of the total amount appropriated, $2,447,000 shall be available through June 30, 2005, for the cost of direct loans for authorized empowerment zones and enterprise communities and communities designated by the Secretary of Agriculture as Rural Economic Area Partnership Zones.

In addition, for administrative expenses to carry out the direct loan programs, $4,316,000 shall be transferred to and merged with the appropriation for "Rural Development, Salaries and Expenses".

RURAL ECONOMIC DEVELOPMENT LOANS PROGRAM ACCOUNT

(INCLUDING RESCISSION OF FUNDS)

For the principal amount of direct loans, as authorized under section 313 of the Rural Electrification Act, for the purpose of promoting rural economic development and job creation projects, $25,003,000.

For the cost of direct loans, including the cost of modifying loans as defined in section 502 of the Congressional Budget Act of 1974, $4,698,000, to remain available until expended.

Of the funds derived from interest on the cushion of credit payments in the current fiscal year, as authorized by section 313 of the Rural Electrification Act of 1936, $4,698,000 shall not be obligated and $4,698,000 are rescinded.

RURAL COOPERATIVE DEVELOPMENT GRANTS

For rural cooperative development grants authorized under section 310B(e) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1932), $24,000,000, of which $2,500,000 shall be for cooperative agreements for the appropriate technology transfer for rural areas program: Provided, That not to exceed $1,500,000 shall be for cooperatives or associations of cooperatives whose primary focus is to provide assistance to small, minority producers and whose governing board and/or membership is comprised of at least 75 percent minority; and of which not to exceed $15,500,000, to remain available until expended, shall be for value-added agricultural product market development grants, as authorized by section 6401 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 1621 note).

RURAL EMPOWERMENT ZONES AND ENTERPRISE COMMUNITIES GRANTS

For grants in connection with second and third rounds of empowerment zones and enterprise communities, $12,500,000, to remain available until expended, for designated rural empowerment zones and rural enterprise communities, as authorized by the Taxpayer Relief Act of 1997 and the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999 (Public Law 105–277): Provided, That of the funds appropriated, $1,000,000 shall be made available to third round empowerment zones, as authorized by the Community Renewal Tax Relief Act (Public Law 106–554).

RENEWABLE ENERGY PROGRAM

For the cost of a program of direct loans, loan guarantees, and grants, under the same terms and conditions as authorized by section 9006 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8106), $23,000,000 for direct and guaranteed renewable energy loans and grants: Provided, That the cost of direct loans and loan guarantees, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974.

RURAL UTILITIES SERVICE

RURAL ELECTRIFICATION AND TELECOMMUNICATIONS LOANS PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

Insured loans pursuant to the authority of section 305 of the Rural Electrification Act of 1936 (7 U.S.C. 935) shall be made as follows: 5 percent rural electrification loans, $120,000,000; municipal rate rural electric loans, $100,000,000; loans made pursuant to section 306 of that Act, rural electric, $2,100,000,000; Treasury rate direct electric loans, $1,000,000,000; guaranteed underwriting loans pursuant to section 313A, $1,000,000,000; 5 percent rural telecommunications loans, $145,000,000; cost of money rural telecommunications loans, $250,000,000; and for loans made pursuant to section 306 of that Act, rural telecommunications loans, $125,000,000.

For the cost, as defined in section 502 of the Congressional Budget Act of 1974, including the cost of modifying loans, of direct and guaranteed loans authorized by sections 305 and 306 of the Rural Electrification Act of 1936 (7 U.S.C. 935 and 936), as follows: cost of rural electric loans, $5,058,000, and the cost of telecommunications loans, $100,000: Provided, That notwithstanding section 305(d)(2) of the Rural Electrification Act of 1936, borrower interest rates may exceed 7 percent per year.

In addition, for administrative expenses necessary to carry out the direct and guaranteed loan programs, $38,277,000 which shall be transferred to and merged with the appropriation for "Rural Development, Salaries and Expenses".

RURAL TELEPHONE BANK PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

The Rural Telephone Bank is hereby authorized to make such expenditures, within the limits of funds available to such corporation in accord with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act, as may be necessary in carrying out its authorized programs. During fiscal year 2005 and within the resources and authority available, gross obligations for the principal amount of direct loans shall be $175,000,000.

In addition, for administrative expenses, including audits, necessary to carry out the loan programs, $3,152,000, which shall be transferred to and merged with the appropriation for "Rural Development, Salaries and Expenses".

DISTANCE LEARNING, TELEMEDICINE, AND BROADBAND PROGRAM

For the principal amount of direct distance learning and telemedicine loans, $50,000,000; and for the principal amount of direct broadband telecommunication loans, $550,000,000.

For the cost of direct loans and grants for telemedicine and distance learning services in rural areas, as authorized by 7 U.S.C. 950aaa et seq., $35,710,000, to remain available until expended, of which $710,000 shall be for direct loans: Provided, That the cost of direct loans shall be as defined in section 502 of the Congressional

Budget Act of 1974: Provided further, That $10,000,000 shall be made available to convert analog to digital operation those non-commercial educational television broadcast stations that serve rural areas and are qualified for Community Service Grants by the Corporation for Public Broadcasting under section 396(k) of the Communications Act of 1934, including associated translators and repeaters, regardless of the location of their main transmitter, studio-to-transmitter links, and equipment to allow local control over digital content and programming through the use of high-definition broadcast, multi-casting and datacasting technologies.

For the cost of broadband loans, as authorized by 7 U.S.C. 901 et seq., $11,715,000, to remain available until September 30, 2006: Provided, That the interest rate for such loans shall be the cost of borrowing to the Department of the Treasury for obligations of comparable maturity: Provided further, That the cost of direct loans shall be as defined in section 502 of the Congressional Budget Act of 1974.

In addition, $9,000,000, to remain available until expended, for a grant program to finance broadband transmission in rural areas eligible for Distance Learning and Telemedicine Program benefits authorized by 7 U.S.C. 950aaa.

TITLE IV

DOMESTIC FOOD PROGRAMS

OFFICE OF THE UNDER SECRETARY FOR FOOD, NUTRITION AND CONSUMER SERVICES

For necessary salaries and expenses of the Office of the Under Secretary for Food, Nutrition and Consumer Services to administer the laws enacted by the Congress for the Food and Nutrition Service, $595,000.

FOOD AND NUTRITION SERVICE

CHILD NUTRITION PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses to carry out the National School Lunch Act (42 U.S.C. 1751 et seq.), except section 21, and the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.), except sections 17 and 21; $11,782,000,000, to remain available through September 30, 2006, of which $6,629,038,000 is hereby appropriated and $5,152,962,000 shall be derived by transfer from funds available under section 32 of the Act of August 24, 1935 (7 U.S.C. 612c): Provided, That none of the funds made available under this heading shall be used for studies and evaluations: Provided further, That up to $5,235,000 shall be available for independent verification of school food service claims.

SPECIAL SUPPLEMENTAL NUTRITION PROGRAM FOR WOMEN, INFANTS, AND CHILDREN (WIC)

For necessary expenses to carry out the special supplemental nutrition program as authorized by section 17 of the Child Nutrition Act of 1966 (42 U.S.C. 1786), $5,277,250,000, to remain avail-

able through September 30, 2006, of which $125,000,000 shall be placed in reserve, to remain available until expended, to be allocated as the Secretary deems necessary, notwithstanding section 17(i) of such Act, to support participation should cost or participation exceed budget estimates: Provided, That of the total amount available, the Secretary shall obligate not less than $15,000,000 for a breastfeeding support initiative in addition to the activities specified in section 17(h)(3)(A): Provided further, That notwithstanding section 17(h)(10)(A) of such Act, $14,000,000 shall be available for the purposes specified in section 17(h)(10)(B): Provided further, That none of the funds made available under this heading shall be used for studies and evaluations: Provided further, That none of the funds in this Act shall be available to pay administrative expenses of WIC clinics except those that have an announced policy of prohibiting smoking within the space used to carry out the program: Provided further, That none of the funds provided in this account shall be available for the purchase of infant formula except in accordance with the cost containment and competitive bidding requirements specified in section 17 of such Act: Provided further, That none of the funds provided shall be available for activities that are not fully reimbursed by other Federal Government departments or agencies unless authorized by section 17 of such Act.

FOOD STAMP PROGRAM

For necessary expenses to carry out the Food Stamp Act (7 U.S.C. 2011 et seq.), $35,154,554,000, of which $3,000,000,000 to remain available through September 30, 2006, shall be placed in reserve for use only in such amounts and at such times as may become necessary to carry out program operations: Provided, That none of the funds made available under this heading shall be used for studies and evaluations: Provided further, That of the funds made available under this heading and not already appropriated to the Food Distribution Program on Indian Reservations (FDPIR) established under section 4(b) of the Food Stamp Act of 1977 (7 U.S.C. 2013(b)), not to exceed $4,000,000 shall be used to purchase bison meat for the FDPIR from Native American bison producers as well as from producer-owned cooperatives of bison ranchers: Provided further, That funds provided herein shall be expended in accordance with section 16 of the Food Stamp Act: Provided further, That this appropriation shall be subject to any work registration or workfare requirements as may be required by law: Provided further, That funds made available for Employment and Training under this heading shall remain available until expended, as authorized by section 16(h)(1) of the Food Stamp Act: Provided further, That notwithstanding section 5(d) of the Food Stamp Act of 1977, any additional payment received under chapter 5 of title 37, United States Code, by a member of the United States Armed Forces deployed to a designated combat zone shall be excluded from household income for the duration of the member's deployment if the additional pay is the result of deployment to or while serving in a combat zone, and it was not received immediately prior to serving in the combat zone.

COMMODITY ASSISTANCE PROGRAM

For necessary expenses to carry out disaster assistance and the commodity supplemental food program as authorized by section 4(a) of the Agriculture and Consumer Protection Act of 1973 (7 U.S.C. 612c note); the Emergency Food Assistance Act of 1983; and special assistance (in a form determined by the Secretary of Agriculture) for the nuclear affected islands, as authorized by section 103(f)(2) of the Compact of Free Association Amendments Act of 2003 (Public Law 108–188); and the Farmers' Market Nutrition Program, as authorized by section 17(m) of the Child Nutrition Act of 1966, $178,797,000, to remain available through September 30, 2006: Provided, That none of these funds shall be available to reimburse the Commodity Credit Corporation for commodities donated to the program: Provided further, That notwithstanding any other provision of law, effective with funds made available in fiscal year 2005 to support the Senior Farmers' Market Nutrition Program, as authorized by section 4402 of Public Law 107–171, such funds shall remain available through September 30, 2006.

NUTRITION PROGRAMS ADMINISTRATION

For necessary administrative expenses of the domestic nutrition assistance programs funded under this Act, $139,937,000, of which $5,000,000 shall be available only for simplifying procedures, reducing overhead costs, tightening regulations, improving food stamp benefit delivery, and assisting in the prevention, identification, and prosecution of fraud and other violations of law.

TITLE V

FOREIGN ASSISTANCE AND RELATED PROGRAMS

FOREIGN AGRICULTURAL SERVICE

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Foreign Agricultural Service, including carrying out title VI of the Agricultural Act of 1954 (7 U.S.C. 1761–1768), market development activities abroad, and for enabling the Secretary to coordinate and integrate activities of the Department in connection with foreign agricultural work, including not to exceed $158,000 for representation allowances and for expenses pursuant to section 8 of the Act approved August 3, 1956 (7 U.S.C. 1766), $137,822,000: Provided, That the Service may utilize advances of funds, or reimburse this appropriation for expenditures made on behalf of Federal agencies, public and private organizations and institutions under agreements executed pursuant to the agricultural food production assistance programs (7 U.S.C. 1737) and the foreign assistance programs of the United States Agency for International Development.

PUBLIC LAW 480 TITLE I PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For the cost, as defined in section 502 of the Congressional Budget Act of 1974, of agreements under the Agricultural Trade Development and Assistance Act of 1954, and the Food for Progress Act of 1985, including the cost of modifying credit arrangements under said Acts, $94,198,000, to remain available until expended: Provided, That the Secretary of Agriculture may implement a commodity monetization program under existing provisions of the Food for Progress Act of 1985 to provide no less than $5,000,000 in local-currency funding support for rural electrification development overseas.

In addition, for administrative expenses to carry out the credit program of title I, Public Law 83–480, and the Food for Progress Act of 1985, to the extent funds appropriated for Public Law 83–480 are utilized, $4,034,000, of which $1,097,000 may be transferred to and merged with the appropriation for "Foreign Agricultural Service, Salaries and Expenses", and of which $2,937,000 may be transferred to and merged with the appropriation for "Farm Service Agency, Salaries and Expenses".

PUBLIC LAW 480 TITLE I OCEAN FREIGHT DIFFERENTIAL GRANTS

(INCLUDING TRANSFER OF FUNDS)

For ocean freight differential costs for the shipment of agricultural commodities under title I of the Agricultural Trade Development and Assistance Act of 1954 and under the Food for Progress Act of 1985, $22,723,000, to remain available until expended: Provided, That funds made available for the cost of agreements under title I of the Agricultural Trade Development and Assistance Act of 1954 and for title I ocean freight differential may be used interchangeably between the two accounts with prior notice to the Committees on Appropriations of both Houses of Congress.

PUBLIC LAW 480 TITLE II GRANTS

For expenses during the current fiscal year, not otherwise recoverable, and unrecovered prior years' costs, including interest thereon, under the Agricultural Trade Development and Assistance Act of 1954, for commodities supplied in connection with dispositions abroad under title II of said Act, $1,182,501,000, to remain available until expended.

COMMODITY CREDIT CORPORATION EXPORT LOANS PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For administrative expenses to carry out the Commodity Credit Corporation's export guarantee program, GSM 102 and GSM 103, $4,423,000; to cover common overhead expenses as permitted by section 11 of the Commodity Credit Corporation Charter Act and in conformity with the Federal Credit Reform Act of 1990, of which $3,421,000 may be transferred to and merged with the appropriation for "Foreign Agricultural Service, Salaries and Expenses", and of which $1,002,000 may be transferred to and merged with the appropriation for "Farm Service Agency, Salaries and Expenses".

MC GOVERN-DOLE INTERNATIONAL FOOD FOR EDUCATION AND CHILD NUTRITION PROGRAM GRANTS

For necessary expenses to carry out the provisions of section 3107 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 1736o–1), $87,500,000, to remain available until expended: Provided, That the Commodity Credit Corporation is authorized to provide the services, facilities, and authorities for the purpose of implementing such section, subject to reimbursement from amounts provided herein.

TITLE VI

RELATED AGENCIES AND FOOD AND DRUG ADMINISTRATION

DEPARTMENT OF HEALTH AND HUMAN SERVICES

FOOD AND DRUG ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses of the Food and Drug Administration, including hire and purchase of passenger motor vehicles; for payment of space rental and related costs pursuant to Public Law 92–313 for programs and activities of the Food and Drug Administration which are included in this Act; for rental of special purpose space in the District of Columbia or elsewhere; for miscellaneous and emergency expenses of enforcement activities, authorized and approved by the Secretary and to be accounted for solely on the Secretary's certificate, not to exceed $25,000; and notwithstanding section 521 of Public Law 107–188; $1,788,478,000: Provided, That of the amount provided under this heading, $284,394,000 shall be derived from prescription drug user fees authorized by 21 U.S.C. 379h, and shall be credited to this account and remain available until expended; $33,938,000 shall be derived from medical device user fees authorized by 21 U.S.C. 379j, and shall be credited to this account and remain available until expended; and $8,354,000 shall be derived from animal drug user fees authorized by 21 U.S.C. 379j, and shall be credited to this account and remain available until expended: Provided further, That fees derived from prescription drug, medical device, and animal drug assessments received during fiscal year 2005, including any such fees assessed prior to the current fiscal year but credited during the current year, shall be subject to the fiscal year 2005 limitation: Provided further, That none of these funds shall be used to develop, establish, or operate any program of user fees authorized by 31 U.S.C. 9701: Provided further, That of the total amount appropriated: (1) $439,038,000 shall be for the Center for Food Safety and Applied Nutrition and related field activities in the Office of Regulatory Affairs; (2) $498,647,000 shall be for the Center for Drug Evaluation and Research and related field activities in the Office of Regulatory Affairs; (3) $172,714,000 shall be for the Center for Biologics Evaluation and Research and for related field activities in the Office of Regulatory Affairs; (4) $98,964,000 shall be for the Center for Veterinary Medicine and for related field activities in the Office of Regulatory Affairs; (5) $235,078,000 shall be for the Center for Devices and Radiological

Health and for related field activities in the Office of Regulatory Affairs; (6) $40,530,000 shall be for the National Center for Toxicological Research; (7) $57,722,000 shall be for Rent and Related activities, other than the amounts paid to the General Services Administration for rent; (8) $129,815,000 shall be for payments to the General Services Administration for rent; and (9) $115,970,000 shall be for other activities, including the Office of the Commissioner; the Office of Management; the Office of External Relations; the Office of Policy and Planning; and central services for these offices: Provided further, That funds may be transferred from one specified activity to another with the prior approval of the Committees on Appropriations of both Houses of Congress.

In addition, mammography user fees authorized by 42 U.S.C. 263b may be credited to this account, to remain available until expended.

In addition, export certification user fees authorized by 21 U.S.C. 381 may be credited to this account, to remain available until expended.

INDEPENDENT AGENCIES

COMMODITY FUTURES TRADING COMMISSION

For necessary expenses to carry out the provisions of the Commodity Exchange Act (7 U.S.C. 1 et seq.), including the purchase and hire of passenger motor vehicles, and the rental of space (to include multiple year leases) in the District of Columbia and elsewhere, $94,327,000, including not to exceed $3,000 for official reception and representation expenses.

FARM CREDIT ADMINISTRATION

LIMITATION ON ADMINISTRATIVE EXPENSES

Not to exceed $42,350,000 (from assessments collected from farm credit institutions and from the Federal Agricultural Mortgage Corporation) shall be obligated during the current fiscal year for administrative expenses as authorized under 12 U.S.C. 2249: Provided, That this limitation shall not apply to expenses associated with receiverships.

TITLE VII—GENERAL PROVISIONS

SEC. 701. Within the unit limit of cost fixed by law, appropriations and authorizations made for the Department of Agriculture for the current fiscal year under this Act shall be available for the purchase, in addition to those specifically provided for, of not to exceed 388 passenger motor vehicles, of which 388 shall be for replacement only, and for the hire of such vehicles.

SEC. 702. Funds in this Act available to the Department of Agriculture shall be available for uniforms or allowances therefor as authorized by law (5 U.S.C. 5901–5902).

SEC. 703. Funds appropriated by this Act shall be available for employment pursuant to the second sentence of section 706(a) of the Department of Agriculture Organic Act of 1944 (7 U.S.C. 2225) and 5 U.S.C. 3109.

SEC. 704. New obligational authority provided for the following appropriation items in this Act shall remain available until expended: Animal and Plant Health Inspection Service, the contingency fund to meet emergency conditions, information technology infrastructure, fruit fly program, emerging plant pests, boll weevil program, low pathogen avian influenza program, up to $33,197,000 in animal health monitoring and surveillance for the animal identification system, up to $3,000,000 in the emergency management systems program for the vaccine bank, up to $1,000,000 for wildlife services methods development, up to $1,000,000 of the wildlife services operations program for aviation safety, and up to 25 percent of the screwworm program; Food Safety and Inspection Service, field automation and information management project; Cooperative State Research, Education, and Extension Service, funds for competitive research grants (7 U.S.C. 450i(b)), funds for the Research, Education, and Economics Information System, and funds for the Native American Institutions Endowment Fund; Farm Service Agency, salaries and expenses funds made available to county committees; Foreign Agricultural Service, middle-income country training program, and up to $1,565,000 of the Foreign Agricultural Service appropriation solely for the purpose of offsetting fluctuations in international currency exchange rates, subject to documentation by the Foreign Agricultural Service.

SEC. 705. The Secretary of Agriculture may transfer unobligated balances of discretionary funds appropriated by this Act or other available unobligated discretionary balances of the Department of Agriculture to the Working Capital Fund for the acquisition of plant and capital equipment necessary for the delivery of financial, administrative, and information technology services of primary benefit to the agencies of the Department of Agriculture: Provided, That none of the funds made available by this Act or any other Act shall be transferred to the Working Capital Fund without the prior approval of the agency administrator: Provided further, That none of the funds transferred to the Working Capital Fund pursuant to this section shall be available for obligation without the prior approval of the Committees on Appropriations of both Houses of Congress.

SEC. 706. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 707. Not to exceed $50,000 of the appropriations available to the Department of Agriculture in this Act shall be available to provide appropriate orientation and language training pursuant to section 606C of the Act of August 28, 1954 (7 U.S.C. 1766b).

SEC. 708. No funds appropriated by this Act may be used to pay negotiated indirect cost rates on cooperative agreements or similar arrangements between the United States Department of Agriculture and nonprofit institutions in excess of 10 percent of the total direct cost of the agreement when the purpose of such cooperative arrangements is to carry out programs of mutual interest between the two parties. This does not preclude appropriate payment of indirect costs on grants and contracts with such institutions when such indirect costs are computed on a similar basis for all agencies for which appropriations are provided in this Act.

SEC. 709. None of the funds in this Act shall be available to restrict the authority of the Commodity Credit Corporation to lease space for its own use or to lease space on behalf of other agencies of the Department of Agriculture when such space will be jointly occupied.

SEC. 710. None of the funds in this Act shall be available to pay indirect costs charged against competitive agricultural research, education, or extension grant awards issued by the Cooperative State Research, Education, and Extension Service that exceed 20 percent of total Federal funds provided under each award: Provided, That notwithstanding section 1462 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3310), funds provided by this Act for grants awarded competitively by the Cooperative State Research, Education, and Extension Service shall be available to pay full allowable indirect costs for each grant awarded under section 9 of the Small Business Act (15 U.S.C. 638).

SEC. 711. Notwithstanding any other provision of this Act, all loan levels provided in this Act shall be considered estimates, not limitations.

SEC. 712. Appropriations to the Department of Agriculture for the cost of direct and guaranteed loans made available in the current fiscal year shall remain available until expended to cover obligations made in the current fiscal year for the following accounts: the Rural Development Loan Fund program account, the Rural Telephone Bank program account, the Rural Electrification and Telecommunication Loans program account, and the Rural Housing Insurance Fund program account.

SEC. 713. None of the funds in this Act may be used to retire more than 5 percent of the Class A stock of the Rural Telephone Bank or to maintain any account or subaccount within the accounting records of the Rural Telephone Bank the creation of which has not specifically been authorized by statute: Provided, That notwithstanding any other provision of law, none of the funds appropriated or otherwise made available in this Act may be used to transfer to the Treasury or to the Federal Financing Bank any unobligated balance of the Rural Telephone Bank telephone liquidating account which is in excess of current requirements and such balance shall receive interest as set forth for financial accounts in section 505(c) of the Federal Credit Reform Act of 1990.

SEC. 714. Of the funds made available by this Act, not more than $1,800,000 shall be used to cover necessary expenses of activities related to all advisory committees, panels, commissions, and task forces of the Department of Agriculture, except for panels used to comply with negotiated rule makings and panels used to evaluate competitively awarded grants.

SEC. 715. None of the funds appropriated by this Act may be used to carry out section 410 of the Federal Meat Inspection Act (21 U.S.C. 679a) or section 30 of the Poultry Products Inspection Act (21 U.S.C. 471).

SEC. 716. No employee of the Department of Agriculture may be detailed or assigned from an agency or office funded by this Act to any other agency or office of the Department for more than 30 days unless the individual's employing agency or office is fully reim-

bursed by the receiving agency or office for the salary and expenses of the employee for the period of assignment.

SEC. 717. None of the funds appropriated or otherwise made available to the Department of Agriculture shall be used to transmit or otherwise make available to any non-Department of Agriculture employee questions or responses to questions that are a result of information requested for the appropriations hearing process.

SEC. 718. None of the funds made available to the Department of Agriculture by this Act may be used to acquire new information technology systems or significant upgrades, as determined by the Office of the Chief Information Officer, without the approval of the Chief Information Officer and the concurrence of the Executive Information Technology Investment Review Board: Provided, That notwithstanding any other provision of law, none of the funds appropriated or otherwise made available by this Act may be transferred to the Office of the Chief Information Officer without the prior approval of the Committees on Appropriations of both Houses of Congress: Provided further, That none of the funds available to the Department of Agriculture for information technology shall be obligated for projects over $25,000 prior to receipt of written approval by the Chief Information Officer.

SEC. 719. (a) None of the funds provided by this Act, or provided by previous Appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in the current fiscal year, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds which: (1) creates new programs; (2) eliminates a program, project, or activity; (3) increases funds or personnel by any means for any project or activity for which funds have been denied or restricted; (4) relocates an office or employees; (5) reorganizes offices, programs, or activities; or (6) contracts out or privatizes any functions or activities presently performed by Federal employees; unless the Committees on Appropriations of both Houses of Congress are notified 15 days in advance of such reprogramming of funds.

(b) None of the funds provided by this Act, or provided by previous Appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in the current fiscal year, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure for activities, programs, or projects through a reprogramming of funds in excess of $500,000 or 10 percent, whichever is less, that: (1) augments existing programs, projects, or activities; (2) reduces by 10 percent funding for any existing program, project, or activity, or numbers of personnel by 10 percent as approved by Congress; or (3) results from any general savings from a reduction in personnel which would result in a change in existing programs, activities, or projects as approved by Congress; unless the Committees on Appropriations of both Houses of Congress are notified 15 days in advance of such reprogramming of funds.

(c) The Secretary of Agriculture, the Secretary of Health and Human Services, or the Chairman of the Commodity Futures Trading Commission shall notify the Committees on Appropriations of

both Houses of Congress before implementing a program or activity not carried out during the previous fiscal year unless the program or activity is funded by this Act or specifically funded by any other Act.

SEC. 720. With the exception of funds needed to administer and conduct oversight of grants awarded and obligations incurred in prior fiscal years, none of the funds appropriated or otherwise made available by this or any other Act may be used to pay the salaries and expenses of personnel to carry out the provisions of section 401 of Public Law 105–185, the Initiative for Future Agriculture and Food Systems (7 U.S.C. 7621).

SEC. 721. None of the funds appropriated by this or any other Act shall be used to pay the salaries and expenses of personnel who prepare or submit appropriations language as part of the President's Budget submission to the Congress of the United States for programs under the jurisdiction of the Appropriations Subcommittees on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies that assumes revenues or reflects a reduction from the previous year due to user fees proposals that have not been enacted into law prior to the submission of the Budget unless such Budget submission identifies which additional spending reductions should occur in the event the user fees proposals are not enacted prior to the date of the convening of a committee of conference for the fiscal year 2006 appropriations Act.

SEC. 722. None of the funds made available by this or any other Act may be used to close or relocate a state Rural Development office unless or until cost effectiveness and enhancement of program delivery have been determined.

SEC. 723. In addition to amounts otherwise appropriated or made available by this Act, $2,500,000 is appropriated for the purpose of providing Bill Emerson and Mickey Leland Hunger Fellowships, through the Congressional Hunger Center.

SEC. 724. Notwithstanding section 412 of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1736f), any balances available to carry out title III of such Act as of the date of enactment of this Act, and any recoveries and reimbursements that become available to carry out title III of such Act, may be used to carry out title II of such Act.

SEC. 725. Section 375(e)(6)(B) of the Consolidated Farm and Rural Development Act (7 U.S.C. 2008j(e)(6)(B)) is amended by striking "$26,998,000" and inserting "$27,998,000".

SEC. 726. (a) None of the funds appropriated or otherwise made available by this Act shall be used to pay the salaries and expenses of personnel to collect from the lender at the time of issuance a guarantee fee of less than 2 percent of the principal obligation of guaranteed single-family housing loans administered by the Rural Housing Service: Provided, That this section shall not apply to loans made to refinance other single-family housing loans administered by the Rural Housing Service.

(b) Section 502(h)(6)(C) of the Housing Act of 1949 (42 U.S.C. 1472(h)(6)(C)) is amended by adding, ", plus the guarantee fee as authorized by subsection (h)(7)" after the phrase, "whichever is less", in each of paragraphs (i) and (ii).

SEC. 727. Notwithstanding any other provision of law, and until receipt of the decennial Census in the year 2010, the Secretary of Agriculture shall consider—

(1) the City of Salinas, California; the City of Watsonville, California; and the City of Hollister, California, eligible for programs administered by the Rural Housing Service;

(2) the Town of Horseshoe Beach, Florida; the City of Wewahitchka, Florida; the City of Southport, Florida; the City of Resota Beach, Florida; the City of Creedmoor, North Carolina; the County of Lake, Florida; the City of St. Cloud, Florida; the City of Plantation, Florida; the Cleburne County Water Authority of Alabama; and the City of Coburg, Oregon, eligible for loans and grants funded through the rural utilities programs in the Rural Community Advancement Program account;

(3) the City of Casa Grande, Arizona, a rural area for purposes of eligibility for loans and grants provided through the Rural Housing Insurance Fund Program account, the Rural Housing Assistance Grants account and the rural utilities programs in the Rural Community Advancement Program account;

(4) the City of Coachella, California, eligible for loans and grants funded through the rural utilities programs and rural business and cooperative development programs in the Rural Community Advancement Program account and the Rural Housing Insurance Fund Program account;

(5) the City of Springfield, Ohio; the City of Lexington, Virginia; the City of Clarksdale, Mississippi; the City of Vicksburg, Mississippi; the City of Cache, Oklahoma; and the City of Elgin, Oklahoma, eligible for loans and grants funded through the rural community programs in the Rural Community Advancement Program account;

(6) the City of Carbondale, Illinois, a rural area for purposes of eligibility for loans and grants funded through the Rural Housing Insurance Fund Program account and the Rural Housing Assistance Grants account;

(7) the City of St. Joseph, Missouri, eligible for loans and grants funded through the rural business and cooperative development programs in the Rural Community Advancement Program account relating to an application submitted to the Department by a farmer-owned cooperative, a majority of whose members reside in a rural area, as determined by the Secretary, and for the purchase and operation of a facility beneficial to the purpose of the cooperative; and

(8) the fiber-to-premises broadband facilities in St. Lucie County, Florida, and the City of Port St. Lucie, Florida, collectively, to meet the eligibility requirements for loans and loan guarantees under section 601 of the Rural Electrification Act of 1936 (7 U.S.C. 950bb).

SEC. 728. Of any shipments of commodities made pursuant to section 416(b) of the Agricultural Act of 1949 (7 U.S.C. 1431(b)), the Secretary of Agriculture shall, to the extent practicable, direct that tonnage equal in value to not more than $25,000,000 shall be made available to foreign countries to assist in mitigating the effects of the Human Immunodeficiency Virus and Acquired Immune Deficiency Syndrome on communities, including the provision of—

(1) agricultural commodities to—

(A) individuals with Human Immunodeficiency Virus or Acquired Immune Deficiency Syndrome in the communities; and

(B) households in the communities, particularly individuals caring for orphaned children; and

(2) agricultural commodities monetized to provide other assistance (including assistance under microcredit and microenterprise programs) to create or restore sustainable livelihoods among individuals in the communities, particularly individuals caring for orphaned children.

SEC. 729. Notwithstanding any other provision of law, the Natural Resources Conservation Service shall provide financial and technical assistance to the DuPage County, Illinois, Kress Creek Water Quality Enhancement Project, from funds available for the Watershed and Flood Prevention Operations program, not to exceed $1,000,000 and Rockhouse Creek Watershed, Leslie County, Kentucky, not to exceed $1,000,000.

SEC. 730. Notwithstanding any other provision of law, the Natural Resources Conservation Service may provide financial and technical assistance through the Watershed and Flood Prevention Operations program for the Kuhn Bayou project in Arkansas, the Matanuska River erosion control project in Alaska, the DuPage County watershed project in Illinois, and the Coal Creek project in Utah.

SEC. 731. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by, or transfer authority provided in, this or any other appropriation Act.

SEC. 732. Notwithstanding any other provision of law, of the funds made available in this Act for competitive research grants (7 U.S.C. 450i(b)), the Secretary may use up to 20 percent of the amount provided to carry out a competitive grants program under the same terms and conditions as those provided in section 401 of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7621).

SEC. 733. None of the funds appropriated or made available by this or any other Act may be used to pay the salaries and expenses of personnel to carry out section 14(h)(1) of the Watershed Protection and Flood Prevention Act (16 U.S.C. 1012(h)(1)).

SEC. 734. None of the funds made available to the Food and Drug Administration by this Act shall be used to close or relocate, or to plan to close or relocate, the Food and Drug Administration Division of Pharmaceutical Analysis in St. Louis, Missouri, outside the city or county limits of St. Louis, Missouri.

SEC. 735. None of the funds appropriated or made available by this or any other Act may be used to pay the salaries and expenses of personnel to carry out subtitle I of the Consolidated Farm and Rural Development Act (7 U.S.C. 2009dd through dd–7).

SEC. 736. Agencies and offices of the Department of Agriculture may utilize any unobligated salaries and expenses funds to reimburse the Office of the General Counsel for salaries and expenses of personnel, and for other related expenses, incurred in representing such agencies and offices in the resolution of complaints by employees or applicants for employment, and in cases and other matters

pending before the Equal Employment Opportunity Commission, the Federal Labor Relations Authority, or the Merit Systems Protection Board with the prior approval of the Committees on Appropriations of both Houses of Congress.

SEC. 737. None of the funds appropriated or made available by this or any other Act may be used to pay the salaries and expenses of personnel to carry out section 6405 of Public Law 107–171 (7 U.S.C. 2655).

SEC. 738. The Agricultural Marketing Service and the Grain Inspection, Packers and Stockyards Administration, that have statutory authority to purchase interest bearing investments outside of the Treasury, are not required to establish obligations and outlays for those investments, provided those investments are insured by the Federal Deposit Insurance Corporation or are collateralized at the Federal Reserve with securities approved by the Federal Reserve, operating under the guidelines of the United States Department of the Treasury.

SEC. 739. Of the funds made available under section 27(a) of the Food Stamp Act of 1977 (7 U.S.C. 2011 et seq.), the Secretary may use up to $10,000,000 for costs associated with the distribution of commodities.

SEC. 740. None of the funds appropriated or otherwise made available by this or any other Act shall be used to pay the salaries and expenses of personnel to enroll in excess of 154,500 acres in the calendar year 2005 wetlands reserve program as authorized by 16 U.S.C. 3837.

SEC. 741. None of the funds appropriated or otherwise made available by this or any other Act shall be used to pay the salaries and expenses of personnel who carry out an environmental quality incentives program authorized by chapter 4 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3839aa et seq.) in excess of $1,017,000,000.

SEC. 742. Hereafter, the Secretary of Agriculture is authorized to permit employees of the United States Department of Agriculture to carry and use firearms for personal protection while conducting field work in remote locations in the performance of their official duties.

SEC. 743. None of the funds appropriated or otherwise made available by this or any other Act shall be used to pay the salaries and expenses of personnel to expend the $23,000,000 made available by section 9006(f) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8106(f)).

SEC. 744. With the exception of funds provided in fiscal year 2003, none of the funds appropriated or otherwise made available by this or any other Act shall be used to pay the salaries and expenses of personnel to expend the $40,000,000 made available by section 601(j)(1)(A) of the Rural Electrification Act of 1936 (7 U.S.C. 950bb(j)(1)(A)).

SEC. 745. None of the funds made available in fiscal year 2005 or preceding fiscal years for programs authorized under the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1691 et seq.) in excess of $20,000,000 shall be used to reimburse the Commodity Credit Corporation for the release of eligible commodities under section 302(f)(2)(A) of the Bill Emerson Humanitarian Trust Act (7 U.S.C. 1736f–1): Provided, That any such funds made avail-

able to reimburse the Commodity Credit Corporation shall only be used pursuant to section 302(b)(2)(B)(i) of the Bill Emerson Humanitarian Trust Act.

SEC. 746. None of the funds appropriated or otherwise made available by this or any other Act shall be used to pay the salaries and expenses of personnel to expend the $80,000,000 made available by section 6401(a) of Public Law 107–171.

SEC. 747. Notwithstanding subsections (c) and (e)(2) of section 313A of the Rural Electrification Act (7 U.S.C. 940c(c) and (e)(2)) in implementing section 313A of that Act, the Secretary shall, with the consent of the lender, structure the schedule for payment of the annual fee, not to exceed an average of 30 basis points per year for the term of the loan, to ensure that sufficient funds are available to pay the subsidy costs for note guarantees under that section.

SEC. 748. Notwithstanding any other provision of law, the Natural Resources Conservation Service may provide from appropriated funds financial and technical assistance to the Dry Creek project, Utah.

SEC. 749. None of the funds appropriated or otherwise made available by this or any other Act shall be used to pay the salaries and expenses of personnel to carry out a Conservation Security Program authorized by 16 U.S.C. 3838, et seq., in excess of $202,411,000.

SEC. 750. None of the funds appropriated or otherwise made available by this or any other Act shall be used to pay the salaries and expenses of personnel to carry out section 2502 of Public Law 107–171 in excess of $47,000,000.

SEC. 751. None of the funds appropriated or otherwise made available by this or any other Act shall be used to pay the salaries and expenses of personnel to carry out section 2503 of Public Law 107–171 in excess of $112,000,000.

SEC. 752. The Secretary of Agriculture shall use $30,000,000 of the funds of the Commodity Credit Corporation, to remain available until expended, to compensate commercial citrus and lime growers in the State of Florida for tree replacement and for lost production with respect to trees removed to control citrus canker, and with respect to certified citrus nursery stocks within the citrus canker quarantine areas, as determined by the Secretary. For a grower to receive assistance for a tree under this section, the tree must have been removed after September 30, 2001.

SEC. 753. Not more than $10,000,000 for fiscal year 2005 of the funds appropriated or otherwise made available by this or any other Act shall be used to carry out Section 6029 of Public Law 107–171.

SEC. 754. None of the funds appropriated or otherwise made available in this Act shall be expended to violate Public Law 105–264.

SEC. 755. None of the funds appropriated or otherwise made available by this or any other Act shall be used to pay the salaries and expenses of personnel to carry out a ground and surface water conservation program authorized by section 2301 of Public Law 107–171 in excess of $51,000,000.

SEC. 756. None of the funds made available by this Act may be used to issue a final rule in furtherance of, or otherwise implement, the proposed rule on cost-sharing for animal and plant health emergency programs of the Animal and Plant Health Inspection Service

published on July 8, 2003 (Docket No. 02–062–1; 68 Fed. Reg. 40541).

SEC. 757. None of the funds made available in this Act may be used to study, complete a study of, or enter into a contract with a private party to carry out, without specific authorization in a subsequent Act of Congress, a competitive sourcing activity of the Secretary of Agriculture, including support personnel of the Department of Agriculture, relating to rural development or farm loan programs.

SEC. 758. Notwithstanding any other provision of law, the Secretary of Agriculture may use appropriations available to the Secretary for activities authorized under sections 426–426c of title 7, United States Code, under this or any other Act, to enter into cooperative agreements, with a State, political subdivision, or agency thereof, a public or private agency, organization, or any other person, to lease aircraft if the Secretary determines that the objectives of the agreement will: (1) serve a mutual interest of the parties to the agreement in carrying out the programs administered by the Animal and Plant Health Inspection Service, Wildlife Services; and (2) all parties will contribute resources to the accomplishment of these objectives; award of a cooperative agreement authorized by the Secretary may be made for an initial term not to exceed 5 years.

SEC. 759. There is hereby appropriated $1,491,000, to remain available until September 30, 2006, to carry out section 6028 of Public Law 107–171: Provided, That notwithstanding section 383B(g)(1) of the Consolidated Farm and Rural Development Act (7 U.S.C. 2009bb–1(g)(1)), the Federal share of the administrative expenses of the Northern Great Plains Regional Authority for fiscal year 2005 shall be 100 percent.

SEC. 760. None of the funds appropriated or otherwise made available by this or any other Act shall be used to pay the salaries and expenses of personnel to carry out section 9010 of Public Law 107–171 in excess of $100,000,000.

SEC. 761. (a) The matter under the heading "Rural Community Advancement Program" in division A—Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Programs Appropriations, 2004, title III—Rural Development Programs, in Public Law 108–199 is amended by striking "$1,750,000 shall be for grants to the Delta Regional Authority (7 U.S.C. 1921 et seq.); and not less than $2,000,000 shall be available for grants in accordance with section 310B(f) of the Consolidated Farm and Rural Development Act" and inserting "and not less than $2,000,000 shall be available for grants in accordance with section 310B(f) of the Consolidated Farm and Rural Development Act: Provided further, That of the total amount appropriated in this account, $1,750,000 shall be for grants to the Delta Regional Authority (7 U.S.C. 1921 et seq.) for any Rural Community Advancement Program purpose".

(b) Consistent with any legal commitments made by the Delta Regional Authority, at the request of the Authority and if the Secretary of Agriculture agrees, the Secretary may deobligate any unexpended Rural Community Advancement Program grant funds made to the Authority pursuant to division A of Public Law 108–7: Provided, That such reobligated funds are used by the Authority for

projects that are consistent with the purposes of the Rural Housing Service Community Facilities Program.

SEC. 762. Of the unobligated balances available in the Rural Housing Assistance Grant Program account, $1,000,000 is hereby rescinded.

SEC. 763. Agencies and offices of the Department of Agriculture may utilize any available discretionary funds to cover the costs of preparing, or contracting for the preparation of, final agency decisions regarding complaints of discrimination in employment or program activities arising within such agencies and offices.

SEC. 764. Of the unobligated balances available in the Rural Housing Insurance Fund Program account, $3,000,000 is hereby rescinded.

SEC. 765. Notwithstanding any other provision of law, for any fiscal year and hereafter, in the case of a high cost isolated rural area in Alaska that is not connected to a road system, the maximum level for the single family housing assistance shall be 150 percent of the average income level in the metropolitan areas of the State and 115 percent of all other eligible areas of the State.

SEC. 766. Funds made available under section 1240I and section 1241(a) of the Food Security Act of 1985 in fiscal years 2002, 2003, 2004, and 2005 shall remain available until expended to cover obligations made in fiscal years 2002, 2003, 2004, and 2005, respectively, and are not available for new obligations.

SEC. 767. There is hereby appropriated $1,500,000, to remain available until expended, for the Denali Commission to address deficiencies in solid waste disposal sites which threaten to contaminate rural drinking water supplies.

SEC. 768. Notwithstanding any other provision of law—

(1)(A) the Alaska Department of Community and Economic Development shall be eligible to receive a water and waste disposal grant under section 306(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1926(a)) in an amount that is equal to not more than 75 percent of the total cost of providing water and sewer service to the proposed hospital in the Matanuska-Susitna Borough, Alaska; and

(B) the Alaska Department of Community and Economic Development shall be allowed to pass the grant funds through to the local government entity that will provide water and sewer service to the hospital;

(2) or any percentage of cost limitation in current law or regulations, the construction projects known as the Tri-Valley Community Center addition in Healy, Alaska; the Cold Climate Housing Research Center in Fairbanks, Alaska; and the University of Alaska-Fairbanks Allied Health Learning Center skill labs/classrooms shall be eligible to receive Community Facilities grants in amounts that are equal to not more than 75 percent of the total facility costs: Provided, That for the purposes of this paragraph, the Cold Climate Housing Research Center is designated an "essential community facility" for rural Alaska;

(3) the Secretary shall consider the City of Guymon, Oklahoma; the City of Shawnee, Oklahoma; the Village of New Miami, Ohio; the City of Vicksburg, Mississippi; and the City of Altus, Oklahoma, to be eligible for loans and grants provided

through the Rural Housing Insurance Fund until receipt of the decennial Census in the year 2010;

(4) grants made under section 306(a)(19) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1926(a)(19)) using funds made available under this Act for the cities of Ellisville and Waynesboro, Mississippi, shall be made without a non-Federal cost share requirement;

(5) the City of Great Falls, Montana, shall be considered a rural area for purposes of eligibility for business and industry guaranteed loans under section 310B(a)(1) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1932(a)(1)) until receipt of the decennial Census in the year 2010;

(6) the Secretary may consider the Piedmont Municipal Power Agency of South Carolina eligible to participate in programs administered by the Rural Utilities Service until receipt of the decennial Census in the year 2010; and

(7) until receipt of the decennial Census for the year 2010, for all activities under programs of the Rural Development Mission Area within the County of Honolulu, Hawaii, the Secretary may designate any portion of the county as a rural area or eligible rural community that the Secretary determines is not urban in character: Provided, That the Secretary shall not include in any such rural area or eligible rural community any area included in the Honolulu Census Designated Place as determined by the Secretary of Commerce.

SEC. 769. Section 501 of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1737) is amended—

(1) in subsection (b)(1), by inserting "and Doug Bereuter" after "John Ogonowski"; and

(2) in the heading, by inserting ***"AND DOUG BEREUTER"*** *after* ***"JOHN OGONOWSKI".***

SEC. 770. Notwithstanding the provisions of the Consolidated Farm and Rural Development Act (including the associated regulations) governing the Community Facilities Program, the Secretary may allow all Community Facility Program facility borrowers and grantees to enter into contracts with not-for-profit third parties for services consistent with the requirements of the Program, grant, and/or loan: Provided, That the contracts protect the interests of the Government regarding cost, liability, maintenance, and administrative fees.

SEC. 771. Notwithstanding any other provision of law, the Secretary of Agriculture is authorized to make funding and other assistance available through the emergency watershed protection program under section 403 of the Agricultural Credit Act of 1978 (16 U.S.C. 2203) to repair and prevent damage to non-Federal land in watersheds that have been impaired by fires initiated by the Federal Government and shall waive cost sharing requirements for the funding and assistance.

SEC. 772. None of the funds made available in this Act may be used to provide credits or credit guarantees for agricultural commodities provided for use in Iraq in violation of subsection (e) or (f) of section 202 of the Agricultural Trade Act of 1978 (7 U.S.C. 5622).

SEC. 773. None of the funds provided in this Act may be used for salaries and expenses to carry out any regulation or rule insofar as it would make ineligible for enrollment in the conservation re-

serve program established under subchapter B of chapter 1 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3831 et seq.) land that is planted to hardwood trees as of the date of enactment of this Act and was enrolled in the conservation reserve program under a contract that expired prior to calendar year 2002.

SEC. 774. None of the funds made available in this Act may be used to restrict to prescription use a contraceptive that is determined to be safe and effective for use without the supervision of a practitioner licensed by law to administer prescription drugs under section 503(b) of the Federal Food, Drug, and Cosmetic Act.

SEC. 775. Of the unobligated balances in the Local Television Loan Guarantee Program account, $88,000,000 are hereby rescinded.

SEC. 776. PRIVACY PROTECTION OF CERTAIN SELLERS OF FARM PRODUCTS. Section 1324(c) of the Food Security Act of 1985 (7 U.S.C. 1631(c)) is amended—

(1) in subsection (c)—

(A) in paragraph (2)(C)(ii)(II), by inserting ", or other approved unique identifier," after both "social security number" and "identification number";

(B) in paragraph (4)(C)(iii), by inserting ", or other approved unique identifier," after both "social security number" and "identification number"; and

(C) by adding the following at the end:

"(5) The term 'approved unique identifier' means a number, combination of numbers and letters, or other identifier selected by the Secretary of State using a selection system or method approved by the Secretary of Agriculture."

(2) in subsection (e)(1)(A)(ii)(III), by inserting ", or other approved unique identifier," after both "social security number" and "identification number"; and

(3) in subsection (g)(2)(A)(ii)(III), by inserting ", or other approved unique identifier," after both "social security number" and "identification number".

SEC. 777. Section 532 of the Equity in Educational Land Grant Status Act of 1994 (7 U.S.C. 301 note; Public Law 193–382) is amended—

(1) by redesignating paragraphs (23) through (32) as paragraphs (24) through (33), respectively; and

(2) by inserting after paragraph (22) the following: "(23) Tohono O'odham Community College.".

SEC. 778. Of the unobligated balances of funds in the Agricultural Conservation Program account, $3,500,000 are hereby rescinded.

SEC. 779. Notwithstanding any other provision of law, the amounts made available to the Dakota Value Capture Cooperative under section 747 of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2002 (Public Law 107–76; 115 Stat. 738) shall remain available until expended for a project conducted by the Dakota Value Capture Cooperative at South Dakota State University.

SEC. 780. None of the funds made available under this Act shall be available to pay the administrative expenses of a State agency that, after the date of enactment of this Act, authorizes any new for-profit vendor(s) to transact food instruments under the Spe-

cial Supplemental Nutrition Program for Women, Infants, and Children if it is expected that more than 50 percent of the annual revenue of the vendor from the sale of food items will be derived from the sale of supplemental foods that are obtained with WIC food instruments, except that the Secretary may approve the authorization of such a vendor if the approval is necessary to assure participant access to program benefits.

SEC. 781. Of the unobligated balances under section 32 of the Act of August 24, 1935, $163,000,000 are hereby rescinded.

SEC. 782. Of the unobligated balances available to the Foreign Agricultural Service for the Public Law 480 Title I Program at the beginning of fiscal year 2005, $191,108,000 are hereby rescinded: Provided, That for purposes of determining the amount of funds available for transfer under section 412(b) of Public Law 83–480, as amended, the maximum amount of funds available for transfer shall be calculated based upon the total funds available prior to this rescission.

SEC. 783. The Secretary of Agriculture may use any unobligated carryover funds made available for any program administered by the Rural Utilities Service (not including funds made available under the heading "Rural Community Advancement Program" in any Act of appropriation) to carry out section 315 of the Rural Electrification Act of 1936 (7 U.S.C. 940e).

SEC. 784. None of the funds made available by this or any other Act may be used to reduce the mission, resources, staffing, facilities, or capabilities of the Wildlife Habitat Management Institute in Mississippi as in existence on December 17, 2003.

SEC. 785. LIVESTOCK ASSISTANCE. (a) IN GENERAL.—In carrying out a livestock assistance, compensation, or feed program, the Secretary of Agriculture shall include elk, reindeer, and bison within the definition of "livestock" covered by the program.

(b) CONFORMING AMENDMENTS.—

(1) Section 602(2) of the Agricultural Act of 1949 (7 U.S.C. 1471(2)) is amended by inserting "elk, reindeer, bison," after "cattle,".

(2) Section 10104 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 1472) is amended—

(A) by redesignating subsections (a) through (d) as subsections (b) through (e), respectively; and

(B) by inserting before subsection (b) (as so redesignated) the following:

"(a) DEFINITION OF LIVESTOCK.—In this section, the term 'livestock' includes elk, reindeer, and bison.".

(3) Section 203(d) of the Agricultural Assistance Act of 2003 (Public Law 108–7; 117 Stat. 541) is amended—

(A) by redesignating paragraph (2) as paragraph (3); and

(B) by inserting after paragraph (1) the following:

"(2) LIVESTOCK.—The term 'livestock' includes elk, reindeer, and bison.".

SEC. 786. There is hereby appropriated $1,000,000, to remain available until expended, to carry out provisions of Section 751 of Division A of Public Law 108–7.

SEC. 787. There is hereby appropriated $500,000 for a grant to Alaska Village Initiatives for the purpose of administering a private lands wildlife management program in Alaska.

SEC. 788. TECHNICAL CORRECTIONS. (a) Section 104(b)(1) of the Child Nutrition and WIC Reauthorization Act of 2004 (Public Law 108–265) is amended by striking the closing quotation marks and the following period at the end of section 9(b)(5)(A)(iv) of the Richard B. Russell National School Lunch Act (as added by that section 104(b)(1) of Public Law 108–265).

(b) Section 13(a)(10) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1761(a)(10)) (as added by section 116(d) of Public Law 108–265) is amended—

(1) in subparagraph (C), by striking "2005" and inserting "2006"; and

(2) in subparagraph (D)—

(A) in clause (i), by striking "2007" and inserting "2008"; and

(B) in clause (ii), by striking "2008" and inserting "2009".

(c) Section 21(e)(2)(A) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1769b–1(e)(2)(A)) (as amended by section 125(c)(2)(B) of Public Law 108–265) is amended by inserting "and" after "2005".

(d) Section 17(f)(1)(C)(i) of the Child Nutrition Act of 1966 (42 U.S.C. 1786(f)(1)(C)(i) (as amended by section 203(e)(10)(B) of Public Law 108–265) is amended by striking the period after "subsection (h)(11)".

(e) Section 17(h)(8)(A)(vi) of the Child Nutrition Act of 1966 (42 U.S.C. 1786(h)(8)(A)(vi) (as added by section 203(e)(5) of Public Law 108–265) is amended by striking "Each State" and inserting "Effective beginning October 1, 2004, each State".

(f) Section 502(b) of the Child Nutrition and WIC Reauthorization Act of 2004 (P.L. 108–265) is amended—

(1) in paragraph (2), by striking "203(e)(5),"; and

(2) in paragraph (4), by striking "104" and inserting "104 (other than section 104(a)(1))".

SEC. 789. Section 104 of Chapter 1 of the Emergency Supplemental Appropriations for Hurricane Disasters Assistance Act, 2005, Public Law 108–324, is amended by adding "and tropical storms" after "hurricanes".

SEC. 790. There is hereby appropriated $1,000,000, to remain available until expended, for a grant to the Ohio Livestock Expo Center in Springfield, Ohio.

SEC. 791. There is hereby appropriated $1,000,000, to remain available until expended, for a grant to the Virginia Horse Center in Lexington, Virginia.

SEC. 792. Notwithstanding any other provision of law, unobligated funding balances in the Great Plains Conservation Program authorized under section 16(b) of the Soil Conservation and Domestic Allotment Act (16 U.S.C. 590p(b)); the Forestry Incentives Program authorized by Section 4 and Section 6 of the Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2103); The Water Bank Program authorized by The Water Bank Act of 1970 (Public Law 91–559); and funding for the John's Creek, TN Watershed and Flood Prevention Operations project are hereby rescinded.

SEC. 793. There is hereby appropriated $2,250,000, to remain available until expended, for a grant to the Wisconsin Federation of Cooperatives for pilot Wisconsin-Minnesota health care cooperative purchasing alliances.

SEC. 794. (a) Section 1240B of the Food Security Act of 1985, 16 U.S.C. 3839 aa–2, is amended at the end by adding the following:

"(h) FUNDING FOR FEDERALLY RECOGNIZED NATIVE AMERICAN INDIAN TRIBES AND ALASKA NATIVE CORPORATIONS.—The Secretary may enter into alternative funding arrangements with federally recognized Native American Indian Tribes and Alaska Native Corporations (including their affiliated membership organizations) if the Secretary determines that the goals and objectives of the program will be met by such arrangements, and that statutory limitations regarding contracts with individual producers as defined under this Subtitle will not be exceeded by any Tribal or Native Corporation member.".

(b) Section 1240G of the Food Security Act of 1985, 16 U.S.C. 3839aa–7, is amended by inserting after "2007," "(excluding funding arrangements with federally recognized Native American Indian Tribes or Alaska Native Corporations under section 1240B(h))".

SEC. 795. There is hereby appropriated $6,000,000, to remain available until expended, for a grant to the Florida Department of Citrus.

SEC. 796. Notwithstanding any other provision of law, effective with funds made available in fiscal year 2004 to states administering the Child and Adult Care Food Program, for the purpose of conducting audits of participating institutions, funds identified by the Secretary as having been unused during the initial fiscal year of availability may be recovered and reallocated by the Secretary: Provided, That states may use the reallocated funds until expended for the purpose of conducting audits of participating institutions.

SEC. 797. Section 1238Q of the Food Security Act of 1985 is amended—

(a) In subsection (a), by striking "permit" and inserting "transfer title of ownership to an easement under this subchapter to"; and

(b) By striking subsection (d) and inserting the following new subsection:

"(d) TRANSFER OF TITLE OF OWNERSHIP OF EASEMENT.—Reversion—If a private organization or state agency holding an easement on land under this subchapter dissolves or fails to enforce the terms of the easement, the easement shall revert to the Secretary.".

This division may be cited as the "Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2005".

DIVISION B—DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY AND RELATED AGENCIES APPROPRIATIONS ACT, 2005

TITLE I—DEPARTMENT OF JUSTICE

GENERAL ADMINISTRATION

SALARIES AND EXPENSES

For expenses necessary for the administration of the Department of Justice, $124,100,000, of which not to exceed $3,317,000 is for the Facilities Program 2000, to remain available until expended: Provided, That not to exceed 45 permanent positions and 46 full-time equivalent workyears and $11,078,000 shall be expended for the Department Leadership Program exclusive of augmentation that occurred in these offices in fiscal year 2004: Provided further, That not to exceed 26 permanent positions, 21 full-time equivalent workyears and $3,305,000 shall be expended for the Office of Legislative Affairs: Provided further, That not to exceed 17 permanent positions, 21 full-time equivalent workyears and $2,470,000 shall be expended for the Office of Public Affairs: Provided further, That the latter two aforementioned offices may utilize non-reimbursable details of career employees within the caps described in the preceding two provisos.

JOINT AUTOMATED BOOKING SYSTEM

For expenses necessary for the nationwide deployment of a Joint Automated Booking System including automated capability to transmit fingerprint and image data, $20,185,000, to remain available until September 30, 2006.

AUTOMATED BIOMETRIC IDENTIFICATION SYSTEM/INTEGRATED AUTOMATED FINGERPRINT IDENTIFICATION SYSTEM

For necessary expenses for the planning, development, and deployment of an integrated fingerprint identification system, including automated capability to transmit fingerprint and image data, $5,054,000, to remain available until September 30, 2006.

LEGAL ACTIVITIES OFFICE AUTOMATION

For necessary expenses related to the design, development, engineering, acquisition, and implementation of office automation systems for the organizations funded under the headings "Salaries and Expenses, General Legal Activities", and "General Administration, Salaries and Expenses", and the United States Attorneys, the United States Marshals Service, the Antitrust Division, the United States Trustee Program, the Executive Office for Immigration Review, the Community Relations Service, the Bureau of Prisons, the Office of Justice Programs, and the United States Parole Commission, $40,510,000, to remain available until September 30, 2006.

NARROWBAND COMMUNICATIONS

For the costs of conversion to narrowband communications, including the cost for operation and maintenance of Land Mobile Radio legacy systems, $100,000,000, to remain available until Sep-

tember 30, 2006: Provided, That the Attorney General shall transfer to the "Narrowband Communications" account all funds made available to the Department of Justice for the purchase of portable and mobile radios: Provided further, That any transfer made under the preceding proviso shall be subject to section 605 of this Act.

ADMINISTRATIVE REVIEW AND APPEALS

For expenses necessary for the administration of pardon and clemency petitions and immigration-related activities, $203,965,000.

DETENTION TRUSTEE

For necessary expenses of the Federal Detention Trustee, $885,994,000, to remain available until expended: Provided, That the Trustee shall be responsible for managing the Justice Prisoner and Alien Transportation System and for overseeing housing related to such detention: Provided further, That any unobligated balances available in prior years from the funds appropriated under the heading "Federal Prisoner Detention" shall be transferred to and merged with the appropriation under the heading "Detention Trustee" and shall be available until expended. Provided further, That the Trustee, working in consultation with the Bureau of Prisons, shall submit a plan for collecting information related to evaluating the health and safety of Federal prisoners in non-Federal institutions no later than 180 days following the enactment of this Act.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General, $63,813,000, including not to exceed $10,000 to meet unforeseen emergencies of a confidential character.

UNITED STATES PAROLE COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the United States Parole Commission as authorized, $10,638,000.

LEGAL ACTIVITIES

SALARIES AND EXPENSES, GENERAL LEGAL ACTIVITIES

For expenses necessary for the legal activities of the Department of Justice, not otherwise provided for, including not to exceed $20,000 for expenses of collecting evidence, to be expended under the direction of, and to be accounted for solely under the certificate of, the Attorney General; and rent of private or Government-owned space in the District of Columbia, $634,193,000, of which not to exceed $10,000,000 for litigation support contracts shall remain available until expended: Provided, That of the total amount appropriated, not to exceed $1,000 shall be available to the United States National Central Bureau, INTERPOL, for official reception and representation expenses: Provided further, That notwithstanding any other provision of law, upon a determination by the Attorney General that emergent circumstances require additional funding for litigation activities of the Civil Division, the Attorney General may transfer such amounts to "Salaries and Expenses, General Legal Ac-

tivities" from available appropriations for the current fiscal year for the Department of Justice, as may be necessary to respond to such circumstances: Provided further, That any transfer pursuant to the previous proviso shall be treated as a reprogramming under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

In addition, for reimbursement of expenses of the Department of Justice associated with processing cases under the National Childhood Vaccine Injury Act of 1986, not to exceed $6,333,000, to be appropriated from the Vaccine Injury Compensation Trust Fund.

SALARIES AND EXPENSES, ANTITRUST DIVISION

For expenses necessary for the enforcement of antitrust and kindred laws, $138,763,000, to remain available until expended: Provided, That, notwithstanding any other provision of law, not to exceed $101,000,000 of offsetting collections derived from fees collected for premerger notification filings under the Hart-Scott-Rodino Antitrust Improvements Act of 1976 (15 U.S.C. 18a), regardless of the year of collection, shall be retained and used for necessary expenses in this appropriation, and shall remain available until expended: Provided further, That the sum herein appropriated from the general fund shall be reduced as such offsetting collections are received during fiscal year 2005, so as to result in a final fiscal year 2005 appropriation from the general fund estimated at not more than $37,763,000.

SALARIES AND EXPENSES, UNITED STATES ATTORNEYS

For necessary expenses of the Offices of the United States Attorneys, including inter-governmental and cooperative agreements, $1,547,519,000; of which not to exceed $2,500,000 shall be available until September 30, 2006, for: (1) training personnel in debt collection; (2) locating debtors and their property; (3) paying the net costs of selling property; and (4) tracking debts owed to the United States Government: Provided, That of the total amount appropriated, not to exceed $8,000 shall be available for official reception and representation expenses: Provided further, That not to exceed $10,000,000 of those funds available for automated litigation support contracts shall remain available until expended: Provided further, That not to exceed $2,500,000 for the operation of the National Advocacy Center shall remain available until expended: Provided further, That, in addition to reimbursable full-time equivalent workyears available to the Offices of the United States Attorneys, not to exceed 10,212 positions and 10,273 full-time equivalent workyears shall be supported from the funds appropriated in this Act for the United States Attorneys: Provided further, That of the funds made available under this heading, $1,500,000 shall only be available to continue "Operation Streetsweeper": Provided further, That of the total amount appropriated, $5,000,000 shall be for Project Seahawk and shall remain available until expended.

UNITED STATES TRUSTEE SYSTEM FUND

For necessary expenses of the United States Trustee Program, as authorized, $173,602,000, to remain available until expended

and to be derived from the United States Trustee System Fund: Provided, That, notwithstanding any other provision of law, deposits to the Fund shall be available in such amounts as may be necessary to pay refunds due depositors: Provided further, That, notwithstanding any other provision of law, $173,602,000 of offsetting collections pursuant to 28 U.S.C. 589a(b) shall be retained and used for necessary expenses in this appropriation and remain available until expended: Provided further, That the sum herein appropriated from the Fund shall be reduced as such offsetting collections are received during fiscal year 2005, so as to result in a final fiscal year 2005 appropriation from the Fund estimated at $0.

SALARIES AND EXPENSES, FOREIGN CLAIMS SETTLEMENT COMMISSION

For expenses necessary to carry out the activities of the Foreign Claims Settlement Commission, including services as authorized by 5 U.S.C. 3109, $1,220,000.

UNITED STATES MARSHALS SERVICE

SALARIES AND EXPENSES

For necessary expenses of the United States Marshals Service, $751,985,000; of which not to exceed $6,000 shall be available for official reception and representation expenses; and of which $4,000,000 for information technology systems shall remain available until expended; of which not less than $11,580,000 shall be available for the costs of courthouse security equipment, including furnishings, relocations, and telephone systems and cabling, and shall remain available until September 30, 2006: Provided, That, in addition to reimbursable full-time equivalent workyears available to the United States Marshals Service, not to exceed 4,543 positions and 4,387 full-time equivalent workyears shall be supported from the funds appropriated in this Act for the United States Marshals Service.

CONSTRUCTION

For construction of United States Marshals Service prisoner-holding space in United States courthouses and Federal buildings, $5,734,000, to remain available until expended.

FEES AND EXPENSES OF WITNESSES

For fees and expenses of witnesses, for expenses of contracts for the procurement and supervision of expert witnesses, for private counsel expenses, including advances, $177,585,000, to remain available until expended; of which not to exceed $8,000,000 may be made available for construction of buildings for protected witness safesites; of which not to exceed $1,000,000 may be made available for the purchase and maintenance of armored vehicles for transportation of protected witnesses; and of which not to exceed $7,000,000 may be made available for the purchase, installation, maintenance and upgrade of secure telecommunications equipment and a secure automated information network to store and retrieve the identities and locations of protected witnesses.

SALARIES AND EXPENSES, COMMUNITY RELATIONS SERVICE

For necessary expenses of the Community Relations Service, $9,664,000: Provided, That notwithstanding any other provision of law, upon a determination by the Attorney General that emergent circumstances require additional funding for conflict resolution and violence prevention activities of the Community Relations Service, the Attorney General may transfer such amounts to the Community Relations Service, from available appropriations for the current fiscal year for the Department of Justice, as may be necessary to respond to such circumstances: Provided further, That any transfer pursuant to the previous proviso shall be treated as a reprogramming under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

ASSETS FORFEITURE FUND

For expenses authorized by 28 U.S.C. 524(c)(1)(B), (F), and (G), $21,759,000, to be derived from the Department of Justice Assets Forfeiture Fund.

PAYMENT TO RADIATION EXPOSURE COMPENSATION TRUST FUND

In addition to amounts appropriated by subsection 3(e) of the Radiation Exposure Compensation Act (42 U.S. Code 2210 note), $27,800,000 for payment to the Radiation Exposure Compensation Trust Fund, to remain available until expended.

INTERAGENCY LAW ENFORCEMENT

INTERAGENCY CRIME AND DRUG ENFORCEMENT

For necessary expenses for the identification, investigation, and prosecution of individuals associated with the most significant drug trafficking and affiliated money laundering organizations not otherwise provided for, to include inter-governmental agreements with State and local law enforcement agencies engaged in the investigation and prosecution of individuals involved in organized crime drug trafficking, $561,033,000, of which $50,000,000 shall remain available until expended: Provided, That any amounts obligated from appropriations under this heading may be used under authorities available to the organizations reimbursed from this appropriation.

FEDERAL BUREAU OF INVESTIGATION

SALARIES AND EXPENSES

For necessary expenses of the Federal Bureau of Investigation for detection, investigation, and prosecution of crimes against the United States; including purchase for police-type use of not to exceed 2,988 passenger motor vehicles, of which 2,619 will be for replacement only; and not to exceed $70,000 to meet unforeseen emergencies of a confidential character pursuant to 28 U.S.C. 530C, $5,205,028,000; of which not to exceed $150,000,000 shall remain available until expended; of which $1,017,000,000 shall be for counterterrorism investigations, foreign counterintelligence, and other activities related to our national security; of which

$56,349,000 shall be for the operations, equipment, and facilities of the Foreign Terrorist Tracking Task Force; and of which not to exceed $20,000,000 is authorized to be made available for making advances for expenses arising out of contractual or reimbursable agreements with State and local law enforcement agencies while engaged in cooperative activities related to violent crime, terrorism, organized crime, gang-related crime, cybercrime, and drug investigations: Provided, That not to exceed $200,000 shall be available for official reception and representation expenses: Provided further, That, in addition to reimbursable full-time equivalent workyears available to the Federal Bureau of Investigation, not to exceed 30,039 positions and 29,082 full-time equivalent workyears shall be supported from the funds appropriated in this Act for the Federal Bureau of Investigation: Provided further, That up to $6,800,000 of prior year unobligated balances shall be available for the necessary expense of construction of an aviation hangar, to remain available until September 30, 2006.

CONSTRUCTION

For necessary expenses to construct or acquire buildings and sites by purchase, or as otherwise authorized by law (including equipment for such buildings); conversion and extension of Federally-owned buildings; and preliminary planning and design of projects; $10,242,000, to remain available until expended: Provided, That $9,000,000 shall be available to lease a records management facility, including equipment and relocation expenses, in Frederick County, Virginia.

DRUG ENFORCEMENT ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses of the Drug Enforcement Administration, including not to exceed $70,000 to meet unforeseen emergencies of a confidential character pursuant to 28 U.S.C. 530C; expenses for conducting drug education and training programs, including travel and related expenses for participants in such programs and the distribution of items of token value that promote the goals of such programs; and purchase of not to exceed 1,461 passenger motor vehicles, of which 1,346 will be for replacement only, for police-type use, $1,653,265,000; of which not to exceed $75,000,000 shall remain available until expended; and of which not to exceed $100,000 shall be available for official reception and representation expenses: Provided, That, in addition to reimbursable full-time equivalent workyears available to the Drug Enforcement Administration, not to exceed 8,361 positions and 8,250 full-time equivalent workyears shall be supported from the funds appropriated in this Act for the Drug Enforcement Administration: Provided further, That not to exceed $8,100,000 from prior year unobligated balances shall be available for the design, construction and ownership of a clandestine laboratory training facility and shall remain available until expended.

BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES

SALARIES AND EXPENSES

For necessary expenses of the Bureau of Alcohol, Tobacco, Firearms and Explosives, including the purchase of not to exceed 822 vehicles for police-type use, of which 650 shall be for replacement only; not to exceed $25,000 for official reception and representation expenses; for training of State and local law enforcement agencies with or without reimbursement, including training in connection with the training and acquisition of canines for explosives and fire accelerants detection; and for provision of laboratory assistance to State and local law enforcement agencies, with or without reimbursement, $890,357,000, of which not to exceed $1,000,000 shall be available for the payment of attorneys' fees as provided by 18 U.S.C. 924(d)(2); and of which $10,000,000 shall remain available until expended: Provided, That no funds appropriated herein shall be available for salaries or administrative expenses in connection with consolidating or centralizing, within the Department of Justice, the records, or any portion thereof, of acquisition and disposition of firearms maintained by Federal firearms licensees: Provided further, That no funds appropriated herein shall be used to pay administrative expenses or the compensation of any officer or employee of the United States to implement an amendment or amendments to 27 CFR 178.118 or to change the definition of "Curios or relics" in 27 CFR 178.11 or remove any item from ATF Publication 5300.11 as it existed on January 1, 1994: Provided further, That none of the funds appropriated herein shall be available to investigate or act upon applications for relief from Federal firearms disabilities under 18 U.S.C. 925(c): Provided further, That such funds shall be available to investigate and act upon applications filed by corporations for relief from Federal firearms disabilities under section 925(c) of title 18, United States Code: Provided further, That no funds made available by this or any other Act may be used to transfer the functions, missions, or activities of the Bureau of Alcohol, Tobacco, Firearms and Explosives to other agencies or Departments in fiscal year 2005: Provided further, That no funds appropriated under this or any other Act with respect to any fiscal year may be used to disclose part or all of the contents of the Firearms Trace System database maintained by the National Trace Center of the Bureau of Alcohol, Tobacco, Firearms, and Explosives or any information required to be kept by licensees pursuant to section 923(g) of title 18, United States Code, or required to be reported pursuant to paragraphs (3) and (7) of such section 923(g), to anyone other than a Federal, State, or local law enforcement agency or a prosecutor solely in connection with and for use in a bona fide criminal investigation or prosecution and then only such information as pertains to the geographic jurisdiction of the law enforcement agency requesting the disclosure and not for use in any civil action or proceeding other than an action or proceeding commenced by the Bureau of Alcohol, Tobacco, Firearms, and Explosives, or a review of such an action or proceeding, to enforce the provisions of chapter 44 of such title, and all such data shall be immune from legal process and shall not be subject to subpoena or other discovery in any civil action in a State or Federal court or in any administrative proceeding other than a proceeding commenced by the Bureau of Alcohol, Tobacco, Firearms,

and Explosives to enforce the provisions of that chapter, or a review of such an action or proceeding; except that this proviso shall not be construed to prevent the disclosure of statistical information concerning total production, importation, and exportation by each licensed importer (as defined in section 921(a)(9) of such title) and licensed manufacturer (as defined in section 921(a)(10) of such title): Provided further, That no funds made available by this or any other Act shall be expended to promulgate or implement any rule requiring a physical inventory of any business licensed under section 923 of title 18, United States Code: Provided further, That no funds under this Act may be used to electronically retrieve information gathered pursuant to 18 U.S.C. 923(g)(4) by name or any personal identification code: Provided further, That no funds authorized or made available under this or any other Act may be used to deny any application for a license under section 923 of title 18, United States Code, or renewal of such a license due to a lack of business activity, provided that the applicant is otherwise eligible to receive such a license, and is eligible to report business income or to claim an income tax deduction for business expenses under the Internal Revenue Code of 1986: Provided further, That of the total amount provided under this paragraph, $5,600,000 shall be for the construction and establishment of the Federal Firearms Licensing Center at the Bureau of Alcohol, Tobacco, Firearms and Explosives National Tracing Center Facility and shall remain available until expended.

FEDERAL PRISON SYSTEM

SALARIES AND EXPENSES

For expenses necessary of the Federal Prison System for the administration, operation, and maintenance of Federal penal and correctional institutions, including purchase (not to exceed 780, of which 649 are for replacement only) and hire of law enforcement and passenger motor vehicles, and for the provision of technical assistance and advice on corrections related issues to foreign governments, $4,627,696,000: Provided, That the Attorney General may transfer to the Health Resources and Services Administration such amounts as may be necessary for direct expenditures by that Administration for medical relief for inmates of Federal penal and correctional institutions: Provided further, That the Director of the Federal Prison System, where necessary, may enter into contracts with a fiscal agent/fiscal intermediary claims processor to determine the amounts payable to persons who, on behalf of the Federal Prison System, furnish health services to individuals committed to the custody of the Federal Prison System: Provided further, That not to exceed $6,000 shall be available for official reception and representation expenses: Provided further, That not to exceed $365,836,000 shall remain available for prison activations until September 30, 2006: Provided further, That, of the amounts provided for Contract Confinement, not to exceed $20,000,000 shall remain available until expended to make payments in advance for grants, contracts and reimbursable agreements, and other expenses authorized by section 501(c) of the Refugee Education Assistance Act of 1980, for the care and security in the United States of Cuban and Haitian entrants: Provided further, That the Director of the Federal Prison System may accept donated property and services relating to the operation

of the prison card program from a not-for-profit entity which has operated such program in the past notwithstanding the fact that such not-for-profit entity furnishes services under contracts to the Federal Prison System relating to the operation of pre-release services, halfway houses or other custodial facilities.

BUILDINGS AND FACILITIES

For planning, acquisition of sites and construction of new facilities; purchase and acquisition of facilities and remodeling, and equipping of such facilities for penal and correctional use, including all necessary expenses incident thereto, by contract or force account; and constructing, remodeling, and equipping necessary buildings and facilities at existing penal and correctional institutions, including all necessary expenses incident thereto, by contract or force account, $189,000,000, to remain available until expended, of which not to exceed $14,000,000 shall be available to construct areas for inmate work programs: Provided, That labor of United States prisoners may be used for work performed under this appropriation.

FEDERAL PRISON INDUSTRIES, INCORPORATED

The Federal Prison Industries, Incorporated, is hereby authorized to make such expenditures, within the limits of funds and borrowing authority available, and in accord with the law, and to make such contracts and commitments, without regard to fiscal year limitations as provided by section 9104 of title 31, United States Code, as may be necessary in carrying out the program set forth in the budget for the current fiscal year for such corporation, including purchase (not to exceed five for replacement only) and hire of passenger motor vehicles.

LIMITATION ON ADMINISTRATIVE EXPENSES, FEDERAL PRISON INDUSTRIES, INCORPORATED

Not to exceed $3,411,000 of the funds of the corporation shall be available for its administrative expenses, and for services as authorized by 5 U.S.C. 3109, to be computed on an accrual basis to be determined in accordance with the corporation's current prescribed accounting system, and such amounts shall be exclusive of depreciation, payment of claims, and expenditures which such accounting system requires to be capitalized or charged to cost of commodities acquired or produced, including selling and shipping expenses, and expenses in connection with acquisition, construction, operation, maintenance, improvement, protection, or disposition of facilities and other property belonging to the corporation or in which it has an interest.

OFFICE ON VIOLENCE AGAINST WOMEN

VIOLENCE AGAINST WOMEN PREVENTION AND PROSECUTION PROGRAMS

For grants, contracts, cooperative agreements, and other assistance for the prevention and prosecution of violence against women as authorized by the Omnibus Crime Control and Safe Streets Act of 1968 ("the 1968 Act"); the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103–322) ("the 1994 Act"); the Victims of Child Abuse Act of 1990 ("the 1990 Act"); the Prosecu-

torial Remedies and Other Tools to End the Exploitation of Children Today Act of 2003 (Public Law 108–21); the Juvenile Justice and Delinquency Prevention Act of 1974 ("the 1974 Act"); and the Victims of Trafficking and Violence Protection Act of 2000 (Public Law 106–386); $387,275,000, including amounts for administrative costs, to remain available until expended: Provided, That all balances, unobligated and obligated, from grants and activities administered by the Office on Violence Against Women shall be transferred from the Office of Justice Programs to the Office on Violence Against Women within 60 days of enactment of this Act: Provided further, That of the amount provided—

(1) $11,897,000 for the court-appointed special advocate program, as authorized by section 217 of the 1990 Act;

(2) $1,925,000 for child abuse training programs for judicial personnel and practitioners, as authorized by section 222 of the 1990 Act;

(3) $983,000 for grants for televised testimony, as authorized by Part N of the 1968 Act;

(4) $187,086,000 for grants to combat violence against women, as authorized by part T of the 1968 Act, of which:

(A) $5,000,000 shall be for the National Institute of Justice for research and evaluation of violence against women;

(B) $10,000,000 shall be for the Office of Juvenile Justice and Delinquency Prevention for the Safe Start Program, as authorized by the 1974 Act; and

(C) $12,500,000 shall be for transitional housing assistance grants for victims of domestic violence, stalking or sexual assault as authorized by Public Law 108–21;

(5) $63,491,000 for grants to encourage arrest policies as authorized by part U of the 1968 Act;

(6) $39,685,000 for rural domestic violence and child abuse enforcement assistance grants, as authorized by section 40295(a) of the 1994 Act;

(7) $4,415,000 for training programs as authorized by section 40152 of the 1994 Act, and for related local demonstration projects;

(8) $2,950,000 for grants to improve the stalking and domestic violence databases, as authorized by section 40602 of the 1994 Act;

(9) $9,175,000 to reduce violent crimes against women on campus, as authorized by section 1108(a) of Public Law 106–386;

(10) $39,740,000 for legal assistance for victims, as authorized by section 1201(c) of Public Law 106–386;

(11) $4,600,000 for enhancing protection for older and disabled women from domestic violence and sexual assault, as authorized by section 40802 of the 1994 Act;

(12) $14,078,000 for the safe havens for children pilot program, as authorized by section 1301(a) of Public Law 106–386; and

(13) $7,250,000 for education and training to end violence against and abuse of women with disabilities, as authorized by section 1402(a) of Public Law 106–386.

OFFICE OF JUSTICE PROGRAMS

JUSTICE ASSISTANCE

For grants, contracts, cooperative agreements, and other assistance authorized by title I of the Omnibus Crime Control and Safe Streets Act of 1968, the Missing Children's Assistance Act, including salaries and expenses in connection therewith, the Prosecutorial Remedies and Other Tools to end the Exploitation of Children Today Act of 2003 (Public Law 108–21), and the Victims of Crime Act of 1984, $227,900,000, to remain available until expended.

STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE

For grants, contracts, cooperative agreements, and other assistance authorized by the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103–322) ("the 1994 Act"); the Omnibus Crime Control and Safe Streets Act of 1968 ("the 1968 Act"); the Victims of Trafficking and Violence Protection Act of 2000 (Public Law 106–386); and other programs; $1,295,510,000 (including amounts for administrative costs, which shall be transferred to and merged with the "Justice Assistance" account): Provided, That funding provided under this heading shall remain available until expended, as follows—

(1) $634,000,000 for the Edward Byrne Memorial Justice Assistance Grant program pursuant to the amendments made by section 201 of H.R. 3036 of the 108th Congress, as passed by the House of Representatives on March 30, 2004 (except that the special rules for Puerto Rico established pursuant to such amendments shall not apply for purposes of this Act), of which—

(A) $85,000,000 shall be for Boys and Girls Clubs in public housing facilities and other areas in cooperation with State and local law enforcement, as authorized by section 401 of Public Law 104–294 (42 U.S.C. 13751 note);

(B) $10,000,000 shall be available for the National Institute of Justice in assisting units of local government to identify, select, develop, modernize, and purchase new technologies for use by law enforcement; and

(C) $2,500,000 for USA Freedom Corps activities;

(2) $305,000,000 for the State Criminal Alien Assistance Program, as authorized by section 242(j) of the Immigration and Nationality Act;

(3) $30,000,000 is for the Southwest Border Prosecutor Initiative to reimburse State, county, parish, tribal, or municipal governments only for costs associated with the prosecution of criminal cases declined by local United States Attorneys offices;

(4) $18,000,000 for assistance to Indian tribes, of which—

(A) $5,000,000 shall be available for grants under section 20109(a)(2) of subtitle A of title II of the 1994 Act;

(B) $8,000,000 shall be available for the Tribal Courts Initiative; and

(C) $5,000,000 shall be available for demonstration projects on alcohol and crime in Indian Country;

(5) $170,027,000 for discretionary grants authorized by subpart 2 of part E, of title I of the 1968 Act, notwithstanding the provisions of section 511 of said Act;

(6) $10,000,000 for victim services programs for victims of trafficking, as authorized by section 107(b)(2) of Public Law 106–386;

(7) $883,000 for the Missing Alzheimer's Disease Patient Alert Program, as authorized by section 240001(c) of the 1994 Act;

(8) $40,000,000 for Drug Courts, as authorized by Part EE of the 1968 Act;

(9) $2,000,000 for public awareness programs addressing marketing scams aimed at senior citizens, as authorized by section 250005(3) of the 1994 Act;

(10) $10,000,000 for a prescription drug monitoring program;

(11) $37,000,000 for prison rape prevention and prosecution programs as authorized by the Prison Rape Elimination Act of 2003 (Public Law 108–79), of which $1,000,000 shall be transferred to the National Prison Rape Elimination Commission for authorized activities;

(12) $25,000,000 for grants for residential substance abuse treatment for State prisoners, as authorized by part S of the 1968 Act;

(13) $10,500,000 for a program to improve State and local law enforcement intelligence capabilities including training to ensure that constitutional rights, civil liberties, civil rights, and privacy interests are protected throughout the intelligence process;

(14) $1,000,000 for a State and local law enforcement hate crimes training and technical assistance program;

(15) $2,000,000 for Law Enforcement Family Support Programs, as authorized by section 1001(a)(21) of the 1968 Act; and

(16) $100,000 for Motor Vehicle Theft Prevention Programs, as authorized by section 220002(h) of the 1994 Act:

Provided, That, if a unit of local government uses any of the funds made available under this title to increase the number of law enforcement officers, the unit of local government will achieve a net gain in the number of law enforcement officers who perform non-administrative public safety service.

WEED AND SEED PROGRAM FUND

For necessary expenses, including salaries and related expenses of the Executive Office for Weed and Seed, to implement "Weed and Seed" program activities, $62,000,000, to remain available until September 30, 2006, for inter-governmental agreements, including grants, cooperative agreements, and contracts, with State and local law enforcement agencies, non-profit organizations, and agencies of local government engaged in the investigation and prosecution of violent and gang-related crimes and drug offenses in "Weed and Seed" designated communities, and for either reimbursements or transfers to appropriation accounts of the Department of Justice and other Federal agencies which shall be specified by the Attorney General to execute the "Weed and Seed" program strategy: Provided, That funds designated by Congress through language for other Department of Justice appropriation accounts for "Weed and Seed" program activities shall be managed and executed by the Attorney

General through the Executive Office for Weed and Seed: Provided further, That the Attorney General may direct the use of other Department of Justice funds and personnel in support of "Weed and Seed" program activities only after the Attorney General notifies the Committees on Appropriations of the House of Representatives and the Senate in accordance with section 605 of this Act: Provided further, That of the funds appropriated for the Executive Office for Weed and Seed, $2,000,000 shall be directed for comprehensive community development training and technical assistance.

COMMUNITY ORIENTED POLICING SERVICES

For activities authorized by the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103–322) (including administrative costs), $606,446,000, to remain available until expended: Provided, That funds that become available as a result of deobligations from prior year balances may not be obligated except in accordance with section 605 of this Act: Provided further, That of the funds under this heading, not to exceed $2,575,000 shall be available for the Office of Justice Programs for reimbursable services associated with programs administered by the Community Oriented Policing Services Office: Provided further, That section 1703(b) and (c) of the Omnibus Crime Control and Safe Streets Act of 1968 ("the 1968 Act") shall not apply to non-hiring grants made pursuant to part Q of title I thereof (42 U.S.C. 3796dd et seq.). Of the amounts provided—

(1) $10,000,000 is for the hiring of law enforcement officers, including $5,000,000 for school resource officers;

(2) $15,000,000 is for training and technical assistance;

(3) $20,000,000 is for improving tribal law enforcement including equipment and training;

(4) $100,000,000 is for the COPS Interoperable Communications Technology Program;

(5) $7,500,000 is for a police integrity program;

(6) $25,000,000 is for the matching grant program for law enforcement armor vests as authorized by section 2501 of part Y of the 1968 Act: Provided, That not to exceed 2 percent of such funds shall be available to the Office of Justice Programs for testing of and research relating to law enforcement armor vests;

(7) $52,556,000 is for policing initiatives to combat methamphetamine production and trafficking and to enhance policing initiatives in "drug hot spots";

(8) $15,000,000 is for Police Corps education and training: Provided, That the out-year program costs of new recruits shall be fully funded from funds currently available;

(9) $138,615,000 is for a law enforcement technology program;

(10) $25,000,000 is for grants to upgrade criminal records, as authorized under the Crime Identification Technology Act of 1998 (42 U.S.C. 14601);

(11) $28,450,000 is for grants, contracts and other assistance to States under section 102(b) of the Crime Identification Technology Act of 1998 (42 U.S.C. 14601);

(12) $110,000,000 is for a DNA analysis and capacity enhancement program;

(13) $15,000,000 is for Paul Coverdell Forensic Sciences Improvement Grants under part BB of title I of the 1968 Act (42 U.S.C. 3797j et seq.);

(14) $10,000,000 is for an offender re-entry program, as authorized by Public Law 107–273;

(15) $4,325,000 is for the Safe Schools Initiative; and

(16) not to exceed $30,000,000 is for program management and administration.

JUVENILE JUSTICE PROGRAMS

For grants, contracts, cooperative agreements, and other assistance authorized by the Juvenile Justice and Delinquency Prevention Act of 1974 ("the Act"), and other juvenile justice programs, including salaries and expenses in connection therewith to be transferred to and merged with the appropriations for Justice Assistance, $384,177,000, to remain available until expended, as follows—

(1) $3,000,000 for concentration of Federal efforts, as authorized by section 204 of the Act;

(2) $84,000,000 for State and local programs authorized by section 221 of the Act, including training and technical assistance to assist small, non-profit organizations with the Federal grants process;

(3) $102,177,000 for demonstration projects, as authorized by sections 261 and 262 of the Act;

(4) $10,000,000 for research, evaluation, training and technical assistance, as authorized by sections 251 and 252 of the Act;

(5) $15,000,000 for juvenile mentoring programs;

(6) $80,000,000 for delinquency prevention, as authorized by section 505 of the Act, of which—

(A) $10,000,000 shall be for the Tribal Youth Program;

(B) $25,000,000 shall be for a gang resistance education and training program to be administered by the Bureau of Justice Assistance and to be coordinated with the Bureau of Alcohol, Tobacco, Firearms and Explosives and the Office of Juvenile Justice and Delinquency Prevention; and

(C) $25,000,000 shall be for grants of $360,000 to each State and $6,640,000 shall be available for discretionary grants to States, for programs and activities to enforce State laws prohibiting the sale of alcoholic beverages to minors or the purchase or consumption of alcoholic beverages by minors, prevention and reduction of consumption of alcoholic beverages by minors, and for technical assistance and training;

(7) $5,000,000 for Project Childsafe;

(8) $15,000,000 for the Secure Our Schools Act as authorized by Public Law 106–386;

(9) $15,000,000 for programs authorized by the Victims of Child Abuse Act of 1990; and

(10) $55,000,000 for the Juvenile Accountability Block Grants program as authorized by Public Law 107–273 and Guam shall be considered a State:

Provided, That not more than 10 percent of each amount may be used for research, evaluation, and statistics activities designed to

benefit the programs or activities authorized: Provided further, That not more than 2 percent of each amount may be used for training and technical assistance.

PUBLIC SAFETY OFFICERS BENEFITS

To remain available until expended, for payments authorized by part L of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796), such sums as are necessary, as authorized by section 6093 of Public Law 100–690 (102 Stat. 4339–4340); and $3,615,000, to remain available until expended for payments as authorized by section 1201(b) of said Act; and $2,795,000 for educational assistance, as authorized by section 1212 of the 1968 Act.

GENERAL PROVISIONS—DEPARTMENT OF JUSTICE

SEC. 101. In addition to amounts otherwise made available in this title for official reception and representation expenses, a total of not to exceed $60,000 from funds appropriated to the Department of Justice in this title shall be available to the Attorney General for official reception and representation expenses.

SEC. 102. None of the funds appropriated by this title shall be available to pay for an abortion, except where the life of the mother would be endangered if the fetus were carried to term, or in the case of rape: Provided, That should this prohibition be declared unconstitutional by a court of competent jurisdiction, this section shall be null and void.

SEC. 103. None of the funds appropriated under this title shall be used to require any person to perform, or facilitate in any way the performance of, any abortion.

SEC. 104. Nothing in the preceding section shall remove the obligation of the Director of the Bureau of Prisons to provide escort services necessary for a female inmate to receive such service outside the Federal facility: Provided, That nothing in this section in any way diminishes the effect of section 103 intended to address the philosophical beliefs of individual employees of the Bureau of Prisons.

SEC. 105. Authorities contained in the 21st Century Department of Justice Appropriations Authorization Act (Public Law 107–273) shall remain in effect until the effective date of a subsequent Department of Justice appropriations authorization Act.

SEC. 106. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Department of Justice in this Act may be transferred between such appropriations, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 10 percent by any such transfers: Provided, That any transfer pursuant to this section shall be treated as a reprogramming of funds under section 605 of this Act and shall not be available for obligation except in compliance with the procedures set forth in that section: Provided further, That none of the funds appropriated to "Buildings and Facilities, Federal Prison System" in this or any other Act may be transferred to "Salaries and Expenses, Federal Prison System", or any other Department of Justice account, unless the President certifies that such a transfer is necessary to the national security interests of the United States, and

such authority shall not be delegated, and shall be subject to Section 605 of this Act.

SEC. 107. Section 114 of Public Law 107–77 shall remain in effect during fiscal year 2005.

SEC. 108. In addition to the amounts provided under "Salaries and Expenses, United States Attorneys", $15,000,000 shall be for Project Seahawk and shall remain available until expended.

SEC. 109. The Attorney General is authorized to extend through September 30, 2006, the Personnel Management Demonstration Project transferred to the Attorney General pursuant to section 1115 of the Homeland Security Act of 2002, Public Law 107–296 (6 U.S.C. 533) without limitation on the number of employees or the positions covered.

SEC. 110. (a) None of the funds made available in this Act may be used by the Drug Enforcement Administration to establish a procurement quota following the approval of a new drug application or an abbreviated new drug application for a controlled substance.

(b) The limitation established in subsection (a) shall not apply until 180 days after enactment of this Act.

SEC. 111. The limitation established in the preceding section shall not apply to any new drug application or abbreviated new drug application for which the Drug Enforcement Administration has reviewed and provided public comments on labeling, promotion, risk management plans, and any other documents.

SEC. 112. (a) Section 8335(b) of title 5, United States Code, is amended—

(1) by striking "(b)" and inserting "(b)(1)"; and

(2) by adding at the end the following:

"(2) In the case of employees of the Federal Bureau of Investigation, the second sentence of paragraph (1) shall be applied by substituting '65 years of age' for '60 years of age'. The authority to grant exemptions in accordance with the preceding sentence shall cease to be available after December 31, 2009.".

(b) Section 8425(b) of title 5, United States Code, is amended—

(1) by striking "(b)" and inserting "(b)(1)"; and

(2) by adding at the end the following:

"(2) In the case of employees of the Federal Bureau of Investigation, the second sentence of paragraph (1) shall be applied by substituting '65 years of age' for '60 years of age'. The authority to grant exemptions in accordance with the preceding sentence shall cease to be available after December 31, 2009.".

SEC. 113. (a) Subchapter IV of chapter 57 of title 5, United States Code, is amended by adding at the end the following:

"§ 5759. Retention and relocation bonuses for the Federal Bureau of Investigation

"(a) AUTHORITY.—The Director of the Federal Bureau of Investigation, after consultation with the Director of the Office of Personnel Management, may pay, on a case-by-case basis, a bonus under this section to an employee of the Bureau if—

"(1)(A) the unusually high or unique qualifications of the employee or a special need of the Bureau for the employee's services makes it essential to retain the employee; and

"(B) the Director of the Federal Bureau of Investigation determines that, in the absence of such a bonus, the employee would be likely to leave—

"(i) the Federal service; or

"(ii) for a different position in the Federal service; or

"(2) the individual is transferred to a different geographic area with a higher cost of living (as determined by the Director of the Federal Bureau of Investigation).

"(b) SERVICE AGREEMENT.—Payment of a bonus under this section is contingent upon the employee entering into a written service agreement with the Bureau to complete a period of service with the Bureau. Such agreement shall include—

"(1) the period of service the individual shall be required to complete in return for the bonus; and

"(2) the conditions under which the agreement may be terminated before the agreed-upon service period has been completed, and the effect of the termination.

"(c) LIMITATION ON AUTHORITY.—A bonus paid under this section may not exceed 50 percent of the employee's basic pay.

"(d) IMPACT ON BASIC PAY.—A retention bonus is not part of the basic pay of an employee for any purpose.

"(e) TERMINATION OF AUTHORITY.—The authority to grant bonuses under this section shall cease to be available after December 31, 2009.".

(b) The analysis for chapter 57 of title 5, United States Code, is amended by adding at the end the following:

"5759. Retention and relocation bonuses for the Federal Bureau of Investigation.".

SEC. 114. (a) Chapter 35 of title 5 of the United States Code is amended by adding at the end the following:

"SUBCHAPTER VII—RETENTION OF RETIRED SPECIALIZED EMPLOYEES AT THE FEDERAL BUREAU OF INVESTIGATION

"§ 3598. Federal Bureau of Investigation Reserve Service

"(a) ESTABLISHMENT.—The Director of the Federal Bureau of Investigation may provide for the establishment and training of a Federal Bureau of Investigation Reserve Service (hereinafter in this section referred to as the 'FBI Reserve Service') for temporary reemployment of employees in the Bureau during periods of emergency, as determined by the Director.

"(b) MEMBERSHIP.—Membership in the FBI Reserve Service shall be limited to individuals who previously served as full-time employees of the Bureau.

"(c) ANNUITANTS.—If an annuitant receiving an annuity from the Civil Service Retirement and Disability Fund becomes temporarily reemployed pursuant to this section, such annuity shall not be discontinued thereby. An annuitant so reemployed shall not be considered an employee for the purposes of chapter 83 or 84.

"(d) NO IMPACT ON BUREAU PERSONNEL CEILING.—FBI Reserve Service members reemployed on a temporary basis pursuant to this section shall not count against any personnel ceiling applicable to the Bureau.

"(e) EXPENSES.—The Director may provide members of the FBI Reserve Service transportation and per diem in lieu of subsistence, in accordance with applicable provisions of this title, for the purpose

of participating in any training that relates to service as a member of the FBI Reserve Service.

"(f) LIMITATION ON MEMBERSHIP.—Membership of the FBI Reserve Service is not to exceed 500 members at any given time.".

(b) The analysis for chapter 35 of title 5, United States Code, is amended by adding at the end the following:

"SUBCHAPTER VII—RETENTION OF RETIRED SPECIALIZED EMPLOYEES AT THE FEDERAL BUREAU OF INVESTIGATION

"3598. Federal Bureau of Investigation reserve service.".

SEC. 115. Section 5377(a)(2) of title 5, United States Code, is amended—

(1) by striking "and" at the end of subparagraph (E);

(2) by striking the period at the end of subparagraph (F) and inserting "; and"; and

(3) by inserting after subparagraph (F) the following:

"(G) a position at the Federal Bureau of Investigation, the primary duties and responsibilities of which relate to intelligence functions (as determined by the Director of the Federal Bureau of Investigation).".

SEC. 116. Notwithstanding any other provision of law, Public Law 102–395 section 102(b) shall extend to the Bureau of Alcohol, Tobacco, Firearms and Explosives in the conduct of undercover investigative operations and shall apply without fiscal year limitation with respect to any undercover investigative operation initiated by the Bureau of Alcohol, Tobacco, Firearms and Explosives that is necessary for the detection and prosecution of crimes against the United States.

SEC. 117. Section 1344 of Title 31 of the United States Code, is amended in subsection (b) paragraph (6) by inserting after "Federal Bureau of Investigation," the words "Director of the Bureau of Alcohol, Tobacco, Firearms and Explosives". This amendment shall take effect as if enacted on January 1, 2004.

SEC. 118. Within 45 days of enactment of this Act, the Bureau of Prisons will submit a comprehensive financial plan for the Federal Prison System to the Committees on Appropriations.

SEC. 119. The Bureau of Prisons shall implement a pilot program in the Southern District of Florida which would allow the Federal Public Defender to transfer computers to the local detention facility to review electronic discovery. These computers will be used according to schedules and protocols developed by the staff of the local facility in consultation with the Federal Defender and the District Court's Criminal Justice Act Selection Committee.

SEC. 120. None of the funds made available to the Department of Justice in this Act may be used for the purpose of transporting an individual who is a prisoner pursuant to conviction for crime under State or Federal law and is classified as a maximum or high security prisoner, other than to a prison or other facility certified by the Federal Bureau of Prisons as appropriately secure for housing such a prisoner.

SEC. 121. (a) None of the funds appropriated by this Act may be used by Federal prisons to purchase cable television services, to rent or purchase videocassettes, videocassette recorders, or other audiovisual or electronic equipment used primarily for recreational purposes.

(b) The preceding sentence does not preclude the renting, maintenance, or purchase of audiovisual or electronic equipment for inmate training, religious, or educational programs.

SEC. 122. Section 3(e) of the Radiation Exposure Compensation Act (42 U.S.C. 2210 note) is amended—

(1) in paragraph (1), by striking "through fiscal year 2011"; and

(2) in paragraph (2), by striking subparagraphs (E) through (J).

SEC. 123. The Prison Rape Elimination Act of 2003 is amended—

(1) in section 7—

*(A) in the heading by striking "**REDUCTION**" and inserting "**ELIMINATION**"; and*

(B) in subsection (a) by striking "Reduction" and inserting "Elimination"; and

(2) in section 1(b), by striking "Reduction" in the item relating to section 7 and inserting "Elimination".

SEC. 124. (a) The President shall award and present a 9/11 Heroes Medal of Valor of appropriate design, with ribbons and appurtenances, to an appropriate representative of those individuals who were members of public safety agencies and were killed in the terrorist attacks in the United States on September 11, 2001, as certified by the Attorney General, on behalf of such individuals.

(b) The presentation of medals pursuant to subsection (a) shall be made as close as feasible to the 4th anniversary of the terrorist attacks described in that subsection.

(c)(1) To be eligible for the medal referred to in subsection (a), an individual shall have been a public safety officer (as defined in section 5 of the Public Safety Officer Medal of Valor Act of 2001) who—

(A) was present in New York, Virginia, or Pennsylvania on September 11, 2001;

(B) participated in the response that day to the terrorist attacks on the World Trade Center, the terrorist attack on the Pentagon, or the terrorist attack that resulted in the crash of the fourth airplane in Pennsylvania; and

(C) died as a result of such participation.

(2) An individual who was killed in one of the attacks referred to in paragraph (1)(B) shall be deemed, for purposes of the eligibility requirement of that paragraph, to have participated in the response.

(3) The certification of eligible recipients of the medal under subsection (a) shall be completed by the Attorney General by July 1, 2005.

(d)(1)(A) The design of the medal under this section shall be selected by the Attorney General after consultation with—

(i) the Commission of Fine Arts; and

(ii) the Institute of Heraldry within the Department of Defense, regarding the design and artistry of the 9/11 Heroes Medal of Valor.

(B) The Attorney General may also consider suggestions received by the Department of Justice regarding the design of the medal, including those made by persons not employed by the Department of Justice.

(2) After such consultation and selection of design, the Attorney General shall make necessary arrangements with the Secretary of the Treasury for the Secretary to prepare and strike, on a reimbursable basis, such number of medals as may be required to carry out this section.

(3) The medals struck under this section are national medals for purposes of chapter 51 of title 31, United States Code.

(e) The Attorney General shall establish such procedures and requirements as may be necessary to carry out this section.

(f) There are authorized to be appropriated to the Attorney General such sums as may be necessary to carry out this section.

SEC. 125. (a) The Attorney General shall transfer, without reimbursement, to the Secretary of the Army a parcel of real property, including any improvements thereon, consisting of approximately 57.8 acres located on River Road in Prince George County, Virginia. The real property is currently under the administrative jurisdiction of the Bureau of Prisons. Upon transfer of the real property under this subsection, the Secretary of the Army shall assume administrative and jurisdictional accountability over property and include the property as part of Fort Lee, Virginia.

(b) The exact acreage and legal description of the real property to be transferred under subsection (a) shall be determined by a survey satisfactory to the Secretary of the Army.

SEC. 126. The Department of Justice shall establish an Office of Justice for Victims of Overseas Terrorism.

This title may be cited as the "Department of Justice Appropriations Act, 2005".

TITLE II—DEPARTMENT OF COMMERCE AND RELATED AGENCIES

TRADE AND INFRASTRUCTURE DEVELOPMENT

RELATED AGENCIES

OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

SALARIES AND EXPENSES

For necessary expenses of the Office of the United States Trade Representative, including the hire of passenger motor vehicles and the employment of experts and consultants as authorized by 5 U.S.C. 3109, $41,552,000, of which $1,000,000 shall remain available until expended: Provided, That not to exceed $124,000 shall be available for official reception and representation expenses: Provided further, That not less than $2,000,000 provided under this heading shall be for expenses authorized by 19 U.S.C. 2451 and 1677b(c): Provided further, That negotiations shall be conducted within the World Trade Organization to recognize the right of members to distribute monies collected from antidumping and countervailing duties: Provided further, That there is established a position of Chief Negotiator for Intellectual Property Enforcement.

NATIONAL INTELLECTUAL PROPERTY LAW ENFORCEMENT COORDINATION COUNCIL

For necessary expenses of the National Intellectual Property Law Enforcement Coordination Council to coordinate domestic and international intellectual property protection and law enforcement relating to intellectual property among Federal and foreign entities, $2,000,000, to remain available until September 30, 2006: Provided, That there shall be at the head of the National Intellectual Property Law Enforcement Coordination Council a Coordinator for International Intellectual Property Enforcement: Provided further, That the Coordinator for International Intellectual Property Enforcement shall be appointed by the President: Provided further, That no person shall serve as the Coordinator for International Intellectual Property Enforcement while serving in any other position in the Federal Government: Provided further, That the co-chairs of the National Intellectual Property Law Enforcement Coordination Council, as designated by Public Law 106–58, shall report to the Coordinator for International Intellectual Property Enforcement on matters concerning the National Intellectual Property Law Enforcement Coordination Council: Provided further, That the National Intellectual Property Law Enforcement Coordination Council shall—

(1) establish policies, objectives, and priorities concerning international intellectual property protection and intellectual property law enforcement;

(2) promulgate a strategy for protecting American intellectual property overseas; and

(3) coordinate and oversee implementation by agencies with responsibilities for intellectual property protection and intellectual property law enforcement of the policies, objectives, and priorities established under paragraph (1) and the fulfillment of the responsibilities assigned to such agencies in the strategy described in paragraph (2):

Provided further, That the Coordinator for International Intellectual Property Enforcement shall develop for each fiscal year, with the advice of the members of the National Intellectual Property Law Enforcement Coordination Council and any other departments and agencies with responsibilities for intellectual property protection and intellectual property law enforcement, a budget proposal to implement the strategy described in paragraph (2) and for the operations of the National Intellectual Property Law Enforcement Coordination Council, and shall transmit such budget proposal to the President and to the Congress: Provided further, That the Coordinator for International Intellectual Property Enforcement may select, appoint, employ, and fix compensation of such officers and employees as may be necessary to carry out the functions of the National Intellectual Property Law Enforcement Coordination Council: Provided further, That the Coordinator for International Intellectual Property Enforcement may direct, with the concurrence of the Secretary of a department or head of an agency, the temporary reassignment within the Federal Government of personnel employed by such department or agency.

INTERNATIONAL TRADE COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the International Trade Commission, including hire of passenger motor vehicles, and services as authorized by 5 U.S.C. 3109, and not to exceed $2,500 for official reception and representation expenses, $61,700,000, to remain available until expended.

DEPARTMENT OF COMMERCE

INTERNATIONAL TRADE ADMINISTRATION

OPERATIONS AND ADMINISTRATION

For necessary expenses for international trade activities of the Department of Commerce provided for by law, and for engaging in trade promotional activities abroad, including expenses of grants and cooperative agreements for the purpose of promoting exports of United States firms, without regard to 44 U.S.C. 3702 and 3703; full medical coverage for dependent members of immediate families of employees stationed overseas and employees temporarily posted overseas; travel and transportation of employees of the United States and Foreign Commercial Service between two points abroad, without regard to 49 U.S.C. 40118; employment of Americans and aliens by contract for services; rental of space abroad for periods not exceeding 10 years, and expenses of alteration, repair, or improvement; purchase or construction of temporary demountable exhibition structures for use abroad; payment of tort claims, in the manner authorized in the first paragraph of 28 U.S.C. 2672 when such claims arise in foreign countries; not to exceed $327,000 for official representation expenses abroad; purchase of passenger motor vehicles for official use abroad, not to exceed $30,000 per vehicle; obtaining insurance on official motor vehicles; and rental of tie lines, $401,513,000, to remain available until expended, of which $8,000,000 is to be derived from fees to be retained and used by the International Trade Administration, notwithstanding 31 U.S.C. 3302: Provided, That $48,509,000 shall be for Manufacturing and Services; $40,087,000 shall be for Market Access and Compliance; $64,544,000 shall be for the Import Administration of which not less than $3,000,000 is for the Office of China Compliance; $222,365,000 shall be for the United States and Foreign Commercial Service of which $1,500,000 is for the Advocacy Center, $2,500,000 is for the Trade Information Center, and $2,100,000 is for a China and Middle East Business Center; and $26,008,000 shall be for Executive Direction and Administration: Provided further, That the provisions of the first sentence of section 105(f) and all of section 108(c) of the Mutual Educational and Cultural Exchange Act of 1961 (22 U.S.C. 2455(f) and 2458(c)) shall apply in carrying out these activities without regard to section 5412 of the Omnibus Trade and Competitiveness Act of 1988 (15 U.S.C. 4912); and that for the purpose of this Act, contributions under the provisions of the Mutual Educational and Cultural Exchange Act of 1961 shall include payment for assessments for services provided as part of these activities: Provided further, That negotiations shall be conducted within the World Trade Organization to recognize the right

of members to distribute monies collected from antidumping and countervailing duties: Provided further, That of the amount provided, $1,000,000 is for a grant to the United States Air and Trade Show Inc. to study the feasibility of the establishment and operation of a biennial United States international air trade show to promote international exports from the United States and for initial expenses of implementing the recommendations set forth in the study: Provided further, That for purposes of section 31.205(d)(2) of the Federal Acquisition Regulation, any international air and trade show conducted by the grantee shall be considered to be a trade show containing a significant effort to promote exports from the United States.

BUREAU OF INDUSTRY AND SECURITY

OPERATIONS AND ADMINISTRATION

For necessary expenses for export administration and national security activities of the Department of Commerce, including costs associated with the performance of export administration field activities both domestically and abroad; full medical coverage for dependent members of immediate families of employees stationed overseas; employment of Americans and aliens by contract for services abroad; payment of tort claims, in the manner authorized in the first paragraph of 28 U.S.C. 2672 when such claims arise in foreign countries; not to exceed $15,000 for official representation expenses abroad; awards of compensation to informers under the Export Administration Act of 1979, and as authorized by 22 U.S.C. 401(b); and purchase of passenger motor vehicles for official use and motor vehicles for law enforcement use with special requirement vehicles eligible for purchase without regard to any price limitation otherwise established by law, $68,393,000, to remain available until expended, of which $7,200,000 shall be for inspections and other activities related to national security: Provided, That the provisions of the first sentence of section 105(f) and all of section 108(c) of the Mutual Educational and Cultural Exchange Act of 1961 (22 U.S.C. 2455(f) and 2458(c)) shall apply in carrying out these activities: Provided further, That payments and contributions collected and accepted for materials or services provided as part of such activities may be retained for use in covering the cost of such activities, and for providing information to the public with respect to the export administration and national security activities of the Department of Commerce and other export control programs of the United States and other governments.

ECONOMIC DEVELOPMENT ADMINISTRATION

ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

For grants for economic development assistance as provided by the Public Works and Economic Development Act of 1965, and for trade adjustment assistance, $257,423,000, to remain available until expended.

SALARIES AND EXPENSES

For necessary expenses of administering the economic development assistance programs as provided for by law, $30,483,000: Pro-

vided, That these funds may be used to monitor projects approved pursuant to title I of the Public Works Employment Act of 1976, title II of the Trade Act of 1974, and the Community Emergency Drought Relief Act of 1977.

MINORITY BUSINESS DEVELOPMENT AGENCY

MINORITY BUSINESS DEVELOPMENT

For necessary expenses of the Department of Commerce in fostering, promoting, and developing minority business enterprise, including expenses of grants, contracts, and other agreements with public or private organizations, $29,899,000.

ECONOMIC AND INFORMATION INFRASTRUCTURE

ECONOMIC AND STATISTICAL ANALYSIS

SALARIES AND EXPENSES

For necessary expenses, as authorized by law, of economic and statistical analysis programs of the Department of Commerce, $80,000,000, to remain available until September 30, 2006, of which $2,000,000 is for a grant to the National Academy of Public Administration to study impacts of off-shoring on the economy and workforce of the United States.

BUREAU OF THE CENSUS

SALARIES AND EXPENSES

For expenses necessary for collecting, compiling, analyzing, preparing, and publishing statistics, provided for by law, $198,765,000.

PERIODIC CENSUSES AND PROGRAMS

For necessary expenses related to the 2010 decennial census, $393,515,000, to remain available until September 30, 2006: Provided, That of the total amount available related to the 2010 decennial census, $165,196,000 is for the Re-engineered Design Process for the Short-Form Only Census, $146,009,000 is for the American Community Survey, and $82,310,000 is for the Master Address File/Topologically Integrated Geographic Encoding and Referencing (MAF/TIGER) system.

In addition, for expenses to collect and publish statistics for other periodic censuses and programs provided for by law, $162,601,000, to remain available until September 30, 2006, of which $73,473,000 is for economic statistics programs and $89,128,000 is for demographic statistics programs: Provided, That regarding construction of a facility at the Suitland Federal Center, quarterly reports regarding the expenditure of funds and project planning, design and cost decisions shall be provided by the Bureau, in cooperation with the General Services Administration, to the Committees on Appropriations of the Senate and the House of Representatives: Provided further, That none of the funds provided in this or any other Act under the heading "Bureau of the Census, Periodic Censuses and Programs" shall be used to fund the construction and tenant build-out costs of a facility at the Suitland

Federal Center: Provided further, That none of the funds provided in this or any other Act for any fiscal year may be used for the collection of Census data on race identification that does not include "some other race" as a catagory.

NATIONAL TELECOMMUNICATIONS AND INFORMATION ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses, as provided for by law, of the National Telecommunications and Information Administration (NTIA), $17,433,000, to remain available until September 30, 2006: Provided, That, notwithstanding 31 U.S.C. 1535(d), the Secretary of Commerce shall charge Federal agencies for costs incurred in spectrum management, analysis, and operations, and related services and such fees shall be retained and used as offsetting collections for costs of such spectrum services, to remain available until expended: Provided further, That the Secretary of Commerce is authorized to retain and use as offsetting collections all funds transferred, or previously transferred, from other Government agencies for all costs incurred in telecommunications research, engineering, and related activities by the Institute for Telecommunication Sciences of NTIA, in furtherance of its assigned functions under this paragraph, and such funds received from other Government agencies shall remain available until expended.

PUBLIC TELECOMMUNICATIONS FACILITIES, PLANNING AND CONSTRUCTION

For the administration of grants authorized by section 392 of the Communications Act of 1934, $21,769,000, to remain available until expended as authorized by section 391 of the Act: Provided, That not to exceed $2,000,000 shall be available for program administration as authorized by section 391 of the Act: Provided further, That, notwithstanding the provisions of section 391 of the Act, the prior year unobligated balances may be made available for grants for projects for which applications have been submitted and approved during any fiscal year.

INFORMATION INFRASTRUCTURE GRANTS

For the administration of prior year grants, recoveries and unobligated balances of funds previously appropriated for grants are available only for the administration of all open grants until their expiration.

UNITED STATES PATENT AND TRADEMARK OFFICE

SALARIES AND EXPENSES

For necessary expenses of the United States Patent and Trademark Office provided for by law, including defense of suits instituted against the Under Secretary of Commerce for Intellectual Property and Director of the United States Patent and Trademark Office, $1,336,000,000, to remain available until expended, which shall be derived from offsetting collections assessed and collected pursuant to 15 U.S.C. 1113 and 35 U.S.C. 41 and 376, and shall be retained and used for necessary expenses: Provided, That the

sum herein appropriated from the general fund shall be reduced as such offsetting collections are received during fiscal year 2005, so as to result in a fiscal year 2005 appropriation from the general fund estimated at $0: Provided further, That during fiscal year 2005, should the total amount of offsetting fee collections be less than $1,356,000,000, this amount shall be reduced accordingly: Provided further, That not less than 526 full-time equivalents, 530 positions and $72,899,000 shall be for the examination of trademark applications; and not less than 5,057 full-time equivalents, 5,139 positions and $759,021,000 shall be for the examination and searching of patent applications: Provided further, That not more than 244 full-time equivalents, 251 positions and $31,906,000 shall be for the Office of the General Counsel: Provided further, That of amounts made available under this heading, $20,000,000 shall only be available for initiatives to protect United States intellectual property overseas: Provided further, That from amounts provided herein, not to exceed $1,000 shall be made available in fiscal year 2005 for official reception and representation expenses: Provided further, That notwithstanding section 1353 of title 31, United States Code, no employee of the United States Patent and Trademark Office may accept payment or reimbursement from a non-Federal entity for travel, subsistence, or related expenses for the purpose of enabling an employee to attend and participate in a convention, conference, or meeting when the entity offering payment or reimbursement is a person or corporation subject to regulation by the Office, or represents a person or corporation subject to regulation by the Office, unless the person or corporation is an organization exempt from taxation pursuant to section 501(c)(3) of the Internal Revenue Code of 1986.

In addition, fees authorized by title VIII of this Act may be collected and credited to this account as offsetting collections: Provided, That not to exceed $218,754,000 derived from such offsetting collections shall be available until expended for authorized purposes: Provided further, That not less than 58 full-time equivalents, 72 positions and $5,551,000 shall be for the examination of trademark applications; and not less than 378 full-time equivalents, 709 positions and $106,986,000 shall be for the examination and searching of patent applications: Provided further, That not more than 20 full-time equivalents, 20 positions and $4,955,000 shall be for the Office of the General Counsel: Provided further, That the total amount appropriated from fees collected in fiscal year 2005, including such increased fees, shall not exceed $1,574,754,000: Provided further, That in fiscal year 2005, from the amounts made available for "Salaries and Expenses" for the United States Patent and Trademark Office (PTO), the amounts necessary to pay (1) the difference between the percentage of basic pay contributed by the PTO and employees under section 8334(a) of title 5, United States Code, and the normal cost percentage (as defined by section 8331(17) of that title) of basic pay, of employees subject to subchapter III of chapter 83 of that title; and (2) the present value of the otherwise unfunded accruing costs, as determined by the Office of Personnel Management, of post-retirement life insurance and post-retirement health benefits coverage for all PTO employees, shall be transferred to the Civil Service Retirement and Disability Fund, the Employees Life Insurance Fund, and the Employees Health Benefits Fund, as appro-

priate, and shall be available for the authorized purposes of those accounts.

SCIENCE AND TECHNOLOGY

TECHNOLOGY ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses for the Under Secretary for Technology Office of Technology Policy, $6,547,000: Provided, That section 8(a) of the Technology Administration Act of 1998 (15 U.S.C. 1511e(a)) is amended by deleting "Technology Administration of" after "within the": Provided further, That $200,000 is for the World Congress on Information Technology.

NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY

SCIENTIFIC AND TECHNICAL RESEARCH AND SERVICES

For necessary expenses of the National Institute of Standards and Technology, $383,892,000, to remain available until expended, of which not to exceed $2,900,000 may be transferred to the "Working Capital Fund".

INDUSTRIAL TECHNOLOGY SERVICES

For necessary expenses of the Manufacturing Extension Partnership of the National Institute of Standards and Technology, $109,000,000, to remain available until expended: Provided, That the Secretary of Commerce shall not recompete any existing Manufacturing Extension Partnership Center prior to 2007: Provided further, That hereafter the Manufacturing Extension Partnership Program authorized under 15 U.S.C. 278k shall be renamed the Hollings Manufacturing Partnership Program and the centers established and receiving funding under 15 U.S.C. 278k paragraph (a) shall be named the Hollings Manufacturing Extension Centers.

In addition, for necessary expenses of the Advanced Technology Program of the National Institute of Standards and Technology, $142,300,000, to remain available until expended.

CONSTRUCTION OF RESEARCH FACILITIES

For construction of new research facilities, including architectural and engineering design, and for renovation and maintenance of existing facilities, not otherwise provided for the National Institute of Standards and Technology, as authorized by 15 U.S.C. 278c–278e, $73,500,000, to remain available until expended.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

OPERATIONS, RESEARCH, AND FACILITIES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of activities authorized by law for the National Oceanic and Atmospheric Administration, including maintenance, operation, and hire of aircraft and vessels; grants, contracts, or other payments to nonprofit organizations for the purposes of conducting activities pursuant to cooperative agreements; and re-

location of facilities, $2,804,065,000, to remain available until September 30, 2006, except for funds provided for cooperative enforcement which shall remain available until September 30, 2007: Provided, That fees and donations received by the National Ocean Service for the management of national marine sanctuaries may be retained and used for the salaries and expenses associated with those activities, notwithstanding 31 U.S.C. 3302: Provided further, That in addition, $3,000,000 shall be derived by transfer from the fund entitled "Coastal Zone Management" and in addition $65,000,000 shall be derived by transfer from the fund entitled "Promote and Develop Fishery Products and Research Pertaining to American Fisheries": Provided further, That of the $2,872,065,000 provided for in direct obligations under this heading $2,804,065,000 is appropriated from the General Fund: Provided further, That no general administrative charge shall be applied against an assigned activity included in this Act or the report accompanying this Act except for additional costs above the fiscal year 2004 level of $2,600,000 for automating and modernizing the NOAA grant processing systems up to a total of $5,000,000: Provided further, That the total amount available for the National Oceanic and Atmospheric Administration corporate services administrative support costs shall not exceed $171,530,000: Provided further, That payments of funds made available under this heading to the Department of Commerce Working Capital Fund including Department of Commerce General Counsel legal services shall not exceed $39,500,000: Provided further, That any deviation from the amounts designated for specific activities in the report accompanying this Act shall be subject to the procedures set forth in section 605 of this Act: Provided further, That grants to States pursuant to sections 306 and 306A of the Coastal Zone Management Act of 1972, as amended, shall not exceed $2,000,000, unless funds provided for "Coastal Zone Management Grants" exceed funds provided in the previous fiscal year: Provided further, That if funds provided for "Coastal Zone Management Grants" exceed funds provided in the previous fiscal year, then no State shall receive more than 5 percent or less than 1 percent of the additional funds: Provided further, That none of the funds under this heading are available to alter the existing structure, organization, function, and funding of the National Marine Fisheries Service Southwest Region and Fisheries Science Center and Northwest Region and Fisheries Science Center: Provided further, That notwithstanding any other provision of law, $600,000 shall be available only for the National Oceanic and Atmospheric Administration Office of Space Commercialization: Provided further, That the personnel management demonstration project established at the National Oceanic and Atmospheric Administration pursuant to 5 U.S.C. 4703 may be expanded by 3,500 full-time positions to include up to 6,925 full-time positions and may be extended indefinitely: Provided further, That the Administrator of the National Oceanic and Atmospheric Administration may engage in formal and informal education activities, including primary and secondary education, related to the agency's mission goals.

In addition, for necessary retired pay expenses under the Retired Serviceman's Family Protection and Survivor Benefits Plan, and for payments for the medical care of retired personnel and their

dependents under the Dependents Medical Care Act (10 U.S.C. ch. 55), such sums as may be necessary.

PROCUREMENT, ACQUISITION AND CONSTRUCTION

For procurement, acquisition and construction of capital assets, including alteration and modification costs, of the National Oceanic and Atmospheric Administration, $1,053,436,000 to remain available until September 30, 2007, except funds provided for construction of facilities which shall remain available until September 30, 2009, and funds provided for the Honolulu Laboratory and the Marine Environmental Health Research Laboratory which shall remain available until expended: Provided, That of the amounts provided for the National Polar-orbiting Operational Environmental Satellite System, funds shall only be made available on a dollar for dollar matching basis with funds provided for the same purpose by the Department of Defense: Provided further, That except to the extent expressly prohibited by any other law, the Department of Defense may delegate procurement functions related to the National Polar-orbiting Operational Environmental Satellite System to officials of the Department of Commerce pursuant to section 2311 of title 10, United States Code: Provided further, That any deviation from the amounts designated for specific activities in the report accompanying this Act shall be subject to the procedures set forth in section 605 of this Act: Provided further, That none of the funds provided in this Act or any other Act under the heading "National Oceanic and Atmospheric Administration, Procurement, Acquisition and Construction" shall be used to fund the General Services Administration's standard construction and tenant build-out costs of a facility at the Suitland Federal Center: Provided further, That beginning in fiscal year 2006 and for each fiscal year thereafter, the Secretary of Commerce shall include in the budget justification materials that the Secretary submits to Congress in support of the Department of Commerce budget (as submitted with the budget of the President under section 1105(a) of title 31, 10 United States Code) an estimate for each National Oceanic and Atmospheric Administration procurement, acquisition and construction program having a total multiyear program cost of more than $5,000,000 and simultaneously the budget justification materials shall include an estimate of the budgetary requirements for each such program for each of the five subsequent fiscal years.

PACIFIC COASTAL SALMON RECOVERY

For necessary expenses associated with the restoration of Pacific salmon populations, $90,000,000: Provided, That section 628(2)(A) of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 2001 (16 U.S.C. 3645) is amended—

(1) by striking "2000, 2001, 2002, and 2003" and inserting "2005", and

(2) by inserting "Idaho," after "Oregon,".

COASTAL ZONE MANAGEMENT FUND

Of amounts collected pursuant to section 308 of the Coastal Zone Management Act of 1972 (16 U.S.C. 1456a), not to exceed

$3,000,000 shall be transferred to the "Operations, Research, and Facilities" account to offset the costs of implementing such Act.

FISHERMEN'S CONTINGENCY FUND

For carrying out the provisions of title IV of Public Law 95–372, not to exceed $499,000, to be derived from receipts collected pursuant to that Act, to remain available until expended.

FISHERIES FINANCE PROGRAM ACCOUNT

For the costs of direct loans, $287,000, as authorized by the Merchant Marine Act of 1936: Provided, That such costs, including the cost of modifying such loans, shall be as defined in the Federal Credit Reform Act of 1990: Provided further, That these funds are only available to subsidize gross obligations for the principal amount of direct loans not to exceed $5,000,000 for Individual Fishing Quota loans, and not to exceed $59,000,000 for traditional direct loans, of which $40,000,000 may be used for direct loans to the United States distant water tuna fleet, and of which $19,000,000 may be used for direct loans to the United States menhaden fishery: Provided further, That none of the funds made available under this heading may be used for direct loans for any new fishing vessel that will increase the harvesting capacity in any United States fishery.

OTHER

DEPARTMENTAL MANAGEMENT

SALARIES AND EXPENSES

For expenses necessary for the departmental management of the Department of Commerce provided for by law, including not to exceed $5,000 for official entertainment, $48,109,000: Provided, That not to exceed 12 full-time equivalents and $1,621,000 shall be expended for the legislative affairs function of the Department.

UNITED STATES TRAVEL AND TOURISM PROMOTION

For necessary expenses of the United States Travel and Tourism Promotion Program, as authorized by section 210 of Public Law 108–7, for programs promoting travel to the United States including grants, contracts, cooperative agreements and related costs, $10,000,000, to remain available until September 30, 2006.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978 (5 U.S.C. App.), $21,660,000.

GENERAL PROVISIONS—DEPARTMENT OF COMMERCE

SEC. 201. During the current fiscal year, applicable appropriations and funds made available to the Department of Commerce by this Act shall be available for the activities specified in the Act of October 26, 1949 (15 U.S.C. 1514), to the extent and in the manner prescribed by the Act, and, notwithstanding 31 U.S.C. 3324, may be used for advanced payments not otherwise authorized only upon the

certification of officials designated by the Secretary of Commerce that such payments are in the public interest.

SEC. 202. During the current fiscal year, appropriations made available to the Department of Commerce by this Act for salaries and expenses shall be available for hire of passenger motor vehicles as authorized by 31 U.S.C. 1343 and 1344; services as authorized by 5 U.S.C. 3109; and uniforms or allowances therefore, as authorized by law (5 U.S.C. 5901–5902).

SEC. 203. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Department of Commerce in this Act may be transferred between such appropriations, but no such appropriation shall be increased by more than 10 percent by any such transfers: Provided, That any transfer pursuant to this section shall be treated as a reprogramming of funds under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section: Provided further, That the Secretary of Commerce shall notify the Committees on Appropriations at least 15 days in advance of the acquisition or disposal of any capital asset (including land, structures, and equipment) not specifically provided for in this or any other Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act.

SEC. 204. Any costs incurred by a department or agency funded under this title resulting from personnel actions taken in response to funding reductions included in this title or from actions taken for the care and protection of loan collateral or grant property shall be absorbed within the total budgetary resources available to such department or agency: Provided, That the authority to transfer funds between appropriations accounts as may be necessary to carry out this section is provided in addition to authorities included elsewhere in this Act: Provided further, That use of funds to carry out this section shall be treated as a reprogramming of funds under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

SEC. 205. Hereafter, none of the funds made available by this or any other Act for the Department of Commerce shall be available to reimburse the Unemployment Trust Fund or any other fund or account of the Treasury to pay for any expenses authorized by section 8501 of title 5, United States Code, for services performed by individuals appointed to temporary positions within the Bureau of the Census for purposes relating to the decennial censuses of population.

SEC. 206. Of the amount available from the fund entitled "Promote and Develop Fishery Products and Research Pertaining to American Fisheries", $10,000,000 shall be provided to the Alaska Fisheries Marketing Board, $1,000,000 shall be available for the "Wild American Shrimp Initiative", and $1,000,000 shall be available for the Gulf Oyster Industry Education Program: Provided, That (1) the Alaska Fisheries Marketing Board (hereinafter "the Board") shall be a nonprofit organization and not an agency or establishment of the United States, (2) the Secretary may appoint, assign, or otherwise designate as Executive Director an employee of the Department of Commerce, who may serve in an official capacity in such position, with or without reimbursement, and such appointment or assignment shall be without interruption or loss of civil

service status or privilege, and (3) the Board may adopt bylaws consistent with the purposes of this section, and may undertake other acts necessary to carry out the provisions of this section.

SEC. 207. (a) Hereafter, the Secretary of Commerce is authorized to operate a marine laboratory in South Carolina in accordance with a memorandum of agreement, including any future amendments, among the National Oceanic and Atmospheric Administration, the National Institute of Standards and Technology, the State of South Carolina, the Medical University of South Carolina, and the College of Charleston as a partnership for collaborative, interdisciplinary marine scientific research.

(b) To carry out subsection (a), the agencies that are partners in the Laboratory may accept, apply for, use, and spend Federal, State, private and grant funds as necessary to further the mission of the Laboratory without regard to the source or of the period of availability of these funds and may apply for and hold patents, as well as share personnel, facilities, and property. Any funds collected or accepted by any partner may be used to offset all or portions of its costs, including overhead, without regard to 31 U.S.C. section 143302(b); to reimburse other participating agencies for all or portions of their costs; and to fund research and facilities expansion. Funds for management and operation of the Laboratory may be used to sustain basic laboratory operations for all participating entities. The Secretary of Commerce is authorized to charge fees and enter into contracts, grants, cooperative agreements and other arrangements with Federal, State, private entities, and other entities, domestic and foreign, to further the mission of the Laboratory. Any funds collected from such fees or arrangements shall be used to support cooperative research, basic operations, and facilities enhancement at the Laboratory.

SEC. 208. Funds made available for salaries and administrative expenses to administer the Emergency Steel Loan Guarantee Program in section 211(b) of Public Law 108–199 shall remain available until expended.

SEC. 209. A fishing capacity reduction program for the Southeast Alaska purse seine fishery is authorized to be financed through a capacity reduction loan of $50,000,000 pursuant to sections 1111 and 1112 of title XI of the Merchant Marine Act of 1936 (46 U.S.C. App. 1279f and 1279g) subject to the conditions of this section. In accordance with the Federal Credit Reform Act of 1990, 2 U.S.C. § 661 et seq., $500,000 is made available from funds appropriated for "Pacific Coastal Salmon Recovery" in this Act for the cost of the loan authorized by this section. The loan shall have a term of 30 years, except that the amount to be repaid in any one year shall not exceed 2 percent of the total value of salmon landed in the fishery and such repayment shall begin with salmon landed after January 1, 2006.

SEC. 210. Section 653(a) of Public Law 106–58 is amended by adding "(7) The Coordinator for International Intellectual Property Enforcement." after "Under Secretary of Commerce for International Trade.".

SEC. 211. Notwithstanding any other provision of law, of the amounts made available elsewhere in this title to the "National Institute of Standards and Technology, Construction of Research Facilities", $20,000,000 is for a cooperative agreement with the Med-

ical University of South Carolina; $10,000,000 is for the Cancer Research Center in Hawaii; $4,000,000 is for the Thayer School of Engineering, of which $1,000,000 is for a biomass energy research project, $2,000,000 is for a smart laser beam project, and $1,000,000 is for research relating to biomaterials; $1,000,000 is for civic education programs at the New Hampshire Institute of Politics; $1,500,000 is for the Franklin Pierce Community Center; $2,000,000 is for the Southern New Hampshire University School of Community Economic Development; and $5,000,000 is for the Boston Museum of Science.

SEC. 212. Section 3(f) of Public Law 104–91 is amended by striking "and 2005" and inserting "2005, 2006, and 2007".

SEC. 213. Hereafter, notwithstanding any other Federal law related to the conservation and management of marine mammals, the State of Hawaii may enforce any State law or regulation with respect to the operation in State waters of recreational and commercial vessels, for the purpose of conservation and management of humpback whales, to the extent that such law or regulation is no less restrictive than Federal law.

SEC. 214. ESTABLISHMENT OF THE ERNEST F. HOLLINGS SCHOLARSHIP PROGRAM. (a) ESTABLISHMENT.—The Administrator of the National Oceanic and Atmospheric Administration shall establish and administer the Ernest F. Hollings Scholarship Program. Under the program, the Administrator shall award scholarships in oceanic and atmospheric science, research, technology, and education to be known as Ernest F. Hollings Scholarships.

(b) PURPOSES.—The purposes of the Ernest F. Hollings Scholarships Program are—

(1) to increase undergraduate training in oceanic and atmospheric science, research, technology, and education and foster multidisciplinary training opportunities;

(2) to increase public understanding and support for stewardship of the ocean and atmosphere and improve environmental literacy; and

(3) to recruit and prepare students for public service careers with the National Oceanic and Atmospheric Administration and other natural resource and science agencies at the Federal, State and Local levels of government; and

(4) to recruit and prepare students for careers as teachers and educators in oceanic and atmospheric science and to improve scientific and environmental education in the United States.

(c) AWARD.—Each Ernest F. Hollings Scholarship—

(1) shall be used to support undergraduate studies in oceanic and atmospheric science, research, technology, and education that support the purposes of the programs and missions of the National Oceanic and Atmospheric Administration;

(2) shall recognize outstanding scholarship and ability;

(3) shall promote participation by groups underrepresented in oceanic and atmospheric science and technology; and

(4) shall be awarded competitively in accordance with guidelines issued by the Administrator and published in the Federal Register.

(d) ELIGIBILITY.—In order to be eligible to participate in the program, an individual must—

(1) be enrolled or accepted for enrollment as a full-time student at an institution of higher education (as defined in section 101(a) of the Higher Education Act of 1965) in an academic field or discipline described in subsection (c);

(2) be a United States citizen;

(3) not have received a scholarship under this section for more than 4 academic years, unless the Administrator grants a waiver; and

(4) submit an application at such time, in such manner, and containing such information, agreements, or assurances as the Administrator may require.

(e) DISTRIBUTION OF FUNDS.—The amount of each Ernest F. Hollings Scholarship shall be provided directly to a recipient selected by the Administrator upon receipt of certification that the recipient will adhere to a specific and detailed plan of study and research approved by an institution of higher education.

(f) FUNDING.—Of the total amount appropriated for fiscal year 2005 and annually hereafter to the National Oceanic and Atmospheric Administration, the Administrator shall make available for the Ernest F. Hollings Scholarship program one-tenth of one percent of such appropriations.

(g) SCHOLARSHIP REPAYMENT REQUIREMENT.—The Administrator shall require an individual receiving a scholarship under this section to repay the full amount of the scholarship to the National Oceanic and Atmospheric Administration if the Administrator determines that the individual, in obtaining or using the scholarship, engaged in fraudulent conduct or failed to comply with any term or condition of the scholarship. Such repayments shall be deposited in the NOAA Operations, Research, and Facilities Appropriations Account and treated as an offsetting collection and only be available for financing additional scholarships.

SEC. 215. Section 402(f) of Public Law 107–372 is amended—

(1) in paragraph (1), by striking "All right" and inserting "For the period ending April 3, 2008, all right"; and

(2) in paragraph (3), by inserting "for the period ending April 3, 2008" after "and annually thereafter".

SEC. 216. Of the amounts made available under this heading for the National Oceanic and Atmospheric Administration, the Secretary of Commerce shall pay by March 1, 2005, $5,000,000 to the National Marine Sanctuaries Foundation to capitalize a fund for ocean activities.

SEC. 217. Any funding provided under this Title used to implement the Department of Commerce's E-Government Initiatives shall be subject to the procedures set forth in section 605 of this Act.

SEC. 218. A fishing capacity reduction program for the Federal Gulf of Mexico Reef Fish Fishery Management Plan principally intended for commercial long line vessels is authorized to be financed through a capacity reduction loan of $35,000,000 pursuant to sections 1111 and 1112 of title XI of the Merchant Marine Act of 1936 (46 U.S.C. App. 1279f and 1279g) subject to the conditions of this section. In accordance with the Federal Credit Reform Act of 1990 (2 U.S.C. SEC. 661 et seq.), $350,000 is hereby appropriated for the subsidy cost of the loan authorized under this section and shall remain available until expended. The Secretary of Commerce, working in close coordination with active fishery participants, is hereby au-

thorized to design and implement a comprehensive voluntary capacity reduction program using the loan authorized under this section. The Secretary shall set the loan term at 35 years and repayment shall begin within one year of final implementation of the program. In addition to the authority of the Gulf of Mexico Regional Fishery Management Council to develop and recommend conservation and management measures for the Gulf of Mexico reef fish fishery, the Secretary of Commerce is authorized to develop and implement a limited access program pursuant to the standards set forth in Section 303(b)(6) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1853(b)(6)).

SEC. 219. (a) DEFINITIONS.—In this section:

(1) AFA TRAWL CATCHER PROCESSOR SUBSECTOR.—The term "AFA trawl catcher processor subsector" means the owners of each catcher/processor listed in paragraphs (1) through (20) of section 208(e) of the American Fisheries Act (16 U.S.C. 1851 note).

(2) BSAI.—The term "BSAI" has the meaning given the term "Bering Sea and Aleutian Islands Management Area" in section 679.2 of title 50, Code of Federal Regulations (or successor regulation).

(3) CATCHER PROCESSOR SUBSECTOR.—The term "catcher processor subsector" means, as appropriate, one of the following:

(A) The longline catcher processor subsector.

(B) The AFA trawl catcher processor subsector.

(C) The non-AFA trawl catcher processor subsector.

(D) The pot catcher processor subsector.

(4) COUNCIL.—The term "Council" means the North Pacific Fishery Management Council established in section 302(a)(1)(G) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1852(a)(1)(G)).

(5) LLP LICENSE.—The term "LLP license" means a Federal License Limitation program groundfish license issued pursuant to section 679.4(k) of title 50, Code of Federal Regulations (or successor regulation).

(6) LONGLINE CATCHER PROCESSOR SUBSECTOR.—The term "longline catcher processor subsector" means the holders of an LLP license that is noninterim and transferable, or that is interim and subsequently becomes noninterim and transferable, and that is endorsed for Bering Sea or Aleutian Islands catcher processor fishing activity, C/P, Pcod, and hook and line gear.

(7) NON-AFA TRAWL CATCHER PROCESSOR SUBSECTOR.—The term "non-AFA trawl catcher processor subsector" means the owner of each trawl catcher processor—

(A) that is not an AFA trawl catcher processor;

(B) to whom a valid LLP license that is endorsed for Bering Sea or Aleutian Islands trawl catcher processor fishing activity has been issued; and

(C) that the Secretary determines has harvested with trawl gear and processed not less than a total of 150 metric tons of non-pollock groundfish during the period January 1, 1997 through December 31, 2002.

(8) NON-POLLOCK GROUNDFISH FISHERY.—The term "non-pollock groundfish fishery" means target species of Atka mack-

erel, flathead sole, Pacific cod, Pacific Ocean perch, rock sole, turbot, or yellowfin sole harvested in the BSAI.

(9) POT CATCHER PROCESSOR SUBSECTOR.—The term "pot catcher processor subsector" means the holders of an LLP license that is noninterim and transferable, or that is interim and subsequently becomes noninterim and transferable, and that is endorsed for Bering Sea or Aleutian Islands catcher processor fishing activity, C/P, Pcod, and pot gear.

(10) SECRETARY.—Except as otherwise provided in this Act, the term "Secretary" means the Secretary of Commerce.

(b) AUTHORITY FOR BSAI CATCHER PROCESSOR CAPACITY REDUCTION PROGRAM.—

(1) IN GENERAL.—A fishing capacity reduction program for the non-pollock groundfish fishery in the BSAI is authorized to be financed through a capacity reduction loan of not more than $75,000,000 under sections 1111 and 1112 of the Merchant Marine Act, 1936 (46 U.S.C. App. 1279f and 1279g).

(2) RELATIONSHIP TO MERCHANT MARINE ACT, 1936.—The fishing capacity reduction program authorized by paragraph (1) shall be a program for the purposes of subsection (e) of section 1111 of the Merchant Marine Act, 1936 (46 U.S.C. App. 1279f), except, notwithstanding subsection (b)(4) of such section, the capacity reduction loan authorized by paragraph (1) may have a maturity not to exceed 30 years.

(c) AVAILABILITY OF CAPACITY REDUCTION FUNDS TO CATCHER PROCESSOR SUBSECTORS.—

(1) IN GENERAL.—The Secretary shall make available the amounts of the capacity reduction loan authorized by subsection (b)(1) to each catcher processor subsector as described in this subsection.

(2) INITIAL AVAILABILITY OF FUNDS.—The Secretary shall make available the amounts of the capacity reduction loan authorized by subsection (b)(1) as follows:

(A) Not more than $36,000,000 for the longline catcher processor subsector.

(B) Not more than $6,000,000 for the AFA trawl catcher processor subsector.

(C) Not more than $31,000,000 for the non-AFA trawl catcher processor subsector.

(D) Not more than $2,000,000 for the pot catcher processor subsector.

(3) OTHER AVAILABILITY OF FUNDS.—After January 1, 2009, the Secretary may make available for fishing capacity reduction to one or more of the catcher processor subsectors any amounts of the capacity reduction loan authorized by subsection (b)(1) that have not been expended by that date.

(d) BINDING REDUCTION CONTRACTS.—

(1) REQUIREMENT FOR CONTRACTS.—The Secretary may not provide funds to a person under the fishing capacity reduction program authorized by subsection (b) if such person does not enter into a binding reduction contract between the United States and such person, the performance of which may only be subject to the approval of an appropriate capacity reduction plan under subsection (e).

(2) REQUIREMENT TO REVOKE LICENSES.—The Secretary shall revoke all Federal fishery licenses, fishery permits, and area and species endorsements issued for a vessel, or any vessel named on an LLP license purchased through the fishing capacity reduction program authorized by subsection (b).

(e) DEVELOPMENT, APPROVAL, AND NOTIFICATION OF CAPACITY REDUCTION PLANS.—

(1) DEVELOPMENT.—Each catcher processor subsector may, after notice to the Council, submit to the Secretary a capacity reduction plan for the appropriate subsector to promote sustainable fisheries management through the removal of excess harvesting capacity from the non-pollock groundfish fishery.

(2) APPROVAL BY THE SECRETARY.—The Secretary is authorized to approve a capacity reduction plan submitted under paragraph (1) if such plan—

(A) is consistent with the requirements of section 312(b) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1861a(b)) except—

(i) the requirement that a Council or Governor of a State request such a program set out in paragraph (1) of such subsection; and

(ii) the requirements of paragraph (4) of such subsection;

(B) contains provisions for a fee system that provides for full and timely repayment of the capacity reduction loan by a catcher processor subsector and that may provide for the assessment of such fees based on methods other than ex-vessel value of fish harvested;

(C) does not require a bidding or auction process;

(D) will result in the maximum sustained reduction in fishing capacity at the least cost and in the minimum amount of time; and

(E) permits vessels in the catcher processor subsector to be upgraded to achieve efficiencies in fishing operations provided that such upgrades do not result in the vessel exceeding the applicable length, tonnage, or horsepower limitations set out in Federal law or regulation.

(3) APPROVAL BY REFERENDUM.—

(A) IN GENERAL.—Following approval by the Secretary under paragraph (2), the Secretary shall conduct a referendum for approval of a capacity reduction plan for the appropriate catcher processor subsector. The capacity reduction plan and fee system shall be approved if the referendum votes which are cast in favor of the proposed system by the appropriate catcher processor subsector are—

(i) 100 percent of the members of the AFA trawl catcher processor subsector; or

(ii) not less than ⅔ of the members of—

(I) the longline catcher processor subsector;

(II) the non-AFA trawl catcher processor subsector; or

(III) the pot catcher processor subsector.

(B) NOTIFICATION PRIOR TO REFERENDUM.—Prior to conducting a referendum under subparagraph (A) for a capacity reduction plan, the Secretary shall—

(i) identify, to the extent practicable, and notify the catcher processor subsector that will be affected by such plan; and

(ii) make available to such subsector information about any industry fee system contained in such plan, a description of the schedule, procedures, and eligibility requirements for the referendum, the proposed program, the estimated capacity reduction, the amount and duration, and any other terms and conditions of the fee system proposed in such plan.

(4) IMPLEMENTATION.—

(A) NOTICE OF IMPLEMENTATION.—Not later than 90 days after a capacity reduction plan is approved by a referendum under paragraph (3), the Secretary shall publish a notice in the Federal Register that includes the exact terms and conditions under which the Secretary shall implement the fishing capacity reduction program authorized by subsection (b).

(B) INAPPLICABILITY OF IMPLEMENTATION PROVISION OF MAGNUSON.—Section 312(e) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1861a(e)) shall not apply to a capacity reduction plan approved under this subsection.

(5) AUTHORITY TO COLLECT FEES.—The Secretary is authorized to collect fees to fund a fishing capacity reduction program and to repay debt obligations incurred pursuant to a plan approved under paragraph (3)(A).

(f) ACTION BY OTHER ENTITIES.—Upon the request of the Secretary, the Secretary of the Department in which the National Vessel Documentation Center operates or the Secretary of the Department in which the Maritime Administration operates, as appropriate, shall, with respect to any vessel or any vessel named on an LLP license purchased through the fishing capacity reduction program authorized by subsection (b)—

(1)(A) permanently revoke any fishery endorsement issued to the vessel under section 12108 of title 46, United States Code;

(B) refuse to grant the approval required under section 9(c)(2) of the Shipping Act, 1916 (46 U.S.C. App. 808(c)(2)) for the placement of the vessel under foreign registry or the operation of the vessel under the authority of a foreign country; and

(C) require that the vessel operate under United States flag and remain under Federal documentation; or

(2) require that the vessel be scrapped as a reduction vessel under section 600.1011(c) of title 50, Code of Federal Regulations.

(g) NON-POLLOCK GROUNDFISH FISHERY.—

(1) PARTICIPATION IN THE FISHERY.—Only a member of a catcher processor subsector may participate in—

(A) the catcher processor sector of the BSAI non-pollock groundfish fishery; or

(B) the fishing capacity reduction program authorized by subsection (b).

(2) PLANS FOR THE FISHERY.—It is the sense of Congress that—

(A) the Council should continue on its path toward rationalization of the BSAI non-pollock groundfish fisheries, complete its ongoing work with respect to developing management plans for the BSAI non-pollock groundfish fisheries in a timely manner, and take actions that promote stability of these fisheries consistent with the goals of this section and the purposes and policies of the Magnuson-Stevens Fishery Conservation and Management Act; and

(B) such plans should not penalize members of any catcher processor subsector for achieving capacity reduction under this Act or any other provision of law.

(h) REPORTS.—

(1) REQUIREMENT.—The Secretary shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Resources of the House of Representatives 5 reports on the fishing capacity reduction program authorized by subsection (b).

(2) CONTENT.—Each report shall contain the following:

(A) A description of the fishing capacity reduction program carried out under the authority in subsection (b).

(B) An evaluation of the cost and cost-effectiveness of such program.

(C) An evaluation of the effectiveness of such program in achieving the objective set out in section 312(b) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1861a(b)).

(3) SCHEDULE.—

(A) INITIAL REPORT.—The Secretary shall submit the first report under paragraph (1) not later than 90 days after the date that the first referendum referred to in subsection (e)(3) is held.

(B) SUBSEQUENT REPORTS.—During each of the 4 years after the year in which the report is submitted under subparagraph (A), the Secretary shall submit to Congress an annual report as described in this subsection.

(i) CONFORMING AMENDMENT.—Section 214 of the Department of Commerce and Related Agencies Appropriations Act, 2004 (title II of division B of Public Law 108–199; 118 Stat. 75) is amended by striking "that—" and all that follows, and inserting "under the capacity reduction program authorized in section 219 of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 2005.".

SEC. 220. None of the funds appropriated in this Act or any other Act may be used to disqualify any community which was a participant in the Bering Sea Community Development Quota program on January 1, 2004, from continuing to receive quota allocations under that program.

SEC. 221. In addition to amounts made available under section 214 of the Department of Commerce and Related Agencies Appropriations Act, 2004 (title II of division B of Public Law 108–199; 118 Stat. 75), of the funding provided in this Act under the heading "NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION", "OPERATIONS, RESEARCH, AND FACILITIES", $250,000, to remain available until expended, for the Federal Credit Reform Act cost of a reduction loan under sections 1111 and 1112 of the Merchant Marine Act,

1936 (46 U.S.C. App. 1279f and 1279g), not to exceed an additional $25,000,000 in principal, for the capacity reduction program authorized in section 219.

This title may be cited as the "Department of Commerce and Related Agencies Appropriations Act, 2005".

TITLE III—THE JUDICIARY

SUPREME COURT OF THE UNITED STATES

SALARIES AND EXPENSES

For expenses necessary for the operation of the Supreme Court, as required by law, excluding care of the building and grounds, including purchase or hire, driving, maintenance, and operation of an automobile for the Chief Justice, not to exceed $10,000 for the purpose of transporting Associate Justices, and hire of passenger motor vehicles as authorized by 31 U.S.C. 1343 and 1344; not to exceed $10,000 for official reception and representation expenses; and for miscellaneous expenses, to be expended as the Chief Justice may approve, $58,122,000.

CARE OF THE BUILDING AND GROUNDS

For such expenditures as may be necessary to enable the Architect of the Capitol to carry out the duties imposed upon the Architect by the Act approved May 7, 1934 (40 U.S.C. 13a–13b), $9,979,000, which shall remain available until expended.

UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT

SALARIES AND EXPENSES

For salaries of the chief judge, judges, and other officers and employees, and for necessary expenses of the court, as authorized by law, $21,780,000.

UNITED STATES COURT OF INTERNATIONAL TRADE

SALARIES AND EXPENSES

For salaries of the chief judge and eight judges, salaries of the officers and employees of the court, services, and necessary expenses of the court, as authorized by law, $14,888,000.

COURTS OF APPEALS, DISTRICT COURTS, AND OTHER JUDICIAL SERVICES

SALARIES AND EXPENSES

For the salaries of circuit and district judges (including judges of the territorial courts of the United States), justices and judges retired from office or from regular active service, judges of the United States Court of Federal Claims, bankruptcy judges, magistrate judges, and all other officers and employees of the Federal Judiciary not otherwise specifically provided for, and necessary expenses of the courts, as authorized by law, $4,177,244,000 (including the purchase of firearms and ammunition); of which not to exceed $27,817,000 shall remain available until expended for space alteration projects and for furniture and furnishings related to new

space alteration and construction projects; of which not to exceed $2,800,000 shall be available for a national probation and pretrial services training program; of which $1,300,000 of the funds provided for the Judiciary Information Technology Fund will be for the Edwin L. Nelson Local Initiatives Program, within which $1,000,000 will be reserved for local court grants.

In addition, for expenses of the United States Court of Federal Claims associated with processing cases under the National Childhood Vaccine Injury Act of 1986, not to exceed $3,298,000, to be appropriated from the Vaccine Injury Compensation Trust Fund.

DEFENDER SERVICES

For the operation of Federal Defender organizations; the compensation and reimbursement of expenses of attorneys appointed to represent persons under the Criminal Justice Act of 1964; the compensation and reimbursement of expenses of persons furnishing investigative, expert and other services under the Criminal Justice Act of 1964 (18 U.S.C. 3006A(e)); the compensation (in accordance with Criminal Justice Act maximums) and reimbursement of expenses of attorneys appointed to assist the court in criminal cases where the defendant has waived representation by counsel; the compensation and reimbursement of travel expenses of guardians ad litem acting on behalf of financially eligible minor or incompetent offenders in connection with transfers from the United States to foreign countries with which the United States has a treaty for the execution of penal sentences; the compensation of attorneys appointed to represent jurors in civil actions for the protection of their employment, as authorized by 28 U.S.C. 1875(d); and for necessary training and general administrative expenses, $676,385,000, to remain available until expended.

FEES OF JURORS AND COMMISSIONERS

For fees and expenses of jurors as authorized by 28 U.S.C. 1871 and 1876; compensation of jury commissioners as authorized by 28 U.S.C. 1863; and compensation of commissioners appointed in condemnation cases pursuant to rule 71A(h) of the Federal Rules of Civil Procedure (28 U.S.C. Appendix Rule 71A(h)), $61,535,000, to remain available until expended: Provided, That the compensation of land commissioners shall not exceed the daily equivalent of the highest rate payable under section 5332 of title 5, United States Code.

COURT SECURITY

For necessary expenses, not otherwise provided for, incident to providing protective guard services for United States courthouses and other facilities housing Federal court operations, and the procurement, installation, and maintenance of security equipment for United States courthouses and other facilities housing Federal court operations, including building ingress-egress control, inspection of mail and packages, directed security patrols, perimeter security, basic security services provided by the Department of Homeland Security, and other similar activities as authorized by section 1010 of the Judicial Improvement and Access to Justice Act (Public Law 100–702), $332,000,000, of which not to exceed $10,000,000 shall re-

main available until expended, to be expended directly or transferred to the United States Marshals Service, which shall be responsible for administering the Judicial Facility Security Program consistent with standards or guidelines agreed to by the Director of the Administrative Office of the United States Courts and the Attorney General.

ADMINISTRATIVE OFFICE OF THE UNITED STATES COURTS

SALARIES AND EXPENSES

For necessary expenses of the Administrative Office of the United States Courts as authorized by law, including travel as authorized by 31 U.S.C. 1345, hire of a passenger motor vehicle as authorized by 31 U.S.C. 1343(b), advertising and rent in the District of Columbia and elsewhere, $68,200,000, of which not to exceed $8,500 is authorized for official reception and representation expenses.

FEDERAL JUDICIAL CENTER

SALARIES AND EXPENSES

For necessary expenses of the Federal Judicial Center, as authorized by Public Law 90–219, $21,737,000; of which $1,800,000 shall remain available through September 30, 2006, to provide education and training to Federal court personnel; and of which not to exceed $1,500 is authorized for official reception and representation expenses.

JUDICIAL RETIREMENT FUNDS

PAYMENT TO JUDICIARY TRUST FUNDS

For payment to the Judicial Officers' Retirement Fund, as authorized by 28 U.S.C. 377(o), $32,000,000; to the Judicial Survivors' Annuities Fund, as authorized by 28 U.S.C. 376(c), $2,000,000; and to the United States Court of Federal Claims Judges' Retirement Fund, as authorized by 28 U.S.C. 178(l), $2,700,000.

UNITED STATES SENTENCING COMMISSION

SALARIES AND EXPENSES

For the salaries and expenses necessary to carry out the provisions of chapter 58 of title 28, United States Code, $13,304,000, of which not to exceed $1,000 is authorized for official reception and representation expenses.

GENERAL PROVISIONS—THE JUDICIARY

SEC. 301. Appropriations and authorizations made in this title which are available for salaries and expenses shall be available for services as authorized by 5 U.S.C. 3109.

SEC. 302. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Judiciary in this Act may be transferred between such appropriations, but no such appropriation, except "Courts of Appeals, District Courts, and Other Judicial Services, Defender Services" and "Courts of Appeals, District Courts, and Other Judicial Services, Fees of Jurors and Commis-

sioners", shall be increased by more than 10 percent by any such transfers: Provided, That any transfer pursuant to this section shall be treated as a reprogramming of funds under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

SEC. 303. Notwithstanding any other provision of law, the salaries and expenses appropriation for Courts of Appeals, District Courts, and Other Judicial Services shall be available for official reception and representation expenses of the Judicial Conference of the United States: Provided, That such available funds shall not exceed $11,000 and shall be administered by the Director of the Administrative Office of the United States Courts in the capacity as Secretary of the Judicial Conference.

SEC. 304. (a) Section 3006A(d)(2) of title 18, United States Code, is amended—

(1) by striking "5,200" and inserting "7,000";

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

(3) by striking "3,700" and inserting "5,000";

(4) by striking "1,200" each place it appears and inserting "1,500"; and

(5) by striking "3,900" and inserting "5,000".

(b) Section 3006A(e) of title 18, United States Code is amended—

(1) in paragraph (2)—

(A) in subparagraph (A), by striking "300" and inserting "500"; and

(B) in subparagraph (B), by striking "300" and inserting "500"; and

(2) in paragraph (3) in the first sentence by striking "1,000" and inserting "1,600".

SEC. 305. Within 90 days of enactment of this Act, the Administrative Office of the U.S. Courts shall submit to the Committees on Appropriations a comprehensive financial plan for the Judiciary allocating all sources of available funds including appropriations, fee collections, and carryover balances, to include a separate and detailed plan for the Judiciary Information Technology fund.

SEC. 306. Pursuant to section 140 of Public Law 97–92, and from funds appropriated in this Act, Justices and judges of the United States are authorized during fiscal year 2005, to receive a salary adjustment in accordance with 28 U.S.C. 461.

SEC. 307. (a) Section 1914(a) of title 28, United States Code, is amended by striking out "$150" and inserting in lieu thereof "$250".

(b) Section 1931(a) of title 28, United States Code, is amended—

(1) in subsection (a) by striking out "$90" and inserting in lieu thereof "$190"; and

(2) in subsection (b)—

(A) by striking out "$150" and inserting in lieu thereof "$250"; and

(B) by striking out "$90" and inserting in lieu thereof "$190".

(c) This section shall take effect 60 days after the date of the enactment of this Act.

SEC. 308. For fiscal year 2005 and hereafter, such fees as shall be collected for the processing of violations through the Central Vio-

lations Bureau cases as prescribed by the Judicial Conference of the United States shall be deposited to the "Courts of Appeals, District Courts, and Other Judicial Services, Salaries and Expenses" appropriation to be used for salaries and other expenses.

This title may be cited as the "Judiciary Appropriations Act, 2005".

TITLE IV—DEPARTMENT OF STATE AND RELATED AGENCY

DEPARTMENT OF STATE

ADMINISTRATION OF FOREIGN AFFAIRS

DIPLOMATIC AND CONSULAR PROGRAMS

For necessary expenses of the Department of State and the Foreign Service not otherwise provided for, including employment, without regard to civil service and classification laws, of persons on a temporary basis (not to exceed $700,000 of this appropriation), as authorized by section 801 of the United States Information and Educational Exchange Act of 1948; representation to certain international organizations in which the United States participates pursuant to treaties ratified pursuant to the advice and consent of the Senate or specific Acts of Congress; arms control, nonproliferation and disarmament activities as authorized; acquisition by exchange or purchase of passenger motor vehicles as authorized by law; and for expenses of general administration, $3,570,000,000: Provided, That not to exceed 71 permanent positions shall be for the Bureau of Legislative Affairs: Provided further, That none of the funds made available under this heading may be used to transfer any full-time equivalent employees into or out of the Bureau of Legislative Affairs: Provided further, That, of the amount made available under this heading, not to exceed $4,000,000 may be transferred to, and merged with, funds in the "Emergencies in the Diplomatic and Consular Service" appropriations account, to be available only for emergency evacuations and terrorism rewards: Provided further, That, of the amount made available under this heading, $319,994,000 shall be available only for public diplomacy international information programs: Provided further, That of the amount made available under this heading, $3,000,000 shall be available only for the operations of the Office on Right-Sizing the United States Government Overseas Presence: Provided further, That funds available under this heading may be available for a United States Government interagency task force to examine, coordinate and oversee United States participation in the United Nations headquarters renovation project: Provided further, That no funds may be obligated or expended for processing licenses for the export of satellites of United States origin (including commercial satellites and satellite components) to the People's Republic of China unless, at least 15 days in advance, the Committees on Appropriations of the House of Representatives and the Senate are notified of such proposed action: Provided further, That of the amount made available under this heading, $185,128,000 is for Near Eastern Affairs, $80,234,000 is for South Asian Affairs, and $251,706,000 is for African Affairs: Provided further, That, of the amount made available under this heading, $2,000,000 shall be available for a grant to con-

duct an international conference on the human rights situation in North Korea: Provided further, That of the amount made available under this heading, $200,000 is for a grant to the Center for the Study of the Presidency and $1,900,000 is for a grant to Shared Hope International to combat international sex tourism: Provided further, That the Intellectual Property Division shall be elevated to office-level status and shall be renamed the Office of International Intellectual Property Enforcement within 60 days of enactment of this Act.

In addition, not to exceed $1,426,000 shall be derived from fees collected from other executive agencies for lease or use of facilities located at the International Center in accordance with section 4 of the International Center Act; in addition, as authorized by section 5 of such Act, $490,000, to be derived from the reserve authorized by that section, to be used for the purposes set out in that section; in addition, as authorized by section 810 of the United States Information and Educational Exchange Act, not to exceed $6,000,000, to remain available until expended, may be credited to this appropriation from fees or other payments received from English teaching, library, motion pictures, and publication programs and from fees from educational advising and counseling and exchange visitor programs; and, in addition, not to exceed $15,000, which shall be derived from reimbursements, surcharges, and fees for use of Blair House facilities.

In addition, for the costs of worldwide security upgrades, $658,702,000, to remain available until expended: Provided, That of the amounts made available under this paragraph, $5,000,000 is for the Center for Antiterrorism and Security Training.

Beginning in fiscal year 2005 and thereafter, the Secretary of State is authorized to charge surcharges related to consular services in support of enhanced border security that are in addition to the passport and immigrant visa fees in effect on January 1, 2004: Provided, That funds collected pursuant to this authority shall be credited to this account, and shall be available until expended for the purposes of such account: Provided further, That such surcharges shall be $12 on passport fees, and $45 on immigrant visa fees.

CAPITAL INVESTMENT FUND

For necessary expenses of the Capital Investment Fund, $52,149,000, to remain available until expended, as authorized: Provided, That section 135(e) of Public Law 103–236 shall not apply to funds available under this heading.

CENTRALIZED INFORMATION TECHNOLOGY MODERNIZATION PROGRAM

For expenses relating to the modernization of the information technology systems and networks of the Department of State, $77,851,000, to remain available until expended.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General, $30,435,000, notwithstanding section 209(a)(1) of the Foreign Service Act of 1980 (Public Law 96–465), as it relates to post inspections.

EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS

For expenses of educational and cultural exchange programs, as authorized, $360,750,000, to remain available until expended: Provided, That not to exceed $2,000,000, to remain available until expended, may be credited to this appropriation from fees or other payments received from or in connection with English teaching, educational advising and counseling programs, and exchange visitor programs as authorized.

REPRESENTATION ALLOWANCES

For representation allowances as authorized, $8,640,000.

PROTECTION OF FOREIGN MISSIONS AND OFFICIALS

For expenses, not otherwise provided, to enable the Secretary of State to provide for extraordinary protective services, as authorized, $9,894,000, to remain available until September 30, 2006.

EMBASSY SECURITY, CONSTRUCTION, AND MAINTENANCE

For necessary expenses for carrying out the Foreign Service Buildings Act of 1926 (22 U.S.C. 292–303), preserving, maintaining, repairing, and planning for buildings that are owned or directly leased by the Department of State, renovating, in addition to funds otherwise available, the Harry S Truman Building, and carrying out the Diplomatic Security Construction Program as authorized, $611,680,000, to remain available until expended as authorized, of which not to exceed $25,000 may be used for domestic and overseas representation as authorized: Provided, That none of the funds appropriated in this paragraph shall be available for acquisition of furniture, furnishings, or generators for other departments and agencies: Provided further, That the United States Embassy Annex building in Rome, Italy, previously known as the "INA Building", shall hereafter be known and designated as the "Mel Sembler Building".

In addition, for the costs of worldwide security upgrades, acquisition, and construction as authorized, $912,320,000, to remain available until expended: Provided, That funds appropriated to this account in Public Law 108–287 may also be used for non-interim facilities for the United States Mission in Iraq, including associated planning, site preparation and pre-construction activities.

EMERGENCIES IN THE DIPLOMATIC AND CONSULAR SERVICE

For expenses necessary to enable the Secretary of State to meet unforeseen emergencies arising in the Diplomatic and Consular Service, $1,000,000, to remain available until expended as authorized, of which such sums as necessary may be transferred to and merged with the Repatriation Loans Program Account, subject to the same terms and conditions: Provided, That funds previously appropriated under this heading for rewards for an indictee of the Special Court for Sierra Leone shall be transferred to the Special Court for Sierra Leone within 15 days of enactment of this Act: Provided further, That any transfer of funds provided under this heading shall be treated as a reprogramming of funds under section 605 of this Act.

REPATRIATION LOANS PROGRAM ACCOUNT

For the cost of direct loans, $612,000, as authorized: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974. In addition, for administrative expenses necessary to carry out the direct loan program, $607,000, which may be transferred to and merged with the Diplomatic and Consular Programs account under Administration of Foreign Affairs.

PAYMENT TO THE AMERICAN INSTITUTE IN TAIWAN

For necessary expenses to carry out the Taiwan Relations Act (Public Law 96–8), $19,482,000.

PAYMENT TO THE FOREIGN SERVICE RETIREMENT AND DISABILITY FUND

For payment to the Foreign Service Retirement and Disability Fund, as authorized by law, $132,600,000.

INTERNATIONAL ORGANIZATIONS

CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

For expenses, not otherwise provided for, necessary to meet annual obligations of membership in international multilateral organizations, pursuant to treaties ratified pursuant to the advice and consent of the Senate, conventions or specific Acts of Congress, $1,182,000,000, of which up to $6,000,000, to remain available until expended, may be used for the cost of a direct loan to the United Nations for the cost of renovating its headquarters in New York: Provided, That such costs, including the cost of modifying such loan, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That these funds are available to subsidize total loan principal of up to $1,200,000,000: Provided further, That the Secretary of State shall, at the time of the submission of the President's budget to Congress under section 1105(a) of title 31, United States Code, transmit to the Committees on Appropriations of the Senate and of the House of Representatives the most recent biennial budget prepared by the United Nations for the operations of the United Nations: Provided further, That the Secretary of State shall notify the Committees on Appropriations at least 15 days in advance (or in an emergency, as far in advance as is practicable) of any United Nations action to increase funding for any United Nations program without identifying an offsetting decrease elsewhere in the United Nations budget and cause the United Nations to exceed the adopted budget for the biennium 2004–2005 of $3,160,860,000: Provided further, That any payment of arrearages under this title shall be directed toward special activities that are mutually agreed upon by the United States and the respective international organization: Provided further, That none of the funds appropriated in this paragraph shall be available for a United States contribution to an international organization for the United States share of interest costs made known to the United States Government by such organization for loans incurred on or after October 1, 1984, through external borrowings, except that such restriction shall not

apply to loans to the United Nations for renovation of its headquarters.

CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING ACTIVITIES

For necessary expenses to pay assessed and other expenses of international peacekeeping activities directed to the maintenance or restoration of international peace and security, $490,000,000: Provided, That none of the funds made available under this Act shall be obligated or expended for any new or expanded United Nations peacekeeping mission unless, at least 15 days in advance of voting for the new or expanded mission in the United Nations Security Council (or in an emergency as far in advance as is practicable): (1) the Committees on Appropriations of the House of Representatives and the Senate and other appropriate committees of the Congress are notified of the estimated cost and length of the mission, the vital national interest that will be served, and the planned exit strategy; and (2) a reprogramming of funds pursuant to section 605 of this Act is submitted, and the procedures therein followed, setting forth the source of funds that will be used to pay for the cost of the new or expanded mission: Provided further, That funds shall be available for peacekeeping expenses only upon a certification by the Secretary of State to the appropriate committees of the Congress that American manufacturers and suppliers are being given opportunities to provide equipment, services, and material for United Nations peacekeeping activities equal to those being given to foreign manufacturers and suppliers: Provided further, That none of the funds made available under this heading are available to pay the United States share of the cost of court monitoring that is part of any United Nations peacekeeping mission.

INTERNATIONAL COMMISSIONS

For necessary expenses, not otherwise provided for, to meet obligations of the United States arising under treaties, or specific Acts of Congress, as follows:

INTERNATIONAL BOUNDARY AND WATER COMMISSION, UNITED STATES AND MEXICO

For necessary expenses for the United States Section of the International Boundary and Water Commission, United States and Mexico, and to comply with laws applicable to the United States Section, including not to exceed $6,000 for representation; as follows:

SALARIES AND EXPENSES

For salaries and expenses, not otherwise provided for, $27,244,000.

CONSTRUCTION

For detailed plan preparation and construction of authorized projects, $5,310,000, to remain available until expended, as authorized.

AMERICAN SECTIONS, INTERNATIONAL COMMISSIONS

For necessary expenses, not otherwise provided, for the International Joint Commission and the International Boundary Commission, United States and Canada, as authorized by treaties between the United States and Canada or Great Britain, and for the Border Environment Cooperation Commission as authorized by Public Law 103–182, $9,594,000, of which not to exceed $9,000 shall be available for representation expenses incurred by the International Joint Commission.

INTERNATIONAL FISHERIES COMMISSIONS

For necessary expenses for international fisheries commissions, not otherwise provided for, as authorized by law, $21,982,000: Provided, That the United States' share of such expenses may be advanced to the respective commissions pursuant to 31 U.S.C. 3324.

OTHER

PAYMENT TO THE ASIA FOUNDATION

For a grant to the Asia Foundation, as authorized by the Asia Foundation Act (22 U.S.C. 4402), $13,000,000, to remain available until expended, as authorized.

CENTER FOR MIDDLE EASTERN-WESTERN DIALOGUE

For a grant to the Center for Middle Eastern-Western Dialogue Trust Fund, $6,750,000, for operation of the Center for Middle Eastern-Western Dialogue in Istanbul, Turkey, to remain available until expended.

In addition, for the operations of the Steering Committee of the Center for Middle Eastern-Western Dialogue, $250,000, to remain available until expended.

In addition, for necessary expenses of the Center for Middle Eastern-Western Dialogue Trust Fund, the total amount of the interest and earnings accruing to such Fund before October 1, 2005, to remain available until expended.

EISENHOWER EXCHANGE FELLOWSHIP PROGRAM

For necessary expenses of Eisenhower Exchange Fellowships, Incorporated, as authorized by sections 4 and 5 of the Eisenhower Exchange Fellowship Act of 1990 (20 U.S.C. 5204–5205), all interest and earnings accruing to the Eisenhower Exchange Fellowship Program Trust Fund on or before September 30, 2005, to remain available until expended: Provided, That none of the funds appropriated herein shall be used to pay any salary or other compensation, or to enter into any contract providing for the payment thereof, in excess of the rate authorized by 5 U.S.C. 5376; or for purposes which are not in accordance with OMB Circulars A–110 (Uniform Administrative Requirements) and A–122 (Cost Principles for Non-profit Organizations), including the restrictions on compensation for personal services.

ISRAELI ARAB SCHOLARSHIP PROGRAM

For necessary expenses of the Israeli Arab Scholarship Program as authorized by section 214 of the Foreign Relations Authorization Act, Fiscal Years 1992 and 1993 (22 U.S.C. 2452), all interest and earnings accruing to the Israeli Arab Scholarship Fund on or before September 30, 2005, to remain available until expended.

EAST-WEST CENTER

To enable the Secretary of State to provide for carrying out the provisions of the Center for Cultural and Technical Interchange Between East and West Act of 1960, by grant to the Center for Cultural and Technical Interchange Between East and West in the State of Hawaii, $19,500,000: Provided, That none of the funds appropriated herein shall be used to pay any salary, or enter into any contract providing for the payment thereof, in excess of the rate authorized by 5 U.S.C. 5376.

NATIONAL ENDOWMENT FOR DEMOCRACY

For grants made by the Department of State to the National Endowment for Democracy as authorized by the National Endowment for Democracy Act, $60,000,000 to remain available until expended.

RELATED AGENCY

BROADCASTING BOARD OF GOVERNORS

INTERNATIONAL BROADCASTING OPERATIONS

For expenses necessary to enable the Broadcasting Board of Governors, as authorized, to carry out international communication activities, including the purchase, installation, rent, and improvement of facilities for radio and television transmission and reception to Cuba, and to make and supervise grants for radio and television broadcasting to the Middle East, $591,000,000, of which $27,629,000 is for Broadcasting to Cuba: Provided, That of the total amount in this heading, not to exceed $16,000 may be used for official receptions within the United States as authorized, not to exceed $35,000 may be used for representation abroad as authorized, and not to exceed $39,000 may be used for official reception and representation expenses of Radio Free Europe/Radio Liberty; and in addition, notwithstanding any other provision of law, not to exceed $2,000,000 in receipts from advertising and revenue from business ventures, not to exceed $500,000 in receipts from cooperating international organizations, and not to exceed $1,000,000 in receipts from privatization efforts of the Voice of America and the International Broadcasting Bureau, to remain available until expended for carrying out authorized purposes.

BROADCASTING CAPITAL IMPROVEMENTS

For the purchase, rent, construction, and improvement of facilities for radio transmission and reception, and purchase and installation of necessary equipment for radio and television transmission and reception as authorized, $8,560,000, to remain available until expended, as authorized.

GENERAL PROVISIONS—DEPARTMENT OF STATE AND RELATED AGENCY

SEC. 401. Funds appropriated under this title shall be available, except as otherwise provided, for allowances and differentials as authorized by subchapter 59 of title 5, United States Code; for services as authorized by 5 U.S.C. 3109; and for hire of passenger transportation pursuant to 31 U.S.C. 1343(b).

SEC. 402. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Department of State in this Act may be transferred between such appropriations, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 10 percent by any such transfers: Provided, That not to exceed 5 percent of any appropriation made available for the current fiscal year for the Broadcasting Board of Governors in this Act may be transferred between such appropriations, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 10 percent by any such transfers: Provided further, That any transfer pursuant to this section shall be treated as a reprogramming of funds under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

SEC. 403. None of the funds made available in this Act may be used by the Department of State or the Broadcasting Board of Governors to provide equipment, technical support, consulting services, or any other form of assistance to the Palestinian Broadcasting Corporation.

SEC. 404. (a) The Senior Policy Operating Group on Trafficking in Persons, established under section 406 of division B of Public Law 108–7 to coordinate agency activities regarding policies (including grants and grant policies) involving the international trafficking in persons, shall coordinate all such policies related to the activities of traffickers and victims of severe forms of trafficking.

(b) None of the funds provided in this or any other Act shall be expended to perform functions that duplicate coordinating responsibilities of the Operating Group.

(c) The Operating Group shall continue to report only to the authorities that appointed them pursuant to section 406 of division B of Public Law 108–7.

SEC. 405. (a) Subsection (b) of section 36 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2708) is amended—

(1) in paragraph (5) by striking "or" at the end;

(2) in paragraph (6) by striking the period and inserting "; or"; and

(3) by adding at the end the following new paragraph:

"(7) the disruption of financial mechanisms of a foreign terrorist organization, including the use by the organization of illicit narcotics production or international narcotics trafficking—

"(A) to finance acts of international terrorism; or

"(B) to sustain or support any terrorist organization.".

(b) Subsection (e)(1) of such section is amended—

(1) by striking "$5,000,000" and inserting "$25,000,000";

(2) by striking the second period at the end; and

(3) by adding at the end the following new sentence: "Without first making such determination, the Secretary may authorize a reward of up to twice the amount specified in this paragraph for the capture or information leading to the capture of a leader of a foreign terrorist organization.".

(c) Subsection (e) of such section is amended by adding at the end the following new paragraph:

"(6) FORMS OF REWARD PAYMENT.—The Secretary may make a reward under this section in the form of money, a nonmonetary item (including such items as automotive vehicles), or a combination thereof.".

(d) Such section is amended—

(1) by redesignating subsections (i) and (j) as subsections (j) and (k), respectively; and

(2) by inserting after subsection (h) the following new subsection:

"(i) MEDIA SURVEYS AND ADVERTISEMENTS.—

"(1) SURVEYS CONDUCTED.—For the purpose of more effectively disseminating information about the rewards program, the Secretary may use the resources of the rewards program to conduct media surveys, including analyses of media markets, means of communication, and levels of literacy, in countries determined by the Secretary to be associated with acts of international terrorism.

"(2) CREATION AND PURCHASE OF ADVERTISEMENTS.—The Secretary may use the resources of the rewards program to create advertisements to disseminate information about the rewards program. The Secretary may base the content of such advertisements on the findings of the surveys conducted under paragraph (1). The Secretary may purchase radio or television time, newspaper space, or make use of any other means of advertisement, as appropriate.".

(e) Not later than 90 days after the date of the enactment of this Act, the Secretary of State shall submit to the Committees on Appropriations of the House of Representatives and of the Senate, the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate a plan to maximize awareness of the reward available under section 36 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2708 et seq.) for the capture or information leading to the capture of a leader of a foreign terrorist organization who may be in Pakistan or Afghanistan. The Secretary may use the resources of the rewards program to prepare the plan.

SEC. 406. For the purposes of registration of birth, certification of nationality, or issuance of a passport of a United States citizen born in the city of Jerusalem, the Secretary of State shall, upon request of the citizen, record the place of birth as Israel.

SEC. 407. The Secretary of State shall provide to a member of the Committee on Appropriations of the Senate or the Committee on Appropriations of the House of Representatives a copy of each cable sent to or by a Department of State employee that pertains to any topic specified by the requesting member, regardless of the level of classification of the cable, not later than 15 days after the date on which the member makes a written or verbal request for such copies.

SEC. 408. There is established within the Department of State the Office of the Coordinator for Reconstruction and Stabilization: Provided, That the head of the Office shall be the Coordinator for Reconstruction and Stabilization, who shall report directly to the Secretary of State: Provided further, That the functions of the Office of the Coordinator for Reconstruction and Stabilization shall include—

(1) cataloguing and monitoring the non-military resources and capabilities of Executive agencies (as that term is defined in section 105 of title 5, United States Code), State and local governments, and entities in the private and non-profit sectors that are available to address crises in countries or regions that are in, or are in transition from, conflict or civil strife;

(2) monitoring political and economic instability worldwide to anticipate the need for mobilizing United States and international assistance for countries or regions described in paragraph (1);

(3) assessing crises in countries or regions described in paragraph (1) and determining the appropriate non-military United States, including but not limited to demobilization, policing, human rights monitoring, and public information efforts;

(4) planning for response efforts under paragraph (3);

(5) coordinating with relevant Executive agencies the development of interagency contingency plans for such response efforts; and

(6) coordinating the training of civilian personnel to perform stabilization and reconstruction activities in response to crises in such countries or regions described in paragraph (1).

SEC. 409. (a) The Secretary of State shall require each chief of mission to review, not less than once every 5 years, every staff element under chief of mission authority, including staff from other departments or agencies of the United States, and recommend approval or disapproval of each staff element. Each such review shall be conducted pursuant to a process established by the President for determining appropriate staffing at diplomatic missions and overseas constituent posts (commonly referred to as the "NSDD–38 process").

(b) The Secretary of State, as part of the process established by the President referred to in subsection (a), shall take actions to carry out the recommendations made in each such review.

(c) Not later than one year after the date of enactment of this Act, and annually thereafter, the Secretary of State shall submit a report on such reviews that occurred during the previous 12 months, together with the Secretary's recommendations regarding such reviews to the appropriate committees of Congress, the heads of all affected departments or agencies, and the Inspector General of the Department of State.

SEC. 410. Funds appropriated by this Act for the Broadcasting Board of Governors and the Department of State may be obligated and expended notwithstanding section 15 of the State Department Basic Authorities Act of 1956, section 313 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (Public Law 103–236), and section 504(a)(1) of the National Security Act of 1947 (50 U.S.C. 414(a)(1)).

SEC. 411. During fiscal year 2005, section 404(b)(2)(B) of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (Public Law 103–236; 22 U.S.C. 287e note), shall be administered as though the matter following clause (iii) reads as follows:

"(v) For assessments made during calendar year 2005, 27.1 percent.".

SEC. 412. (a) Section 402(a) of the Foreign Service Act of 1980 (22 U.S.C. 3962(a)) is amended—

(1) in paragraph (1), by striking the second and third sentences and inserting the following new sentences: "The President shall also prescribe ranges of basic salary rates for each class. Except as provided in paragraph (3), basic salary rates for the Senior Foreign Service may not exceed the maximum rate or be less than the minimum rate of basic pay payable for the Senior Executive Service under section 5382 of title 5, United States Code."; and

(2) by striking paragraph (2) and inserting the following new paragraphs:

"(2) The Secretary shall determine which basic salary rate within the ranges prescribed by the President under paragraph (1) shall be paid to each member of the Senior Foreign Service based on individual performance, contribution to the mission of the Department, or both, as determined under a rigorous performance management system. Except as provided in regulations prescribed by the Secretary and, to the extent possible, consistent with regulations governing the Senior Executive Service, the Secretary may adjust the basic salary rate of a member of the Senior Foreign Service not more than once during any 12-month period.

"(3) Upon a determination by the Secretary that the Senior Foreign Service performance appraisal system, as designed and applied, makes meaningful distinctions based on relative performance—

"(A) the maximum rate of basic pay payable for the Senior Foreign Service shall be level II of the Executive Schedule; and

"(B) the applicable aggregate pay cap shall be equivalent to the aggregate pay cap set forth in section 5307(d)(1) of title 5, United States Code, for members of the Senior Executive Service.".

(b) Section 405(b)(4) of such Act (22 U.S.C. 3965(b)(4)) is amended by inserting before the period the following: ", or the limitation under section 402(a)(3), whichever is higher".

(c) Section 401(a) of such Act (22 U.S.C. 3961(a)) is amended by striking "shall not exceed the annual rate of pay payable for level I of such Executive Schedule" and inserting "shall be subject to the limitation on certain payments under section 5307 of title 5, United States Code, or the limitation under section 402(a)(3), whichever is higher".

SEC. 413. (a) Section 2 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2669) is amended by adding at the end the following:

"(o) make administrative corrections or adjustments to an employee's pay, allowances, or differentials, resulting from mistakes or retroactive personnel actions, as well as provide back pay and other categories of payments under section 5596 of title 5, United States

Code, as part of the settlement or compromise of administrative claims or grievances filed against the Department.".

(b) Such section is further amended—

(1) in subsection (k), by striking "and";

(2) by transferring subsection (m) within such section to appear after subsection (l);

(3) in subsections (l) and (m), by striking the period at the end of each subsection and inserting a semicolon; and

(4) in subsection (n), by striking the period at the end and inserting a semicolon and "and".

This title may be cited as the "Department of State and Related Agency Appropriations Act, 2005".

TITLE V—RELATED AGENCIES

ANTITRUST MODERNIZATION COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Antitrust Modernization Commission, as authorized by Public Law 107–273, $1,187,000, to remain available until expended.

COMMISSION FOR THE PRESERVATION OF AMERICA'S HERITAGE ABROAD

SALARIES AND EXPENSES

For expenses for the Commission for the Preservation of America's Heritage Abroad, $499,000, as authorized by section 1303 of Public Law 99–83.

COMMISSION ON CIVIL RIGHTS

SALARIES AND EXPENSES

For necessary expenses of the Commission on Civil Rights, including hire of passenger motor vehicles, $9,096,000: Provided, That not to exceed $50,000 may be used to employ consultants: Provided further, That none of the funds appropriated in this paragraph shall be used to employ in excess of four full-time individuals under Schedule C of the Excepted Service exclusive of one special assistant for each Commissioner: Provided further, That none of the funds appropriated in this paragraph shall be used to reimburse Commissioners for more than 75 billable days, with the exception of the chairperson, who is permitted 125 billable days.

COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM

SALARIES AND EXPENSES

For necessary expenses for the United States Commission on International Religious Freedom, as authorized by title II of the International Religious Freedom Act of 1998 (Public Law 105–292), $3,000,000, to remain available until expended: Provided, That in fiscal year 2005, the Commission may procure temporary services for the purpose of conducting a study on conditions of the right to freedom of religion or belief in North Korea, notwithstanding Section 208(c)(1) of Public Law 105–292 (22 U.S.C. 6435a(c)(1)).

COMMISSION ON SECURITY AND COOPERATION IN EUROPE

SALARIES AND EXPENSES

For necessary expenses of the Commission on Security and Cooperation in Europe, as authorized by Public Law 94–304, $1,831,000, to remain available until expended as authorized by section 3 of Public Law 99–7.

CONGRESSIONAL-EXECUTIVE COMMISSION ON THE PEOPLE'S REPUBLIC OF CHINA

SALARIES AND EXPENSES

For necessary expenses of the Congressional-Executive Commission on the People's Republic of China, as authorized, $1,900,000, including not more than $3,000 for the purpose of official representation, to remain available until expended: Provided, That $100,000 shall be for the Political Prisoner Database.

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Equal Employment Opportunity Commission as authorized by title VII of the Civil Rights Act of 1964 (29 U.S.C. 206(d) and 621–634), the Americans with Disabilities Act of 1990, and the Civil Rights Act of 1991, including services as authorized by 5 U.S.C. 3109; hire of passenger motor vehicles as authorized by 31 U.S.C. 1343(b); non-monetary awards to private citizens; and not to exceed $33,000,000 for payments to State and local enforcement agencies for services to the Commission pursuant to title VII of the Civil Rights Act of 1964, sections 6 and 14 of the Age Discrimination in Employment Act, the Americans with Disabilities Act of 1990, and the Civil Rights Act of 1991, $331,228,000: Provided, That the Commission is authorized to make available for official reception and representation expenses not to exceed $2,500 from available funds: Provided further, That the Commission may take no action to implement any workforce repositioning, restructuring, or reorganization until such time as the Committees on Appropriations have been notified of such proposals, in accordance with the reprogramming provisions of section 605 of this Act: Provided further, That the Commission shall not have fewer field position in fiscal year 2005 than in fiscal year 2004.

FEDERAL COMMUNICATIONS COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Federal Communications Commission, as authorized by law, including uniforms and allowances therefor, as authorized by 5 U.S.C. 5901–5902; not to exceed $600,000 for land and structure; not to exceed $500,000 for improvement and care of grounds and repair to buildings; not to exceed $4,000 for official reception and representation expenses; purchase and hire of motor vehicles; special counsel fees; and services as authorized by 5 U.S.C. 3109, $281,098,000: Provided, That $280,098,000 of offsetting collections shall be assessed and collected

pursuant to section 9 of title I of the Communications Act of 1934, shall be retained and used for necessary expenses in this appropriation, and shall remain available until expended: Provided further, That the sum herein appropriated shall be reduced as such offsetting collections are received during fiscal year 2005 so as to result in a final fiscal year 2005 appropriation estimated at $1,000,000: Provided further, That any offsetting collections received in excess of $280,098,000 in fiscal year 2005 shall remain available until expended, but shall not be available for obligation until October 1, 2005: Provided further, That notwithstanding 47 U.S.C. 309(j)(8)(B), proceeds from the use of a competitive bidding system that may be retained and made available for obligation shall not exceed $85,000,000 for fiscal year 2005.

FEDERAL TRADE COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Federal Trade Commission, including uniforms or allowances therefor, as authorized by 5 U.S.C. 5901–5902; services as authorized by 5 U.S.C. 3109; hire of passenger motor vehicles; and not to exceed $2,000 for official reception and representation expenses, $205,430,000, to remain available until expended: Provided, That not to exceed $300,000 shall be available for use to contract with a person or persons for collection services in accordance with the terms of 31 U.S.C. 3718: Provided further, That, notwithstanding any other provision of law, not to exceed $101,000,000 of offsetting collections derived from fees collected for premerger notification filings under the Hart-Scott-Rodino Antitrust Improvements Act of 1976 (15 U.S.C. 18a), regardless of the year of collection, shall be retained and used for necessary expenses in this appropriation: Provided further, That $21,901,000 in offsetting collections derived from fees sufficient to implement and enforce the Telemarketing Sales Rule, promulgated under the Telephone Consumer Fraud and Abuse Prevention Act (15 U.S.C. 6101 et seq.), shall be credited to this account, and be retained and used for necessary expenses in this appropriation: Provided further, That the sum herein appropriated from the general fund shall be reduced as such offsetting collections are received during fiscal year 2005, so as to result in a final fiscal year 2005 appropriation from the general fund estimated at not more than $82,529,000: Provided further, That none of the funds made available to the Federal Trade Commission may be used to enforce subsection (e) of section 43 of the Federal Deposit Insurance Act (12 U.S.C. 1831t) or section 151(b)(2) of the Federal Deposit Insurance Corporation Improvement Act of 1991 (12 U.S.C. 1831t note).

HELP COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the HELP Commission, $1,000,000, to remain available until expended.

LEGAL SERVICES CORPORATION

PAYMENT TO THE LEGAL SERVICES CORPORATION

For payment to the Legal Services Corporation to carry out the purposes of the Legal Services Corporation Act of 1974, $335,282,000, of which $316,604,000 is for basic field programs and required independent audits; $2,573,000 is for the Office of Inspector General, of which such amounts as may be necessary may be used to conduct additional audits of recipients; $13,000,000 is for management and administration; $1,272,000 is for client self-help and information technology; and $1,833,000 is for grants to offset losses due to census adjustments: Provided, That not to exceed $1,000,000 from amounts previously appropriated under this heading may be used for a student loan repayment pilot program.

ADMINISTRATIVE PROVISION—LEGAL SERVICES CORPORATION

None of the funds appropriated in this Act to the Legal Services Corporation shall be expended for any purpose prohibited or limited by, or contrary to any of the provisions of, sections 501, 502, 503, 504, 505, and 506 of Public Law 105–119, and all funds appropriated in this Act to the Legal Services Corporation shall be subject to the same terms and conditions set forth in such sections, except that all references in sections 502 and 503 to 1997 and 1998 shall be deemed to refer instead to 2004 and 2005, respectively, and except that section 501(a)(1) of Public Law 104–134 (110 Stat. 1321–51, et seq.) shall not apply to the use of the $1,833,000 to address loss of funding due to Census-based reallocations.

MARINE MAMMAL COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Marine Mammal Commission as authorized by title II of Public Law 92–522, $1,890,000.

NATIONAL VETERANS BUSINESS DEVELOPMENT CORPORATION

For necessary expenses of the National Veterans Business Development Corporation as authorized under section 33(a) of the Small Business Act, $2,000,000, to remain available until expended.

SECURITIES AND EXCHANGE COMMISSION

SALARIES AND EXPENSES

For necessary expenses for the Securities and Exchange Commission, including services as authorized by 5 U.S.C. 3109, the rental of space (to include multiple year leases) in the District of Columbia and elsewhere, and not to exceed $3,000 for official reception and representation expenses, $913,000,000, to remain available until expended; of which not to exceed $10,000 may be used toward funding a permanent secretariat for the International Organization of Securities Commissions; and of which not to exceed $100,000 shall be available for expenses for consultations and meetings hosted by the Commission with foreign governmental and other regulatory officials, members of their delegations, appropriate representatives and staff to exchange views concerning developments re-

lating to securities matters, development and implementation of cooperation agreements concerning securities matters and provision of technical assistance for the development of foreign securities markets, such expenses to include necessary logistic and administrative expenses and the expenses of Commission staff and foreign invitees in attendance at such consultations and meetings including: (1) such incidental expenses as meals taken in the course of such attendance; (2) any travel and transportation to or from such meetings; and (3) any other related lodging or subsistence: Provided, That fees and charges authorized by sections 6(b) of the Securities Exchange Act of 1933 (15 U.S.C. 77f(b)), and 13(e), 14(g) and 31 of the Securities Exchange Act of 1934 (15 U.S.C. 78m(e), 78n(g), and 78ee), shall be credited to this account as offsetting collections: Provided further, That not to exceed $856,000,000 of such offsetting collections shall be available until expended for necessary expenses of this account: Provided further, That $57,000,000 shall be derived from prior year unobligated balances from funds previously appropriated to the Securities and Exchange Commission: Provided further, That the total amount appropriated under this heading from the general fund for fiscal year 2005 shall be reduced as such offsetting fees are received so as to result in a final total fiscal year 2005 appropriation from the general fund estimated at not more than $0.

Not later than May 1, 2005, the Securities and Exchange Commission shall submit a report to the Committee on Appropriations of the Senate that provides a justification for final rules issued by the Commission on June 30, 2004 (amending title 17, Code of Federal Regulations, Parts 239, 240, and 274), requiring that the chair of the board of directors of a mutual fund be an independent director: Provided, That such report shall analyze whether mutual funds chaired by disinterested directors perform better, have lower expenses, or have better compliance records than mutual funds chaired by interested directors: Provided further, That the Securities and Exchange Commission shall act upon the recommendations of such report not later than January 1, 2006.

SMALL BUSINESS ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses, not otherwise provided for, of the Small Business Administration as authorized by Public Law 106–554, including hire of passenger motor vehicles as authorized by 31 U.S.C. 1343 and 1344, and not to exceed $3,500 for official reception and representation expenses, $322,335,000: Provided, That the Administrator is authorized to charge fees to cover the cost of publications developed by the Small Business Administration, and certain loan servicing activities: Provided further, That, notwithstanding 31 U.S.C. 3302, revenues received from all such activities shall be credited to this account, to be available for carrying out these purposes without further appropriations: Provided further, That $89,000,000 shall be available to fund grants for performance in fiscal year 2005 or fiscal year 2006 as authorized: Provided further, That the Small Business Administration is authorized to award grants under the Women's Business Center Sustainability Pilot Program established by section 4(a) of Public Law 106–165 (15 U.S.C. 656(l)): Provided further, That, of the amounts provided for Women's Business Cen-

ters, not less than 48 percent shall be available to continue Women's Business Centers in sustainability status.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, $13,014,000.

SURETY BOND GUARANTEES REVOLVING FUND

For additional capital for the Surety Bond Guarantees Revolving Fund, authorized by the Small Business Investment Act, as amended, $2,900,000, to remain available until expended.

BUSINESS LOANS PROGRAM ACCOUNT

For the cost of direct loans, $1,455,000, to remain available until expended: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That subject to section 502 of the Congressional Budget Act of 1974, during fiscal year 2005 commitments to guarantee loans under section 503 of the Small Business Investment Act of 1958, shall not exceed $5,000,000,000: Provided further, That subsection 503(f) of the Small Business Investment Act of 1958 (15 U.S.C. 697(f)), as amended by section 2 of Public Law 108–217, is further amended by striking "October 1, 2004" and inserting "October 1, 2005": Provided further, That during fiscal year 2005 commitments for general business loans authorized under section 7(a) of the Small Business Act, shall not exceed $16,000,000,000: Provided further, That during fiscal year 2005 commitments to guarantee loans for debentures and participating securities under section 303(b) of the Small Business Investment Act of 1958, shall not exceed the levels established by section 20(i)(1)(C) of the Small Business Act: Provided further, That during fiscal year 2005 guarantees of trust certificates authorized by section 5(g) of the Small Business Act shall not exceed a principal amount of $10,000,000,000.

In addition, for administrative expenses to carry out the direct and guaranteed loan programs, $126,653,000, which may be transferred to and merged with the appropriations for Salaries and Expenses.

DISASTER LOANS PROGRAM ACCOUNT

For administrative expenses to carry out the direct loan program authorized by section 7(b), of the Small Business Act, $113,159,000, which may be transferred to and merged with appropriations for Salaries and Expenses, of which $500,000 is for the Office of Inspector General of the Small Business Administration for audits and reviews of disaster loans and the disaster loan program and shall be transferred to and merged with appropriations for the Office of Inspector General; of which $104,409,000 is for direct administrative expenses of loan making and servicing to carry out the direct loan program, to remain available until expended; and of which $8,250,000 is for indirect administrative expenses: Provided, That any amount in excess of $8,250,000 to be transferred to and merged with appropriations for Salaries and Expenses for indirect

administrative expenses shall be treated as a reprogramming of funds under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

ADMINISTRATIVE PROVISION—SMALL BUSINESS ADMINISTRATION

Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Small Business Administration in this Act may be transferred between such appropriations, but no such appropriation shall be increased by more than 10 percent by any such transfers: Provided, That any transfer pursuant to this paragraph shall be treated as a reprogramming of funds under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

STATE JUSTICE INSTITUTE

SALARIES AND EXPENSES

For necessary expenses of the State Justice Institute, as authorized by the State Justice Institute Authorization Act of 1992 (Public Law 102–572), $2,613,000: Provided, That not to exceed $2,500 shall be available for official reception and representation expenses.

UNITED STATES-CHINA ECONOMIC AND SECURITY REVIEW COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the United States-China Economic and Security Review Commission, $3,000,000, including not more than $5,000 for the purpose of official representation, to remain available until expended.

UNITED STATES INSTITUTE OF PEACE

OPERATING EXPENSES

For necessary expenses of the United States Institute of Peace as authorized in the United States Institute of Peace Act, $23,000,000: Provided, That $1,500,000 is for necessary expenses for the Task Force on the United Nations: Provided further, That the Task Force on the United Nations shall submit a report on its findings to the Committees on Appropriations of the House of Representatives and Senate not later than 180 days after the date of the enactment of this Act.

UNITED STATES SENATE-CHINA INTERPARLIAMENTARY GROUP

SALARIES AND EXPENSES

For necessary expenses of the United States Senate-China Interparliamentary Group, as authorized under Section 153 of the Consolidated Appropriations Act, 2004 (22 U.S.C. 276n; Public Law 108–199; 118 Stat. 448), $100,000, to remain available until expended.

TITLE VI—GENERAL PROVISIONS

(INCLUDING RESCISSIONS)

SEC. 601. No part of any appropriation contained in this Act shall be used for publicity or propaganda purposes not authorized by the Congress.

SEC. 602. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 603. The expenditure of any appropriation under this Act for any consulting service through procurement contract, pursuant to 5 U.S.C. 3109, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued pursuant to existing law.

SEC. 604. If any provision of this Act or the application of such provision to any person or circumstances shall be held invalid, the remainder of the Act and the application of each provision to persons or circumstances other than those as to which it is held invalid shall not be affected thereby.

SEC. 605. (a) None of the funds provided under this Act, or provided under previous appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in fiscal year 2005, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds that: (1) creates new programs; (2) eliminates a program, project, or activity; (3) increases funds or personnel by any means for any project or activity for which funds have been denied or restricted; (4) relocates an office or employees; (5) reorganizes or renames offices; (6) reorganizes programs or activities; or (7) contracts out or privatizes any functions or activities presently performed by Federal employees; unless the Appropriations Committees of both Houses of Congress are notified 15 days in advance of such reprogramming of funds.

(b) None of the funds provided under this Act, or provided under previous appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in fiscal year 2005, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure for activities, programs, or projects through a reprogramming of funds in excess of $750,000 or 10 percent, whichever is less, that: (1) augments existing programs, projects, or activities; (2) reduces by 10 percent funding for any existing program, project, or activity, or numbers of personnel by 10 percent as approved by Congress; or (3) results from any general savings, including savings from a reduction in personnel, which would result in a change in existing programs, activities, or projects as approved by Congress; unless the Appropriations Committees of both Houses of Congress are notified 15 days in advance of such reprogramming of funds.

SEC. 606. Hereafter, none of the funds made available in this Act may be used for the construction, repair (other than emergency repair), overhaul, conversion, or modernization of vessels for the Na-

tional Oceanic and Atmospheric Administration in shipyards located outside of the United States.

SEC. 607. None of the funds made available in this Act may be used to implement, administer, or enforce any guidelines of the Equal Employment Opportunity Commission covering harassment based on religion, when it is made known to the Federal entity or official to which such funds are made available that such guidelines do not differ in any respect from the proposed guidelines published by the Commission on October 1, 1993 (58 Fed. Reg. 51266).

SEC. 608. If it has been finally determined by a court or Federal agency that any person intentionally affixed a label bearing a "Made in America" inscription, or any inscription with the same meaning, to any product sold in or shipped to the United States that is not made in the United States, the person shall be ineligible to receive any contract or subcontract made with funds made available in this Act, pursuant to the debarment, suspension, and ineligibility procedures described in sections 9.400 through 9.409 of title 48, Code of Federal Regulations.

SEC. 609. None of the funds made available by this Act may be used for any United Nations undertaking when it is made known to the Federal official having authority to obligate or expend such funds that: (1) the United Nations undertaking is a peacekeeping mission; (2) such undertaking will involve United States Armed Forces under the command or operational control of a foreign national; and (3) the President's military advisors have not submitted to the President a recommendation that such involvement is in the national security interests of the United States and the President has not submitted to the Congress such a recommendation.

SEC. 610. The Departments of Commerce, Justice, and State, the Judiciary, the Federal Communications Commission, the Securities and Exchange Commission and the Small Business Administration shall provide to the Committees on Appropriations of the Senate and of the House of Representatives a quarterly accounting of the cumulative balances of any unobligated funds that were received by such agency during any previous fiscal year.

SEC. 611. (a) None of the funds appropriated or otherwise made available by this Act shall be expended for any purpose for which appropriations are prohibited by section 609 of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1999.

(b) The requirements in subparagraphs (A) and (B) of section 609 of that Act shall continue to apply during fiscal year 2005.

SEC. 612. Any costs incurred by a department or agency funded under this Act resulting from personnel actions taken in response to funding reductions included in this Act shall be absorbed within the total budgetary resources available to such department or agency: Provided, That the authority to transfer funds between appropriations accounts as may be necessary to carry out this section is provided in addition to authorities included elsewhere in this Act: Provided further, That use of funds to carry out this section shall be treated as a reprogramming of funds under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

SEC. 613. None of the funds provided by this Act shall be available to promote the sale or export of tobacco or tobacco products, or

to seek the reduction or removal by any foreign country of restrictions on the marketing of tobacco or tobacco products, except for restrictions which are not applied equally to all tobacco or tobacco products of the same type.

SEC. 614. (a) None of the funds appropriated or otherwise made available by this Act shall be expended for any purpose for which appropriations are prohibited by section 616 of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1999.

(b) The requirements in subsections (b) and (c) of section 616 of that Act shall continue to apply during fiscal year 2005.

SEC. 615. None of the funds appropriated pursuant to this Act or any other provision of law may be used for—

(1) the implementation of any tax or fee in connection with the implementation of subsection 922(t) of title 18, United States Code; and

(2) any system to implement subsection 922(t) of title 18, United States Code, that does not require and result in the destruction of any identifying information submitted by or on behalf of any person who has been determined not to be prohibited from possessing or receiving a firearm no more than 24 hours after the system advises a Federal firearms licensee that possession or receipt of a firearm by the prospective transferee would not violate subsection (g) or (n) of section 922 of title 18, United States Code, or State law.

SEC. 616. Notwithstanding any other provision of law, amounts deposited or available in the Fund established under 42 U.S.C. 10601 in any fiscal year in excess of $625,000,000 shall not be available for obligation until the following fiscal year.

SEC. 617. None of the funds made available to the Department of Justice in this Act may be used to discriminate against or denigrate the religious or moral beliefs of students who participate in programs for which financial assistance is provided from those funds, or of the parents or legal guardians of such students.

SEC. 618. None of the funds appropriated or otherwise made available to the Department of State shall be available for the purpose of granting either immigrant or nonimmigrant visas, or both, consistent with the determination of the Secretary of State under section 243(d) of the Immigration and Nationality Act, to citizens, subjects, nationals, or residents of countries that the Secretary of Homeland Security has determined deny or unreasonably delay accepting the return of citizens, subjects, nationals, or residents under that section.

SEC. 619. (a) For additional amounts under the heading "Small Business Administration, Salaries and Expenses", $500,000 shall be available for the Adelante Development Center, Inc.; $150,000 shall be available for the Advanced Polymer Processing Institute; $150,000 shall be available for the Alaska Procurement Technical Assistance Center; $250,000 shall be available for Business and Professional Women of Alaska; $75,000 shall be available for the Center for Applied Research and Economic Development at the University of Southern Indiana; $300,000 shall be available for the Center for Emerging Technologies; $225,000 shall be available for the Center for Entrepreneurship and Technology at the Nevada Commission for Economic Development; $100,000 shall be available

for the Central Connecticut State University Institute of Technology and Business Development; $600,000 shall be available for the Des Moines Higher Education Pappajohn Center; $150,000 shall be available for the East Central Indiana Business Incubator at Ball State University; $100,000 shall be available for the Entrepreneurial Venture Assistance Demonstration Project at the Iowa Department of Economic Development; $75,000 shall be available for the Idaho Virtual Incubator at Lewis-Clark State College for an E-Commerce Certification program; $600,000 shall be available for the Industrial Outreach Service at Mississippi State University; $2,000,000 shall be available for the Innovation and Commercialization Center at the University of Southern Mississippi; $100,000 shall be available for the Kennebec Valley Council of Governments' Business Development Program; $100,000 shall be available for the Knoxville College Small Business Incubator Program; $250,000 shall be available for the Louisiana State University Law School's Latin American Commercial Law Program; $250,000 shall be available for the Minority Business Development Center at Alcorn State University; $600,000 shall be available for the Mississippi Technology Alliance; $200,000 shall be available for the Montana Department of Commerce for a State government information sharing initiative; $125,000 shall be available for the Myrtle Beach International Trade and Convention Center; $250,000 shall be available for the Nanotechnology Research Program at the Oregon Health and Science University; $550,000 shall be available for the New Product Development and Commercialization Center for Rural Manufacturers; $125,000 shall be available for the New Hampshire Women's Business Center; $500,000 shall be available for Operation Safe Commerce; $200,000 shall be available for the Southern University Foundation's Martin Luther King Initiative; $75,000 shall be available for Technology 2020; $1,000,000 shall be available for the Technology Venture Center/InvestNet Partnership for Alaska and Montana; $500,000 shall be available for the Textile Marking System; $300,000 shall be available for the Towson University International Business Incubator; $1,000,000 shall be available for the Tuck School of Business/MBDA Partnership; $325,000 shall be available for the University of Colorado Nanotechnology and Characterization Facility; $8,000,000 shall be available for the University of South Carolina Thomas Cooper Library; $100,000 shall be available for the Virginia Electronic Commerce Technology Center at Christopher Newport University; $125,000 shall be available for the Women's Business Development Center in Stamford, Connecticut; and $100,000 shall be available for the World Trade Center of Greater Philadelphia; $50,000 shall be available for a grant to the Center for Excellence in Education; $100,000 shall be available for a grant to The Cedar Creek Battlefield Foundation; $100,000 shall be available for a grant to Belle Grove Plantation; $150,000 shall be available for a grant to the City of Manassas Park for economic development; $100,000 shall be available for a grant to the Shenandoah Valley Travel Association; $1,200,000 shall be available for a grant to Shenandoah University to develop a facility for a business program; $115,000 shall be available for a grant to Economic Alliance Houston Port Region; $20,000 shall be available for a grant to the Town of South Boston, Virginia, for small business development; $100,000 shall be available for a grant

to Patrick Henry Community College for a workforce training program; $100,000 shall be available for a grant for Danville Community College for a workforce training program; $1,000,000 shall be available for a grant to the University of Illinois for the Information Trust Institute initiative; $500,000 shall be available for a grant to Wittenberg University for a technology initiative; $500,000 shall be available for a grant to the Dayton Development Coalition; $250,000 shall be available for a grant for REI Rural Business Resources Center in Seminole, Oklahoma; $50,000 shall be available for a grant to Experience Works to expand opportunities for older workers; $50,000 shall be available for a grant to Project Listo for workforce development and procurement opportunities; $100,000 shall be available for a grant to North Iowa Area Community College for a small business incubator; $450,000 shall be available for a grant to California State University, in San Bernardino, California, for development of the Center for the Commercialization of Advanced Technology; $50,000 shall be available for a grant to Rowan University for a workforce training program; $200,000 shall be available for a grant to the Freeport Downtown Development Foundation for a small business economic development initiative; $1,500,000 shall be available for a grant to the Rockford Area Convention and Visitors Bureau for a manufacturing program; $200,000 shall be available for a grant to Jefferson County Development Council; $200,000 shall be available for a grant to Clearfield County Economic Development Corporation; $500,000 shall be available for a grant to the Columbus College of Art and Design for facilities development to build partnerships with businesses; $115,000 shall be available for a grant to Ohio Business Connection; $1,000,000 shall be available for a grant to the Southern and Eastern Kentucky Tourism Development Association; $500,000 shall be available for a grant to the Bridgeport Regional Business Council for an economic integration initiative; $100,000 shall be available for a grant to Cedarbridge Development Corporation for a redevelopment initiative; $900,000 shall be available for a grant to Western Carolina University for a computer engineering program; $100,000 shall be available for a grant to Asheville-Buncombe Technical Community College for an economic development initiative; $100,000 shall be available for a grant to Jubilee Homes for the Southwest Economic Business Resource Center; $400,000 shall be available for a grant for the Connect the Valley initiative; $400,000 shall be available for a grant to the University of Tennessee Corridor Initiative; $500,000 shall be available for a grant to the Illinois Institute for Technology to examine and assess advancements in biotechnologies; $250,000 shall be available for a grant to the City of Largo, Florida, for business information; $250,000 shall be available for a grant to Pro Co Technology, Inc. in the Bronx, New York, for a computer training center; $50,000 shall be available for a grant for the Promesa Foundation in the Bronx, New York, to provide community growth funding; $200,000 shall be available for a grant to Bronx Shepherds for community programs; $150,000 shall be available for a grant to HOGAR, Inc. in the Bronx, New York; $200,000 shall be available for a grant to Promesa Enterprises to provide services and support to community based organizations in the Bronx, New York; $200,000 for the Arthur Avenue Retail Market in the Bronx, New York, for facility, improvement, and maintenance needs to meet the

Market's business requirements; $200,000 shall be available for a grant to Pregones Theater in the Bronx, New York for business infrastructure; $200,000 shall be available for a grant to Presbyterian Senior Services for their Grandparent Family Apartments project and programs in the Bronx, New York; $100,000 shall be available for a grant to Thorpe Family Residence, Inc. to continue its services and programs in the Bronx, New York; $100,000 shall be available for a grant to the Puerto Rican Traveling Theater in the Bronx, New York for outreach and programs; $100,000 shall be available for Casita Maria's Career and College Placement Preparation to be implemented in coordination with business partners in New York City; $1,100,000 shall be available for a grant to the MountainMade Foundation to fulfill its charter purposes and to continue the initiative developed by the NTTC for outreach and promotion, business and sites development, the education of artists and craftspeople, and to promote small businesses, artisans and their products through market development, advertisement, commercial sale and other promotional means; $1,000,000 shall be available for a grant for Northwest Shoals Community College to complete the Center for Business and Industry; $1,000,000 shall be available for the Rhode Island School of Design in Providence, Rhode Island for the continued modernization of the Mason Building; $1,000,000 shall be available for a grant to the Norwegian American Foundation to fulfill its charter purposes; $750,000 shall be available for a grant to St. Mary's College for a telecommunications initiative; $400,000 shall be available for a grant to the Economic Growth Council Procurement Assistance Program; $500,000 shall be available for a grant to Johnstown Area Regional Industries in Pennsylvania for an enhanced economic development initiative; $300,000 shall be available for a grant to the Good Old Lower East Side organization for a small business economic development initiative for the Lower East Side, New York; $200,000 shall be available for a grant for the Sunnyside Chamber of Commerce to conduct a redevelopment study for Sunnyside, Queens, NY and to implement improvements.

(b) Section 621 of Division B of Public Law 108–199 is amended—

(1) by striking "$1,000,000 shall be available for the Providence, Rhode Island Center for Women and Enterprise for infrastructure development;" and inserting "$100,000 shall be available for the Providence, Rhode Island Center for Women and Enterprise for small business development programs and infrastructure development; $900,000 shall be available for the Rhode Island School of Design in Providence, Rhode Island for the continued modernization of the Mason Building;",

(2) by inserting "for the purpose of conducting the program and providing financial assistance" after "the Economic Growth Connection Paperless Procurement Program", and

(3) by inserting "and to implement improvements" after "the Ridgewood Myrtle Avenue Business Improvement District to conduct a redevelopment study".

SEC. 620. All disaster loans issued in Alaska shall be administered by the Small Business Administration and shall not be sold during fiscal year 2005.

SEC. 621. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the

United States Government, except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriation Act.

SEC. 622. The Departments of Commerce, Justice, State, the Judiciary, the Securities and Exchange Commission and the Small Business Administration shall, not later than two months after the date of the enactment of this Act, certify that telecommuting opportunities are made available to 100 percent of the eligible workforce: Provided, That, of the total amounts appropriated to the Departments of Commerce, Justice, State, the Judiciary, the Securities and Exchange Commission and the Small Business Administration, $5,000,000 shall be available only upon such certification: Provided further, That each Department or agency shall provide quarterly reports to the Committees on Appropriations on the status of telecommuting programs, including the number of Federal employees eligible for, and participating in, such programs: Provided further, That each Department or agency shall designate a "Telework Coordinator" to be responsible for overseeing the implementation and operations of telecommuting programs, and serve as a point of contact on such programs for the Committees on Appropriations.

SEC. 623. With the consent of the President, the Secretary of Commerce shall represent the United States Government in negotiating and monitoring international agreements regarding fisheries, marine mammals, or sea turtles: Provided, That the Secretary of Commerce shall be responsible for the development and interdepartmental coordination of the policies of the United States with respect to the international negotiations and agreements referred to in this section.

SEC. 624. (a) Tracing studies conducted by the Bureau of Alcohol, Tobacco, Firearms and Explosives are released without adequate disclaimers regarding the limitations of the data.

(b) The Bureau of Alcohol, Tobacco, Firearms and Explosives shall include in all such data releases, language similar to the following that would make clear that trace data cannot be used to draw broad conclusions about firearms-related crime:

(1) Firearm traces are designed to assist law enforcement authorities in conducting investigations by tracking the sale and possession of specific firearms. Law enforcement agencies may request firearms traces for any reason, and those reasons are not necessarily reported to the Federal Government. Not all firearms used in crime are traced and not all firearms traced are used in crime.

(2) Firearms selected for tracing are not chosen for purposes of determining which types, makes or models of firearms are used for illicit purposes. The firearms selected do not constitute a random sample and should not be considered representative of the larger universe of all firearms used by criminals, or any subset of that universe. Firearms are normally traced to the first retail seller, and sources reported for firearms traced do not necessarily represent the sources or methods by which firearms in general are acquired for use in crime.

SEC. 625. None of the funds made available in this Act may be used in violation of section 212(a)(10)(C) of the Immigration and Nationality Act.

SEC. 626. None of the funds appropriated or otherwise made available under this Act may be used to issue patents on claims directed to or encompassing a human organism.

SEC. 627. None of the funds made available in this Act may be used to pay expenses for any United States delegation to any specialized agency, body, or commission of the United Nations if such commission is chaired or presided over by a country, the government of which the Secretary of State has determined, for purposes of section 6(j)(1) of the Export Administration Act of 1979 (50 U.S.C. App. 2405(j)(1)), has provided support for acts of international terrorism.

SEC. 628. (a) The Department of Justice, the Department of Homeland Security, and the Department of State shall jointly conduct a thorough study of all matters relating to the efficiency and effectiveness of the interagency process used to review applications for nonimmigrant visas issued under section 221(a)(1)(B) of the Immigration and Nationality Act (8 U.S.C. 1201(a)(1)(B)). The Department of Justice, the Department of Homeland Security, and the Department of State shall, in conducting this study, develop recommendations on—

(1) clearance procedures for nonimmigrant visas that should be eliminated;

(2) such procedures that should be continued;

(3) the appropriate Federal agencies or departments or entities that should participate in each such procedure; and

(4) legislation that could be enacted to increase the efficiency and effectiveness of such procedures.

(b) Not later than 1 year after the date of enactment of this Act, the Department of Justice, the Department of Homeland Security, and the Department of State shall jointly submit a report to the Committees on Appropriations of the Senate and House of Representatives which shall contain a detailed statement of the findings and conclusions of the study referred to in subsection (a), together with recommendations for such legislation and administrative actions as the Department of Justice, the Department of Homeland Security, and the Department of State consider appropriate. The report may be submitted in a classified and unclassified form.

SEC. 629. Section 604 of the Secure Embassy Construction and Counterterrorism Act of 1999 (title VI of division A of H.R. 3427, as enacted by section 1000(a)(7) of Public Law 106–113) is amended by adding the following new subsection at the end:

"(e) CAPITAL SECURITY COST SHARING.—

"(1) AUTHORITY.—Notwithstanding any other provision of law, all agencies with personnel overseas subject to chief of mission authority pursuant to section 207 of the Foreign Service Act of 1980 (22 U.S.C. 3927) shall participate and provide funding in advance for their share of costs of providing new, safe, secure United States diplomatic facilities, without offsets, on the basis of the total overseas presence of each agency as determined annually by the Secretary of State in consultation with such agency. Amounts advanced by such agencies to the Department of State shall be credited to the Embassy Security, Construction and Maintenance account, and remain available until expended.

"(2) IMPLEMENTATION.—Implementation of this subsection shall be carried out in a manner that encourages right-sizing of each agency's overseas presence.

"(3) EXCLUSION.—For purposes of this subsection 'agency' does not include the Marine Security Guard.".

SEC. 630. (a) Except as provided in subsection (b), a project to construct a diplomatic facility of the United States may not include office space or other accommodations for an employee of a Federal agency or department if the Secretary of State determines that such department or agency has not provided to the Department of State the full amount of funding required by subsection (e) of section 604 of the Secure Embassy Construction and Counterterrorism Act of 1999 (as enacted into law by section 1000(a)(7) of Public Law 106–113 and contained in appendix G of that Act; 113 Stat. 1501A–453), as added by section 629 of this Act.

(b) Notwithstanding the prohibition in subsection (a), a project to construct a diplomatic facility of the United States may include office space or other accommodations for members of the Marine Corps.

SEC. 631. It is the sense of the Congress that the Secretary of State, at the most immediate opportunity, should—

(1) make a determination as to whether recent events in the Darfur region of Sudan constitute genocide as defined in the Convention on the Prevention and Punishment of the Crime of Genocide; and

(2) support the investigation and prosecution of war crimes and crimes against humanity committed in the Darfur region of Sudan.

SEC. 632. None of the funds made available in this Act shall be used in any way whatsoever to support or justify the use of torture by any official or contract employee of the United States Government.

SEC. 633. (a) Section 111(b) of Public Law 102–395 (21 U.S.C. 886a) is amended—

(1) by redesignating paragraphs (1) through (5) as subparagraphs (A) through (E), and indenting accordingly;

(2) in subparagraph (B), as redesignated, by striking "program." and inserting "program. Such reimbursements shall be made without distinguishing between expenses related to controlled substance activities and expenses related to chemical activities.";

(3) by striking "There is established" and inserting the following: "(1) IN GENERAL.—There is established"; and

(4) by adding at the end the following:

"(2) DEFINITIONS.—In this section:

"(A) DIVERSION CONTROL PROGRAM.—The term 'diversion control program' means the controlled substance and chemical diversion control activities of the Drug Enforcement Administration.

"(B) CONTROLLED SUBSTANCE AND CHEMICAL DIVERSION CONTROL ACTIVITIES.—The term 'controlled substance and chemical diversion control activities' means those activities related to the registration and control of the manufacture, distribution, dispensing, importation, and exportation of controlled substances and listed chemicals.".

(b) Section 301 of the Controlled Substances Act (21 U.S.C. 821) is amended by striking "the registration and control of regulated" and all that follows through the period, and inserting "listed chemicals."

(c) Section 1088(f) of the Controlled Substances Import and Export Act (21 U.S.C. 958(f)) is amended—

(1) by inserting "and control" after "the registration"; and

(2) by striking "list I chemicals under this section." and inserting "listed chemicals.".

SEC. 634. None of the funds appropriated by this Act may be used by the Federal Communications Commission to modify, amend, or change its rules or regulations for universal service support payments to implement the February 27, 2004 recommendations of the Federal-State Joint Board on Universal Service regarding single connection or primary line restrictions on universal service support payments.

SEC. 635. The unobligated balance of the amount appropriated by title V of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 2002 (Public Law 107–77; 115 Stat. 798) for necessary expenses of the United States-Canada Alaska Rail Commission shall be transferred as a direct lump-sum payment to the University of Alaska.

SEC. 636. Section 33(a) of the Small Business Act (15 U.S.C. 657c(a)) is amended by adding at the end the following: "Notwithstanding any other provision of law, the Corporation is a private entity and is not an agency, instrumentality, authority, entity, or establishment of the United States Government.".

SEC. 637. Of the amounts made available in this Act, $160,186,300 from "Department of State"; $14,449,118 from "Department of Justice"; $3,095,206 from "Department of Commerce"; $213,154 from "United States Trade Representative"; and $302,985 from "Broadcasting Board of Governors" shall be available for the purposes of implementing the Capital Security Cost Sharing program, as provided in section 629 of the Act.

SEC. 638. Notwithstanding 40 U.S.C. 524, 571, and 572, the Federal Communications Commission may sell the monitoring facilities in Honolulu, Hawaii, and Livermore, California, including all real property: Provided, That any sale shall be made in accordance with section 605 of this Act.

SEC. 639. None of the funds made available in this Act may be used in contravention of the provisions of subsections (e) and (f) of section 301 of the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003 (Public Law 108–25; 22 U.S.C. 7631(e) and (f)).

SEC. 640. (a) There is hereby rescinded an amount equal to 0.54 percent of the budget authority provided for in fiscal year 2005 for any discretionary account in this Act.

(b) Any rescission made by subsection (a) shall be applied proportionately—

(1) to each discretionary account and each item of budget authority described in subsection (a); and

(2) within each such account and item, to each program, project, and activity (with programs, projects, and activities as delineated in the appropriation Act or accompanying reports for the relevant fiscal year covering such account or item, or for ac-

counts and items not included in appropriation Acts, as delineated in the most recently submitted President's budget).

TITLE VII—RESCISSIONS

DEPARTMENT OF JUSTICE

GENERAL ADMINISTRATION

WORKING CAPITAL FUND

(RESCISSION)

Of the unobligated balances available under this heading, $60,000,000 are rescinded.

LEGAL ACTIVITIES

ASSET FORFEITURE FUND

(RESCISSION)

Of the unobligated balances available under this heading, $61,800,000 are rescinded.

OFFICE OF JUSTICE PROGRAMS

JUSTICE ASSISTANCE

(RESCISSION)

Of the unobligated balances available under this heading, $1,619,000 are rescinded.

STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE

(RESCISSION)

Of the unobligated balances available under this heading, $29,380,000 are rescinded.

COMMUNITY ORIENTED POLICING SERVICES

(RESCISSION)

Of the unobligated balances available under this heading, $99,000,000 are rescinded.

JUVENILE JUSTICE

(RESCISSION)

Of the unobligated balances available under this heading, $3,500,000 are rescinded.

DEPARTMENT OF COMMERCE

NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY

INDUSTRIAL TECHNOLOGY SERVICES

(RESCISSION)

Of the unobligated balances available under this heading for the Advanced Technology Program, $3,900,000 are rescinded.

RELATED AGENCIES

FEDERAL COMMUNICATIONS COMMISSION

SALARIES AND EXPENSES

(RESCISSION)

Of the unobligated balances available under this heading, $12,000,000 are rescinded.

TITLE VIII—PATENT AND TRADEMARK FEES

SEC. 801. FEES FOR PATENT SERVICES.

(a) GENERAL PATENT FEES.—During fiscal years 2005 and 2006, subsection (a) of section 41 of title 35, United States Code, shall be administered as though that subsection reads as follows:

"(a) GENERAL FEES.—The Director shall charge the following fees:

"(1) FILING AND BASIC NATIONAL FEES.—

"(A) On filing each application for an original patent, except for design, plant, or provisional applications, $300.

"(B) On filing each application for an original design patent, $200.

"(C) On filing each application for an original plant patent, $200.

"(D) On filing each provisional application for an original patent, $200.

"(E) On filing each application for the reissue of a patent, $300.

"(F) The basic national fee for each international application filed under the treaty defined in section 351(a) of this title entering the national stage under section 371 of this title, $300.

"(G) In addition, excluding any sequence listing or computer program listing filed in an electronic medium as prescribed by the Director, for any application the specification and drawings of which exceed 100 sheets of paper (or equivalent as prescribed by the Director if filed in an electronic medium), $250 for each additional 50 sheets of paper (or equivalent as prescribed by the Director if filed in an electronic medium) or fraction thereof.

"(2) EXCESS CLAIMS FEES.—In addition to the fee specified in paragraph (1)—

"(A) on filing or on presentation at any other time, $200 for each claim in independent form in excess of 3;

"(B) on filing or on presentation at any other time, $50 for each claim (whether dependent or independent) in excess of 20; and

"(C) for each application containing a multiple dependent claim, $360.

For the purpose of computing fees under this paragraph, a multiple dependent claim referred to in section 112 of this title or any claim depending therefrom shall be considered as separate dependent claims in accordance with the number of claims to which reference is made. The Director may by regulation provide for a refund of any part of the fee specified in this para-

graph for any claim that is canceled before an examination on the merits, as prescribed by the Director, has been made of the application under section 131 of this title. Errors in payment of the additional fees under this paragraph may be rectified in accordance with regulations prescribed by the Director.

"(3) EXAMINATION FEES.—

"(A) For examination of each application for an original patent, except for design, plant, provisional, or international applications, $200.

"(B) For examination of each application for an original design patent, $130.

"(C) For examination of each application for an original plant patent, $160.

"(D) For examination of the national stage of each international application, $200.

"(E) For examination of each application for the reissue of a patent, $600.

The provisions of section 111(a) of this title relating to the payment of the fee for filing the application shall apply to the payment of the fee specified in this paragraph with respect to an application filed under section 111(a) of this title. The provisions of section 371(d) of this title relating to the payment of the national fee shall apply to the payment of the fee specified in this paragraph with respect to an international application.

"(4) ISSUE FEES.—

"(A) For issuing each original patent, except for design or plant patents, $1,400.

"(B) For issuing each original design patent, $800.

"(C) For issuing each original plant patent, $1,100.

"(D) For issuing each reissue patent, $1,400.

"(5) DISCLAIMER FEE.—On filing each disclaimer, $130.

"(6) APPEAL FEES.—

"(A) On filing an appeal from the examiner to the Board of Patent Appeals and Interferences, $500.

"(B) In addition, on filing a brief in support of the appeal, $500, and on requesting an oral hearing in the appeal before the Board of Patent Appeals and Interferences, $1,000.

"(7) REVIVAL FEES.—On filing each petition for the revival of an unintentionally abandoned application for a patent, for the unintentionally delayed payment of the fee for issuing each patent, or for an unintentionally delayed response by the patent owner in any reexamination proceeding, $1,500, unless the petition is filed under section 133 or 151 of this title, in which case the fee shall be $500.

"(8) EXTENSION FEES.—For petitions for 1-month extensions of time to take actions required by the Director in an application—

"(A) on filing a first petition, $120;

"(B) on filing a second petition, $330; and

"(C) on filing a third or subsequent petition, $570.".

(b) PATENT MAINTENANCE FEES.—During fiscal years 2005 and 2006, subsection (b) of section 41 of title 35, United States Code, shall be administered as though that subsection reads as follows:

"(b) MAINTENANCE FEES.—The Director shall charge the following fees for maintaining in force all patents based on applications filed on or after December 12, 1980:

"(1) 3 years and 6 months after grant, $900.

"(2) 7 years and 6 months after grant, $2,300.

"(3) 11 years and 6 months after grant, $3,800.

Unless payment of the applicable maintenance fee is received in the United States Patent and Trademark Office on or before the date the fee is due or within a grace period of 6 months thereafter, the patent will expire as of the end of such grace period. The Director may require the payment of a surcharge as a condition of accepting within such 6-month grace period the payment of an applicable maintenance fee. No fee may be established for maintaining a design or plant patent in force.".

(c) PATENT SEARCH FEES.—During fiscal years 2005 and 2006, subsection (d) of section 41 of title 35, United States Code, shall be administered as though that subsection reads as follows:

"(d) PATENT SEARCH AND OTHER FEES.—

"(1) PATENT SEARCH FEES.—

"(A) The Director shall charge a fee for the search of each application for a patent, except for provisional applications. The Director shall establish the fees charged under this paragraph to recover an amount not to exceed the estimated average cost to the Office of searching applications for patent either by acquiring a search report from a qualified search authority, or by causing a search by Office personnel to be made, of each application for patent. For the 3-year period beginning on the date of enactment of this Act, the fee for a search by a qualified search authority of a patent application described in clause (i), (iv), or (v) of subparagraph (B) may not exceed $500, of a patent application described in clause (ii) of subparagraph (B) may not exceed $100, and of a patent application described in clause (iii) of subparagraph (B) may not exceed $300. The Director may not increase any such fee by more than 20 percent in each of the next three 1-year periods, and the Director may not increase any such fee thereafter.

"(B) For purposes of determining the fees to be established under this paragraph, the cost to the Office of causing a search of an application to be made by Office personnel shall be deemed to be—

"(i) $500 for each application for an original patent, except for design, plant, provisional, or international applications;

"(ii) $100 for each application for an original design patent;

"(iii) $300 for each application for an original plant patent;

"(iv) $500 for the national stage of each international application; and

"(v) $500 for each application for the reissue of a patent.

"(C) The provisions of section 111(a)(3) of this title relating to the payment of the fee for filing the application shall apply to the payment of the fee specified in this para-

graph with respect to an application filed under section 111(a) of this title. The provisions of section 371(d) of this title relating to the payment of the national fee shall apply to the payment of the fee specified in this paragraph with respect to an international application.

"(D) The Director may by regulation provide for a refund of any part of the fee specified in this paragraph for any applicant who files a written declaration of express abandonment as prescribed by the Director before an examination has been made of the application under section 131 of this title, and for any applicant who provides a search report that meets the conditions prescribed by the Director.

"(E) For purposes of subparagraph (A), a 'qualified search authority' may not include a commercial entity unless—

"(i) the Director conducts a pilot program of limited scope, conducted over a period of not more than 18 months, which demonstrates that searches by commercial entities of the available prior art relating to the subject matter of inventions claimed in patent applications—

"(I) are accurate; and

"(II) meet or exceed the standards of searches conducted by and used by the Patent and Trademark Office during the patent examination process;

"(ii) the Director submits a report on the results of the pilot program to Congress and the Patent Public Advisory Committee that includes—

"(I) a description of the scope and duration of the pilot program;

"(II) the identity of each commercial entity participating in the pilot program;

"(III) an explanation of the methodology used to evaluate the accuracy and quality of the search reports; and

"(IV) an assessment of the effects that the pilot program, as compared to searches conducted by the Patent and Trademark Office, had and will have on—

"(aa) patentability determinations;

"(bb) productivity of the Patent and Trademark Office;

"(cc) costs to the Patent and Trademark Office;

"(dd) costs to patent applicants; and

"(ee) other relevant factors;

"(iii) the Patent Public Advisory Committee reviews and analyzes the Director's report under clause (ii) and the results of the pilot program and submits a separate report on its analysis to the Director and the Congress that includes—

"(I) an independent evaluation of the effects that the pilot program, as compared to searches conducted by the Patent and Trademark Office,

had and will have on the factors set forth in clause (ii)(IV); and

"(II) an analysis of the reasonableness, appropriateness, and effectiveness of the methods used in the pilot program to make the evaluations required under clause (ii)(IV); and

"(iv) Congress does not, during the 1-year period beginning on the date on which the Patent Public Advisory Committee submits its report to the Congress under clause (iii), enact a law prohibiting searches by commercial entities of the available prior art relating to the subject matter of inventions claimed in patent applications.

"(F) The Director shall require that any search by a qualified search authority that is a commercial entity is conducted in the United States by persons that—

"(i) if individuals, are United States citizens; and

"(ii) if business concerns, are organized under the laws of the United States or any State and employ United States citizens to perform the searches.

"(G) A search of an application that is the subject of a secrecy order under section 181 or otherwise involves classified information may only be conducted by Office personnel.

"(H) A qualified search authority that is a commercial entity may not conduct a search of a patent application if the entity has any direct or indirect financial interest in any patent or in any pending or imminent application for patent filed or to be filed in the Patent and Trademark Office.

"(2) OTHER FEES.—The Director shall establish fees for all other processing, services, or materials relating to patents not specified in this section to recover the estimated average cost to the Office of such processing, services, or materials, except that the Director shall charge the following fees for the following services:

"(A) For recording a document affecting title, $40 per property.

"(B) For each photocopy, $.25 per page.

"(C) For each black and white copy of a patent, $3.

The yearly fee for providing a library specified in section 12 of this title with uncertified printed copies of the specifications and drawings for all patents in that year shall be $50.".

(d) ADJUSTMENTS.—During fiscal years 2005 and 2006, subsection (f) of section 41 of title 35, United States Code, shall apply to the fees established under this section.

(e) FEES FOR SMALL ENTITIES.—During fiscal years 2005 and 2006, subsection (h) of section 41 of title 35, United States Code, shall be administered as though that subsection is amended—

(1) in paragraph (1), by striking "Fees charged under subsection (a) or (b)" and inserting "Subject to paragraph (3), fees charged under subsections (a), (b), and (d)(1)"; and

(2) by adding at the end the following new paragraph:

"(3) The fee charged under subsection (a)(1)(A) shall be reduced by 75 percent with respect to its application to any entity

to which paragraph (1) applies, if the application is filed by electronic means as prescribed by the Director.".

SEC. 802. ADJUSTMENT OF TRADEMARK FEES.

(a) FEE FOR FILING APPLICATION.—During fiscal years 2005 and 2006, under such conditions as may be prescribed by the Director, the fee under section 31(a) of the Trademark Act of 1946 (15 U.S.C. 1113(a)) for: (a) the filing of a paper application for the registration of a trademark shall be $375; (b) the filing of an electronic application shall be $325; and (c) the filing of an electronic application meeting certain additional requirements prescribed by the Director shall be $275. During fiscal years 2005 and 2006, the provisions of the second and third sentences of section 31(a) of the Trademark Act of 1946 shall apply to the fees established under this section.

(b) REFERENCE TO TRADEMARK ACT OF 1946.—For purposes of this section, the "Trademark Act of 1946" refers to the Act entitled "An Act to provide for the registration and protection of trademarks used in commerce, to carry out the provisions of certain international conventions, and for other purposes.", approved July 5, 1946 (15 U.S.C. 1051 et seq.).

SEC. 803. EFFECTIVE DATE, APPLICABILITY, AND TRANSITIONAL PROVISION.

(a) EFFECTIVE DATE.—Except as otherwise provided in this title (including this section), the provisions of this title shall take effect on the date of the enactment of this Act and shall apply only with respect to the remaining portion of fiscal year 2005 and fiscal year 2006.

(b) APPLICABILITY.—

(1)(A) Except as provided in subparagraphs (B) and (C), the provisions of section 801 shall apply to all patents, whenever granted, and to all patent applications pending on or filed after the effective date set forth in subsection (a) of this section.

(B)(i) Except as provided in clause (ii), subsections (a)(1) and (3) and (d)(1) of section 41 of title 35, United States Code, as administered as provided in this title, shall apply only to—

(I) applications for patents filed under section 111 of title 35, United States Code, on or after the effective date set forth in subsection (a) of this section, and

(II) international applications entering the national stage under section 371 of title 35, United States Code, for which the basic national fee specified in section 41 of title 35, United States Code, was not paid before the effective date set forth in subsection (a) of this section.

(ii) Section 41(a)(1)(D) of title 35, United States Code, as administered as provided in this title, shall apply only to applications for patent filed under section 111(b) of title 35, United States Code, before, on, or after the effective date set forth in subsection (a) of this section in which the filing fee specified in section 41 of title 35, United States Code, was not paid before the effective date set forth in subsection (a) of this section.

(C) Section 41(a)(2) of title 35, United States Code, as administered as provided in this title, shall apply only to the extent that the number of excess claims, after giving effect to any cancellation of claims, is in excess of the number of claims for

which the excess claims fee specified in section 41 of title 35, United States Code, was paid before the effective date set forth in subsection (a) of this section.

(2) The provisions of section 802 shall apply to all applications for the registration of a trademark filed or amended on or after the effective date set forth in subsection (a) of this section.

(c) TRANSITIONAL PROVISIONS.—

(1) SEARCH FEES.—During fiscal years 2005 and 2006, the Director shall charge—

(A) for the search of each application for an original patent, except for design, plant, provisional, or international application, $500;

(B) for the search of each application for an original design patent, $100;

(C) for the search of each application for an original plant patent, $300;

(D) for the search of the national stage of each international application, $500; and

(E) for the search of each application for the reissue of a patent, $500.

(2) TIMING OF FEES.—The provisions of section 111(a)(3) of title 35, United States Code, relating to the payment of the fee for filing the application shall apply to the payment of the fee specified in paragraph (1) with respect to an application filed under section 111(a) of title 35, United States Code. The provisions of section 371(d) of title 35, United States Code, relating to the payment of the national fee shall apply to the payment of the fee specified in paragraph (1) with respect to an international application.

SEC. 804. DEFINITION.

In this title, the term "Director" means the Under Secretary of Commerce for Intellectual Property and Director of the United States Patent and Trademark Office.

TITLE IX—OCEANS AND HUMAN HEALTH ACT

SEC. 901. SHORT TITLE.

This title may be cited as the "Oceans and Human Health Act".

SEC. 902. INTERAGENCY OCEANS AND HUMAN HEALTH RESEARCH PROGRAM.

(a) COORDINATION.—The President, through the National Science and Technology Council, shall coordinate and support a national research program to improve understanding of the role of the oceans in human health.

(b) IMPLEMENTATION PLAN.—Within 1 year after the date of enactment of this Act, the National Science and Technology Council, through the Director of the Office of Science and Technology Policy shall develop and submit to the Congress a plan for coordinated Federal activities under the program. Nothing in this subsection is intended to duplicate or supersede the activities of the Inter-Agency Task Force on Harmful Algal Blooms and Hypoxia established under section 603 of the Harmful Algal Bloom and Hypoxia Research and Control Act of 1998 (16 U.S.C. 1451 note). In developing the plan, the Committee will consult with the Inter-Agency Task

Force on Harmful Algal Blooms and Hypoxia. Such plan will build on and complement the ongoing activities of the National Oceanic and Atmospheric Administration, the National Science Foundation, and other departments and agencies and shall—

(1) establish, for the 10-year period beginning in the year it is submitted, the goals and priorities for Federal research which most effectively advance scientific understanding of the connections between the oceans and human health, provide usable information for the prediction of marine-related public health problems and use the biological potential of the oceans for development of new treatments of human diseases and a greater understanding of human biology;

(2) describe specific activities required to achieve such goals and priorities, including the funding of competitive research grants, ocean and coastal observations, training and support for scientists, and participation in international research efforts;

(3) identify and address, as appropriate, relevant programs and activities of the Federal agencies and departments that would contribute to the program;

(4) identify alternatives for preventing unnecessary duplication of effort among Federal agencies and departments with respect to the program;

(5) consider and use, as appropriate, reports and studies conducted by Federal agencies and departments, the National Research Council, the Ocean Research Advisory Panel, the Commission on Ocean Policy and other expert scientific bodies;

(6) make recommendations for the coordination of program activities with ocean and human health-related activities of other national and international organizations; and

(7) estimate Federal funding for research activities to be conducted under the program.

(c) PROGRAM SCOPE.—The program may include the following activities related to the role of oceans in human health:

(1) Interdisciplinary research among the ocean and medical sciences, and coordinated research and activities to improve understanding of processes within the ocean that may affect human health and to explore the potential contribution of marine organisms to medicine and research, including—

(A) vector- and water-borne diseases of humans and marine organisms, including marine mammals and fish;

(B) harmful algal blooms and hypoxia (through the Inter-Agency Task Force on Harmful Algal Blooms and Hypoxia);

(C) marine-derived pharmaceuticals;

(D) marine organisms as models for biomedical research and as indicators of marine environmental health;

(E) marine environmental microbiology;

(F) bioaccumulative and endocrine-disrupting chemical contaminants; and

(G) predictive models based on indicators of marine environmental health or public health threats.

(2) Coordination with the National Ocean Research Leadership Council (10 U.S.C. 7902(a)) to ensure that any integrated ocean and coastal observing system provides information nec-

essary to monitor and reduce marine public health problems including health-related data on biological populations and detection of contaminants in marine waters and seafood.

(3) Development through partnerships among Federal agencies, States, academic institutions, or non-profit research organizations of new technologies and approaches for detecting and reducing hazards to human health from ocean sources and to strengthen understanding of the value of marine biodiversity to biomedicine, including—

(A) genomics and proteomics to develop genetic and immunological detection approaches and predictive tools and to discover new biomedical resources;

(B) biomaterials and bioengineering;

(C) in situ and remote sensors used to detect, quantify, and predict the presence and spread of contaminants in marine waters and organisms and to identify new genetic resources for biomedical purposes;

(D) techniques for supplying marine resources, including chemical synthesis, culturing and aquaculturing marine organisms, new fermentation methods and recombinant techniques; and

(E) adaptation of equipment and technologies from human health fields.

(4) Support for scholars, trainees and education opportunities that encourage an interdisciplinary and international approach to exploring the diversity of life in the oceans.

(d) ANNUAL REPORT.—Beginning with the first year occurring more than 24 months after the date of enactment of this Act, the National Science and Technology Council, through the Director of the Office of Science and Technology Policy shall prepare and submit to the President and the Congress not later than January 31st of each year an annual report on the activities conducted pursuant to this title during the preceding fiscal year, including—

(1) a summary of the achievements of Federal oceans and human health research, including Federally supported external research, during the preceding fiscal year;

(2) an analysis of the progress made toward achieving the goals and objectives of the plan developed under subsection (b), including identification of trends and emerging trends;

(3) a copy or summary of the plan and any changes made in the plan;

(4) a summary of agency budgets for oceans and human health activities for that preceding fiscal year; and

(5) any recommendations regarding additional action or legislation that may be required to assist in achieving the purposes of this title.

SEC. 903. NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION OCEANS AND HUMAN HEALTH INITIATIVE.

(a) ESTABLISHMENT.—As part of the interagency oceans and human health research program, the Secretary of Commerce is authorized to establish an Oceans and Human Health Initiative to coordinate and implement research and activities of the National Oceanic and Atmospheric Administration related to the role of the oceans, the coasts, and the Great Lakes in human health. In carrying out this section, the Secretary shall consult with other Federal

agencies conducting integrated oceans and human health research and research in related areas, including the National Science Foundation. The Oceans and Human Health Initiative is authorized to provide support for—

(1) centralized program and research coordination;

(2) an advisory panel;

(3) one or more National Oceanic and Atmospheric Administration national centers of excellence;

(4) research grants; and

(5) distinguished scholars and traineeships.

(b) ADVISORY PANEL.—The Secretary is authorized to establish an oceans and human health advisory panel to assist in the development and implementation of the Oceans and Human Health Initiative. Membership of the advisory group shall provide for balanced representation of individuals with multi-disciplinary expertise in the marine and biomedical sciences. The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the oceans and human health advisory panel.

(c) NATIONAL CENTERS.—

(1) The Secretary is authorized to identify and provide financial support through a competitive process to develop, within the National Oceanic and Atmospheric Administration, for one or more centers of excellence that strengthen the capabilities of the National Oceanic and Atmospheric Administration to carry out its programs and activities related to the oceans' role in human health.

(2) The centers shall focus on areas related to agency missions, including use of marine organisms as indicators for marine environmental health, ocean pollutants, marine toxins and pathogens, harmful algal blooms, hypoxia, seafood testing, identification of potential marine products, and biology and pathobiology of marine mammals, and on disciplines including marine genomics, marine environmental microbiology, ecological chemistry and conservation medicine.

(3) In selecting centers for funding, the Secretary will give priority to proposals with strong interdisciplinary scientific merit that encourage educational opportunities and provide for effective partnerships among the Administration, other Federal entities, State, academic, non-profit research organizations, medical, and industry participants.

(d) EXTRAMURAL RESEARCH GRANTS.—

(1) The Secretary is authorized to provide grants of financial assistance to the scientific community for critical research and projects that explore the relationship between the oceans and human health and that complement or strengthen programs and activities of the National Oceanic and Atmospheric Administration related to the ocean's role in human health. Officers and employees of Federal agencies may collaborate with, and participate in, such research and projects to the extent requested by the grant recipient. The Secretary shall consult with the oceans and human health advisory panel established under subsection (b) and may work cooperatively with other agencies participating in the interagency program to establish joint criteria for such research and projects.

(2) Grants under this subsection shall be awarded through a competitive peer-reviewed, merit-based process that may be conducted jointly with other agencies participating in the interagency program.

(e) TRAINEESHIPS.—The Secretary of Commerce is authorized to establish a program to provide traineeships, training, and experience to pre-doctoral and post-doctoral students and to scientists at the beginning of their careers who are interested in the oceans in human health research conducted under the NOAA initiative.

SEC. 904. PUBLIC INFORMATION AND OUTREACH.

(a) IN GENERAL.—The Secretary of Commerce, in consultation with other Federal agencies, and in cooperation with the National Sea Grant program, shall design and implement a program to disseminate information developed under the NOAA Oceans and Human Health Initiative, including research, assessments, and findings regarding the relationship between oceans and human health, on both a regional and national scale. The information, particularly with respect to potential health risks, shall be made available in a timely manner to appropriate Federal or State agencies, involved industries, and other interested persons through a variety of means, including through the Internet.

(b) REPORT.—As part of this program, the Secretary shall submit to Congress an annual report reviewing the results of the research, assessments, and findings developed under the NOAA Oceans and Human Health Initiative, as well as recommendations for improving or expanding the program.

SEC. 905. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to the Secretary of Commerce to carry out the National Oceanic and Atmospheric Administration Oceans and Human Health Initiative, $60,000,000 for fiscal years 2005 through 2008. Not less than 50 percent of the amounts appropriated to carry out the initiative shall be utilized in each fiscal year to support the extramural grant and traineeship programs of the Initiative.

This division may be cited as the "Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 2005".

DIVISION C—ENERGY AND WATER DEVELOPMENT APPROPRIATIONS ACT, 2005

TITLE I

DEPARTMENT OF DEFENSE—CIVIL

DEPARTMENT OF THE ARMY

CORPS OF ENGINEERS—CIVIL

The following appropriations shall be expended under the direction of the Secretary of the Army and the supervision of the Chief of Engineers for authorized civil functions of the Department of the Army pertaining to rivers and harbors, flood control, shore protection and storm damage reduction, aquatic ecosystem restoration, and related purposes.

GENERAL INVESTIGATIONS

For expenses necessary for the collection and study of basic information pertaining to river and harbor, flood control, shore protection and storm damage reduction, aquatic ecosystem restoration, and related projects, restudy of authorized projects, miscellaneous investigations, and, when authorized by law, surveys and detailed studies and plans and specifications of projects prior to construction, $144,500,000, to remain available until expended: Provided, That the Secretary of the Army, acting through the Chief of Engineers, is directed to use $300,000 for the continued preconstruction, engineering, and design of Waikiki Beach, Oahu, Hawaii, the project to be designed and evaluated, as authorized and that any recommendations for a National Economic Development Plan shall be accepted notwithstanding the extent of recreation benefits supporting the project features, in view of the fact that recreation is extremely important in sustaining and increasing the economic well-being of the State of Hawaii and the nation: Provided further, That in conducting the Southwest Valley Flood Damage Reduction Study, Albuquerque, New Mexico, the Secretary of the Army, acting through the Chief of Engineers, shall include an evaluation of flood damage reduction measures that would otherwise be excluded from the feasibility analysis based on policies regarding the frequency of flooding, the drainage areas, and the amount of runoff: Provided further, That for the Ohio Riverfront, Cincinnati, Ohio, project, the cost of planning and design undertaken by non-Federal interests shall be credited toward the non-Federal share of project design costs.

CONSTRUCTION, GENERAL

For expenses necessary for the construction of river and harbor, flood control, shore protection and storm damage reduction, aquatic ecosystem restoration, and related projects authorized by law; for conducting detailed studies, and plans and specifications, of such projects (including those for development with participation or under consideration for participation by States, local governments, or private groups) authorized or made eligible for selection by law (but such detailed studies, and plans and specifications, shall not constitute a commitment of the Government to construction); and for the benefit of federally listed species to address the effects of civil works projects owned or operated by the United States Army Corps of Engineers, $1,796,089,000, to remain available until expended, of which such sums as are necessary to cover the Federal share of construction costs for facilities under the Dredged Material Disposal Facilities program shall be derived from the Harbor Maintenance Trust Fund as authorized by Public Law 104–303; and of which such sums as are necessary pursuant to Public Law 99–662 shall be derived from the Inland Waterways Trust Fund, to cover one-half of the costs of construction and rehabilitation of inland waterways projects, (including the rehabilitation costs for Lock and Dam 11, Mississippi River, Iowa; Lock and Dam 19, Mississippi River, Iowa; Lock and Dam 24, Mississippi River, Illinois and Missouri; and Lock and Dam 3, Mississippi River, Minnesota) shall be derived from the Inland Waterways Trust Fund: Provided, That using $12,500,000 of the funds appropriated herein, the Secretary of the

Army, acting through the Chief of Engineers, is directed to continue construction of the Dallas Floodway Extension, Texas, project, including the Cadillac Heights feature, generally in accordance with the Chief of Engineers report dated December 7, 1999: Provided further, That the Secretary of the Army is directed to accept advance funds, pursuant to section 11 of the River and Harbor Act of 1925, from the non-Federal sponsor of the Los Angeles Harbor, California, project authorized by section 101(b)(5) of Public Law 106–541: Provided further, That the Secretary of the Army is directed to accept advance funds, or any portion thereof, pursuant to section 11 of the River and Harbor Act of 1925, from the non-Federal sponsor of the Oakland Harbor, California, project authorized by section 101(a)(7) of Public Law 106–53: Provided further, That the Secretary of the Army, acting through the Chief of Engineers, is directed to use $500,000 of the funds provided herein to continue construction of the Hawaii Water Management Project: Provided further, That the Secretary of the Army, acting through the Chief of Engineers, is directed to use $3,000,000 of the funds appropriated herein to continue construction of the navigation project at Kaumalapau Harbor, Hawaii: Provided further, That the Secretary of the Army, acting through the Chief of Engineers, is directed to use $3,000,000 of the funds provided herein for the Dam Safety and Seepage/Stability Correction Program to complete construction of seepage control features and repairs to the tainter gates at Waterbury Dam, Vermont: Provided further, That the Secretary of the Army, acting through the Chief of Engineers, is directed to use $9,000,000 of the funds appropriated herein to proceed with planning, engineering, design or construction of the Grundy, Buchanan County, and Dickenson County, Virginia, elements of the Levisa and Tug Forks of the Big Sandy River and Upper Cumberland River Project: Provided further, That the Secretary of the Army, acting through the Chief of Engineers, is directed to use $15,000,000 of the funds appropriated herein to continue with the planning, engineering, design or construction of the Lower Mingo County, Upper Mingo County, Wayne County, McDowell County, West Virginia, elements of the Levisa and Tug Forks of the Big Sandy River and Upper Cumberland River Project: Provided further, That the Secretary of the Army, acting through the Chief of Engineers, is directed to continue the Dickenson County Detailed Project Report as generally defined in Plan 4 of the Huntington District Engineer's Draft Supplement to the section 202 General Plan for Flood Damage Reduction dated April 1997, including all Russell Fork tributary streams within the County and special considerations as may be appropriate to address the unique relocations and resettlement needs for the flood prone communities within the County: Provided further, That the Secretary of the Army, acting through the Chief of Engineers, is directed to use $8,750,000 of the funds appropriated herein for the Clover Fork, City of Cumberland, Town of Martin, Pike County (including Levisa Fork and Tug Fork Tributaries), Bell County, Harlan County in accordance with the Draft Detailed Project Report dated January 2002, Floyd County, Martin County, Johnson County, and Knox County, Kentucky, detailed project report, elements of the Levisa and Tug Forks of the Big Sandy River and Upper Cumberland River: Provided further, That the Secretary of the Army, acting through the Chief of Engineers, is directed to continue with

the construction of the Seward Harbor, Alaska, project, in accordance with the Report of the Chief of Engineers, dated June 8, 1999, and the economic justification contained therein: Provided further, That the Secretary of the Army, acting through the Chief of Engineers, is directed to continue with the construction of the False Pass, Alaska, project, in accordance with the Report of the Chief of Engineers, dated December 29, 2000: Provided further, That the Secretary of the Army, acting through the Chief of Engineers, is directed to proceed with construction of the Sand Point Harbor, Alaska project, in accordance with the Report of the Chief of Engineers, dated October 13, 1998, and the economic justification contained therein: Provided further, That the Secretary of the Army, acting through the Chief of Engineers, is directed to design and construct modifications to the Federal navigation project at Thomsen Harbor, Sitka, Alaska, authorized by Section 101 of the Water Resources Development Act of 1992: Provided further, That the Secretary of the Army, acting through the Chief of Engineers, shall correct the design deficiency at Thomsen Harbor, Sitka, Alaska, by adding to, or extending, the existing breakwaters to reduce wave and swell motion within the harbor at an additional cost of $1,000,000 at full Federal expense: Provided further, That the Secretary of the Army, acting through the Chief of Engineers, is directed and authorized to continue the work to replace and upgrade the dam and all connections to the existing system at Kake, Alaska: Provided further, That the Secretary of the Army, acting through the Chief of Engineers, is directed to continue with the construction of the Wrangell Harbor, Alaska, project in accordance with the Chief of Engineer's report dated December 23, 1999: Provided further, That the Secretary of the Army, acting through the Chief of Engineers, is directed to proceed with the construction of the New York and New Jersey Harbor project, 50-foot deepening element, upon execution of the Project Cooperation Agreement: Provided further, That no funds made available under this Act or any other Act for any fiscal year may be used by the Secretary of the Army to carry out the construction of the Port Jersey element of the New York and New Jersey Harbor or reimbursement to the Local Sponsor for the construction of the Port Jersey element until commitments for construction of container handling facilities are obtained from the non-Federal sponsor for a second user along the Port Jersey element: Provided further, That the Secretary of the Army, acting through the Chief of Engineers, is directed to use funds appropriated for the navigation project, Tampa Harbor, Florida, to carry out, as part of the project, construction of passing lanes in an area approximately 3.5 miles long, centered on Tampa Bay Cut B, if the Secretary determines that such construction is technically sound, environmentally acceptable, and cost effective: Provided further, That using $750,000 of the funds appropriated herein, the Secretary of the Army, acting through the Chief of Engineers, is authorized and directed to plan, design, and initiate reconstruction of the Cape Girardeau, Missouri, project, originally authorized by the Flood Control Act of 1950, at an estimated total cost of $9,000,000, with cost sharing on the same basis as cost sharing for the project as originally authorized, if the Secretary determines that the reconstruction is technically sound and environmentally acceptable: Provided further, That the planned reconstruction shall be based on the most cost-effective engineering solution

and shall require no further economic justification: Provided further, That the Secretary of the Army, acting through the Chief of Engineers, is directed to proceed without further delay with work on the permanent bridge to replace Folsom Bridge Dam Road, Folsom, California, as authorized by the Energy and Water Development Appropriations Act, 2004 (Public Law 108–137), and, of the $8,000,000 available for the American River Watershed (Folsom Dam Mini-Raise), California, project, up to $5,000,000 of those funds be directed for the permanent bridge, with all remaining devoted to the Mini-Raise: Provided further, That the Secretary of the Army is directed to use $1,365,000 of the funds appropriated herein to construct a project for flood control, Cass River, Spaulding Township, Michigan, pursuant to section 205 of the Flood Control Act of 1948 (33 U.S.C. 701s), notwithstanding that the benefits of the project may not exceed the estimated costs of the project: Provided further, That the non-Federal interest for the project shall receive credit towards its share of project costs in the amount of $345,000 for work carried out by the non-Federal interest on the project prior to entering into a project cooperation agreement: Provided further, That the Secretary of the Army, acting through the Chief of Engineers, is directed to undertake and fund a demonstration project utilizing the Bidlocker system of escrowing contract bid documents: Provided further, that the system should provide a method of securing bidder documents prior to the award of the contracts, thus allowing the contractor to provide those documents to the Government in the case of disputes: Provided further, that the demonstration project should include use of the system on at least three contracts: Provided further, that a report on the results of the demonstration project shall be provided within one year of the date of enactment of this Act.

FLOOD CONTROL, MISSISSIPPI RIVER AND TRIBUTARIES, ARKANSAS, ILLINOIS, KENTUCKY, LOUISIANA, MISSISSIPPI, MISSOURI, AND TENNESSEE

For expenses necessary for the flood damage reduction program for the Mississippi River alluvial valley below Cape Girardeau, Missouri, as authorized by law, $324,500,000, to remain available until expended: Provided, That the Secretary of the Army, acting through the Chief of Engineers, using $12,000,000 of the funds provided herein, is directed to continue design and real estate activities and to initiate the pump supply contract for the Yazoo Basin, Yazoo Backwater Pumping Plant, Mississippi: Provided further, That the pump supply contract shall be performed by awarding continuing contracts in accordance with 33 U.S.C. 621: Provided further, That the Secretary of the Army, acting through the Chief of Engineers is directed, with $500,000 appropriated herein, to continue construction of water withdrawal features of the Grand Prairie, Arkansas, project.

OPERATION AND MAINTENANCE

For expenses necessary for the operation, maintenance, and care of existing river and harbor, flood and storm damage reduction, aquatic ecosystem restoration, and related projects authorized by law; for the benefit of federally listed species to address the effects of civil works projects owned or operated by the United States Army Corps of Engineers; for providing security for infrastructure owned

and operated by, or on behalf of, the United States Army Corps of Engineers, including administrative buildings and facilities, laboratories, and the Washington Aqueduct; for the maintenance of harbor channels provided by a State, municipality, or other public agency that serve essential navigation needs of general commerce, where authorized by law; and for surveys and charting of northern and northwestern lakes and connecting waters, clearing and straightening channels, and removal of obstructions to navigation, $1,959,101,000, to remain available until expended, of which such sums as are necessary to cover the Federal share of operation and maintenance costs for coastal harbors and channels shall be derived from the Harbor Maintenance Trust Fund, pursuant to Public Law 99–662 may be derived from that fund; of which such sums as become available from the special account for the United States Army Corps of Engineers established by the Land and Water Conservation Act of 1965, as amended (16 U.S.C. 460l–6a(i)), may be derived from that account for resource protection, research, interpretation, and maintenance activities related to resource protection in the areas at which outdoor recreation is available; and of which such sums as become available under section 217 of the Water Resources Development Act of 1996, Public Law 104–303, shall be used to cover the cost of operation and maintenance of the dredged material disposal facilities for which fees have been collected: Provided, That utilizing funds appropriated herein, for the Intracoastal Waterway, Delaware River to Chesapeake Bay, Delaware and Maryland, the Secretary of the Army, acting through the Chief of Engineers, is directed to reimburse the State of Delaware for normal operation and maintenance costs incurred by the State of Delaware for the SR1 Bridge from station 58+00 to station 293+00 between October 1, 2003, and September 30, 2004: Provided further, That the Secretary of the Army, acting through the Chief of Engineers, is directed to use funds appropriated herein to rehabilitate the existing dredged material disposal site for the project for navigation, Bodega Bay Harbor, California, and to continue maintenance dredging of the Federal channel: Provided further, That the Secretary shall make suitable material excavated from the Bodega Bay Harbor, California, disposal site as part of the rehabilitation effort available to the non-Federal sponsor, at no cost to the Federal Government, for use by the non-Federal sponsor in the development of public facilities: Provided further, That the Secretary of the Army, acting through the Chief of Engineers, is authorized to undertake, at full federal expense, a detailed evaluation of the Albuquerque levees for purposes of determining structural integrity, impacts of vegetative growth, and performance under current hydrological conditions: Provided further, That using $175,000 provided herein, the Secretary of the Army, acting through the Chief of Engineers is authorized to remove the sunken vessel, State of Pennsylvania from the Christina River in Delaware: Provided further, That the Corps of Engineers shall not allocate any funds to deposit dredged material along the Laguna Madre portion of the Gulf Intracoastal Waterway except at the placement areas specified in the Dredged Material Management Plan in section 2.11 of the Final Environmental Impact Statement for Maintenance Dredging of the Gulf Intracoastal Waterway, Laguna Madre, Texas, Nueces, Kleberg, Kenedy, Willacy, and Cameron Counties, Texas, prepared by the Corps of Engineers

dated September 2003: Provided further, That nothing in the above proviso shall prevent the Corps of Engineers from performing necessary maintenance operations along the Gulf Intracoastal Waterway if the following conditions are met: if the Corps proposes to use any placement areas that are not currently specified in the Dredged Material Management Plan and failure to use such alternative placement areas will result in the closure of any segment of the Gulf Intracoastal Waterway, then such proposal shall be analyzed in an Environmental Impact Statement (EIS) and comply with all other applicable requirements of the National Environmental Policy Act, 42 U.S.C. 4321, et seq., and all other applicable State and Federal laws, including the Clean Water Act, 33 U.S.C. 1251 et seq., the Endangered Species Act, 16 U.S.C. 1531 et seq., and the Coastal Zone Management Act, 16 U.S.C. 1451 et seq.: Provided further, That, of the funds made available, $7,000,000 is to be used to perform work authorized in Section 136 of Public Law 108–357.

REGULATORY PROGRAM

For expenses necessary for administration of laws pertaining to regulation of navigable waters and wetlands, $145,000,000, to remain available until expended.

FORMERLY UTILIZED SITES REMEDIAL ACTION PROGRAM

For expenses necessary to clean up contamination from sites in the United States resulting from work performed as part of the Nation's early atomic energy program, $165,000,000, to remain available until expended.

GENERAL EXPENSES

For expenses necessary for general administration and related civil works functions in the headquarters of the United States Army Corps of Engineers, the offices of the Division Engineers, the Humphreys Engineer Center Support Activity, the Institute for Water Resources, the United States Army Engineer Research and Development Center, and the United States Army Corps of Engineers Finance Center, $167,000,000, to remain available until expended: Provided, That no part of any other appropriation provided in title I of this Act shall be available to fund the civil works activities of the Office of the Chief of Engineers or the civil works executive direction and management activities of the division offices: Provided further, That none of these funds shall be available to support an office of congressional affairs within the executive office of the Chief of Engineers.

OFFICE OF ASSISTANT SECRETARY OF THE ARMY (CIVIL WORKS)

For expenses necessary for the Office of Assistant Secretary of the Army (Civil Works), as authorized by 10 U.S.C. 3016(b)(3), $4,000,000.

ADMINISTRATIVE PROVISION

Appropriations in this title shall be available for official reception and representation expenses (not to exceed $5,000); and during the current fiscal year the Revolving Fund, Corps of Engineers,

shall be available for purchase (not to exceed 100 for replacement only) and hire of passenger motor vehicles.

GENERAL PROVISIONS

CORPS OF ENGINEERS—CIVIL

SEC. 101. Beginning in fiscal year 2005 and thereafter, agreements proposed for execution by the Assistant Secretary of the Army for Civil Works or the United States Army Corps of Engineers after the date of the enactment of this Act pursuant to section 4 of the Rivers and Harbor Act of 1915, Public Law 64–291; section 11 of the River and Harbor Act of 1925, Public Law 68–585; the Civil Functions Appropriations Act, 1936, Public Law 75–208; section 215 of the Flood Control, Act of 1968, as amended, Public Law 90–483; sections 104, 203, and 204 of the Water Resources Development Act of 1986, as amended, Public Law 99–662; section 206 of the Water Resources Development Act of 1992, as amended, Public Law 102–580; section 211 of the Water Resources Development Act of 1996, Public Law 104–303; and any other specific project authority, shall be limited to credits and reimbursements per project not to exceed $10,000,000 in each fiscal year, and total credits and reimbursements for all applicable projects not to exceed $50,000,000 in each fiscal year, except that for environmental infrastructure projects, the $10,000,000 limitation shall apply to each state wherein such projects are undertaken.

SEC. 102. None of the funds appropriated in this or any other Act may be used by the United States Army Corps of Engineers to support activities related to the proposed Ridge Landfill in Tuscarawas County, Ohio.

SEC. 103. None of the funds appropriated in this or any other Act shall be used to demonstrate or implement any plans divesting or transferring any Civil Works missions, functions, or responsibilities of the United States Army Corps of Engineers to other government agencies without specific direction in a subsequent Act of Congress.

SEC. 104. ALAMOGORDO, NEW MEXICO. The project for flood protection at Alamogordo, New Mexico, authorized by the Flood Control Act of 1962 (Public Law 87–874), is modified to authorize and direct the Secretary to construct a flood detention basin to protect the north side of the City of Alamogordo, New Mexico, from flooding. The flood detention basin shall be constructed to provide protection from a 100-year flood event. The project cost share for the flood detention basin shall be consistent with section 103(a) of the Water Resources Development Act of 1986, notwithstanding section 202(a) of the Water Resources Development Act of 1996.

SEC. 105. None of the funds appropriated in this or any other Act may be used by the United States Army Corps of Engineers to support activities related to the proposed Indian Run Sanitary Landfill in Sandy Township, Stark County, Ohio.

SEC. 106. ST. GEORGES BRIDGE, DELAWARE. None of the funds made available in this Act may be used to carry out any activity relating to closure or removal of the St. Georges Bridge across the Intracoastal Waterway, Delaware River to Chesapeake Bay, Delaware and Maryland, including a hearing or any other activity relating to

preparation of an environmental impact statement concerning the closure or removal.

SEC. 107. WATER REALLOCATION, LAKE CUMBERLAND, KENTUCKY. (a) IN GENERAL.—Subject to subsection (b), none of the funds made available by this Act may be used to carry out any water reallocation project or component under the Wolf Creek Project, Lake Cumberland, Kentucky, authorized under the Act of June 28, 1938 (52 Stat. 1215, chapter 795) and the Act of July 24, 1946 (60 Stat. 636, chapter 595).

(b) EXISTING REALLOCATIONS.—Subsection (a) shall not apply to any water reallocation for Lake Cumberland, Kentucky, that is carried out subject to an agreement or payment schedule in effect on the date of enactment of this Act.

SEC. 108. LAKE TAHOE BASIN RESTORATION, NEVADA AND CALIFORNIA. (a) DEFINITION.—In this section, the term "Lake Tahoe Basin" means the entire watershed drainage of Lake Tahoe including that portion of the Truckee River 1,000 feet downstream from the U.S. Bureau of Reclamation dam in Tahoe City, California.

(b) ESTABLISHMENT OF PROGRAM.—The Secretary may establish a program for providing environmental assistance to non-Federal interests in Lake Tahoe Basin.

(c) FORM OF ASSISTANCE.—Assistance under this section may be in the form of planning, design, and construction assistance for water-related environmental infrastructure and resource protection and development projects in Lake Tahoe Basin—

(1) urban stormwater conveyance, treatment and related facilities;

(2) watershed planning, science and research;

(3) environmental restoration; and

(4) surface water resource protection and development.

(d) PUBLIC OWNERSHIP REQUIREMENT.—The Secretary may provide assistance for a project under this section only if the project is publicly owned.

(e) LOCAL COOPERATION AGREEMENT.—

(1) IN GENERAL.—Before providing assistance under this section, the Secretary shall enter into a local cooperation agreement with a non-Federal interest to provide for design and construction of the project to be carried out with the assistance.

(2) REQUIREMENTS.—Each local cooperation agreement entered into under this subsection shall provide for the following:

(A) PLAN.—Development by the Secretary, in consultation with appropriate Federal and State and Regional officials, of appropriate environmental documentation, engineering plans and specifications.

(B) LEGAL AND INSTITUTIONAL STRUCTURES.—Establishment of such legal and institutional structures as are necessary to ensure the effective long-term operation of the project by the non-Federal interest.

(3) COST SHARING.—

(A) IN GENERAL.—The Federal share of project costs under each local cooperation agreement entered into under this subsection shall be 75 percent. The Federal share may be in the form of grants or reimbursements of project costs.

(B) CREDIT FOR DESIGN WORK.—The non-Federal interest shall receive credit for the reasonable costs of planning

and design work completed by the non-Federal interest before entering into a local cooperation agreement with the Secretary for a project.

(C) LAND, EASEMENTS, RIGHTS-OF-WAY, AND RELOCATIONS.—The non-Federal interest shall receive credit for land, easements, rights-of-way, and relocations provided by the non-Federal interest toward the non-Federal share of project costs (including all reasonable costs associated with obtaining permits necessary for the construction, operation, and maintenance of the project on publicly owned or controlled land), but not to exceed 25 percent of total project costs.

(D) OPERATION AND MAINTENANCE.—The non-Federal share of operation and maintenance costs for projects constructed with assistance provided under this section shall be 100 percent.

(f) APPLICABILITY OF OTHER FEDERAL AND STATE LAWS.—Nothing in this section waives, limits, or otherwise affects the applicability of any provision of Federal or State law that would otherwise apply to a project to be carried out with assistance provided under this section.

(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section for the period beginning with fiscal year 2005, $25,000,000, to remain available until expended.

SEC. 109. WATERSHED MANAGEMENT AND DEVELOPMENT. Section 503 of the Water Resources Development Act of 1996 (110 Stat. 3756) is amended in subsection (c) by inserting the following: "The non-Federal share of the cost to provide assistance for the Lake Tahoe watershed, California and Nevada, and Walker River Basin, Nevada may be provided as work-in-kind.".

SEC. 110. The Assistant Secretary of the Army for Civil Works shall enter into an agreement with the Orange County Water District, Orange County, California for purposes of water conservation storage and operations to provide at a minimum a conservation level up to elevation 498 feet mean sea level during the flood season, and up to elevation 505 feet mean sea level during the non-flood season at Prado Dam, California. The Orange County Water District shall pay to the Government only the separable costs associated with implementation and operation and maintenance of Prado Dam for water conservation.

SEC. 111. BLACK WARRIOR-TOMBIGBEE RIVERS, ALABAMA. (a) IN GENERAL.—The Secretary is authorized to construct a new project management office located in the city of Tuscaloosa, Alabama, at a location within the vicinity of the city, at full Federal expense.

(b) TRANSFER OF LAND AND STRUCTURES.—The Secretary is authorized to convey, or otherwise transfer to the city of Tuscaloosa, Alabama, at fair market value, the land and structures associated with the existing project management office, if the city agrees to assume full responsibility for demolition of the existing project management office.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out subsection (a) $32,000,000.

SEC. 112. Within 75 days of the date of the Chief of Engineers Report on a water resource matter, the Assistant Secretary of the

Army (Civil Works) shall submit the report to the appropriate authorizing and appropriating committees of the Congress.

SEC. 113. Within 90 days of the date of enactment of this Act, the Assistant Secretary of the Army (Civil Works) shall transmit to Congress his report on any water resources matter on which the Chief of Engineers has reported.

SEC. 114. COASTAL WETLAND CONSERVATION PROJECT FUNDING. (a) FUNDING.—Section 306 of the Coastal Wetlands Planning, Protection, and Restoration Act (16 U.S.C. 3955) is amended—

(1) in subsection (a), by striking ", not to exceed $70,000,000,";

(2) in subsection (b), by striking ", not to exceed $15,000,000"; and

(3) in subsection (c), by striking ", not to exceed $15,000,000,".

(b) PERIOD OF AUTHORIZATION.—Section 4(a) of the Dingell-Johnson Sport Fish Restoration Act (16 U.S.C. 777c(a)) is amended in the second sentence by striking "2009" and inserting "2019".

SEC. 115. The Secretary of the Army, acting through the Chief of Engineers, is directed to design and construct a marina and associated facilities project capable of remaining in operation through extended drought conditions at Federal expense at Lake Sakakawea, North Dakota.

SEC. 116. CENTRAL CITY, FORT WORTH, TEXAS. The project for flood control and other purposes on the Trinity River and Tributaries, Texas, authorized by the River and Harbor Act of 1965 (Public Law 89–298), as modified, is further modified to authorize the Secretary to undertake the Central City River Project, as generally described in the Trinity River Vision Master Plan, dated April 2003, as amended, at a total cost not to exceed $220,000,000, at a Federal cost of $110,000,000, and a non-Federal cost of $110,000,000, if the Secretary determines the work is technically sound and environmentally acceptable. The cost of work undertaken by the non-Federal interests before the date of execution of a project cooperation agreement shall be credited against the non-Federal share of project costs if the Secretary determines that the work is integral to the project.

SEC. 117. Notwithstanding any other provision of law, the Secretary of the Army is authorized to carry out, at full Federal expense, structural and non-structural projects for storm damage prevention and reduction, coastal erosion, and ice and glacial damage in Alaska, including relocation of affected communities and construction of replacement facilities.

SEC. 118. COOK INLET, ALASKA. (a) ANCHORAGE HARBOR.—

(1) HARBOR DEPTH.—The project for navigation improvements, Cook Inlet, Alaska (Anchorage Harbor, Alaska), authorized by section 101 of the River and Harbor Act of 1958 (72 Stat. 299) and modified by section 199 of the Water Resources Development Act of 1976 (90 Stat. 2944), is further modified to direct the Secretary of the Army to construct a harbor depth of minus 45 feet mean lower low water for a length of 10,860 feet at the modified Port of Anchorage intermodal marine facility at each phase of facility modification as such phases are completed and thereafter as the entire project is completed.

(2) COST-SHARING.—If the Secretary determines that the modified Port of Anchorage will be used by vessels operated by the Department of Defense that have a draft of greater than 35 feet, the modification referred to in paragraph (1) shall be at full federal expense.

(3) TRANSITIONAL DREDGING.—Before completion of the project modification described in paragraph (1), the Secretary may conduct dredging to a depth of at least minus 35 feet mean lower low water in such locations as will allow maintenance of navigation and vessel access to the Port of Anchorage intermodal marine facility during modification of such facility. Such work shall be carried out by the Secretary in accordance with section 101 of the River and Harbor Act of 1958.

(4) FACILITATING FACILITY MODIFICATION.—Before establishing the harbor depth of minus 45 feet mean lower low water, the Secretary may undertake dredging in accordance with section 101 of the River and Harbor Act of 1958 within the design footprint of the modified intermodal marine facility referred to in paragraph (1) to facilitate modification. The Secretary may carry out such dredging as part of operation and maintenance of the project modified by paragraph (1).

(5) MAINTENANCE.—Federal maintenance shall continue for the existing project until the modified intermodal marine facility is completed. Federal maintenance of the modified project shall be in accordance with section 101 of the River and Harbor Act of 1958; except that the project shall be maintained at a depth of minus 45 feet mean lower low water for 10,860 feet referred to in paragraph (1).

(b) NAVIGATION CHANNEL.—The Secretary shall modify the channel in the exiting Cook Inlet Navigation Channel approach to Anchorage Harbor, Alaska, to run the entire length of Fire Island Range and Point Woronzof Range and shall modify the depth of that channel to minus 45 feet mean lower low water. The channel shall be maintained at a depth of minus 45 feet mean lower low water.

(c) HYDRODYNAMIC MODELING.—The Secretary shall carry out hydrodynamic modeling of the Knik Arm to identify causes of, and measures to address, shoaling at the Port of Anchorage, at a total cost of $3,000,000.

(d) ALTERNATIVES ANALYSIS.—No alternative other than the alternative authorized in this section shall be considered in any analysis of the modified project to be carried out by the Secretary in accordance with this section.

SEC. 119. NORTHERN WISCONSIN. Section 154(c) of title I of division B of the Miscellaneous Appropriations Act, 2001, enacted into law by the Consolidated Appropriations Act, 2001 (114 Stat. 2763A–252), is amended—

(1) by inserting after "design" the following: ", construction,"; and

(2) by inserting before "wastewater treatment" the following: "navigation and inland harbor improvement and expansion,".

SEC. 120. ST. CROIX FALLS ENVIRONMENTAL INFRASTRUCTURE, WISCONSIN. ADDITIONAL ASSISTANCE.—Section 219(f) of the Water Resources Development Act of 1992 (106 Stat. 4835; 110 Stat. 3757;

113 Stat. 335; 114 Stat. 2763A–220) is amended by adding at the end the following:

"(73) ST. CROIX FALLS, WISCONSIN.—$5,000,000 for waste water infrastructure, St. Croix Falls, Wisconsin.".

SEC. 121. BURNS HARBOR, INDIANA. The Secretary of the Army, acting through the Chief of Engineers, is authorized and directed to dredge sediments, at 100 percent federal cost, in the vicinity of the Bailey (NIPSCO) intake structure that is approximately 5,000 feet east of and 2,300 feet north of the northern most point of the Burns Waterway Harbor Breakwater authorized by Public Law 89–298.

SEC. 122. (a) The Secretary of the Army, acting through the Chief of Engineers, is authorized and directed to transfer the unexpended balance of funds appropriated in Fiscal Years 2003 and 2004 for the Duck River Water Supply Infrastructure Project, Cullman, Alabama, to the Appalachian Regional Commission.

(b) Funds transferred pursuant to subsection (a) of this section may be used for planning, engineering, and construction activities on the Duck River Water Supply Infrastructure Project under the Memorandum of Agreement between the Appalachian Regional Commission and the Army Corps of Engineers and may be used to reimburse the City of Cullman, Alabama for expenses incurred by the City for planning and environmental work associated with the Project.

SEC. 123. With the funds previously provided under the account heading "Flood Control and Coastal Emergencies", the Secretary of the Army, acting through the Chief of Engineers, is directed to provide assistance to Yakutat, Alaska Dam.

SEC. 124. The Secretary of the Army, acting through the Chief of Engineers, shall not implement changes to existing shoreline protection policies that have not been specifically authorized by Congress.

TITLE II

DEPARTMENT OF THE INTERIOR

CENTRAL UTAH PROJECT

CENTRAL UTAH PROJECT COMPLETION ACCOUNT

For carrying out activities authorized by the Central Utah Project Completion Act, $46,275,000, to remain available until expended, of which $15,469,000 shall be deposited into the Utah Reclamation Mitigation and Conservation Account for use by the Utah Reclamation Mitigation and Conservation Commission.

In addition, for necessary expenses incurred in carrying out related responsibilities of the Secretary of the Interior, $1,734,000, to remain available until expended.

BUREAU OF RECLAMATION

The following appropriations shall be expended to execute authorized functions of the Bureau of Reclamation:

WATER AND RELATED RESOURCES

(INCLUDING TRANSFER OF FUNDS)

For management, development, and restoration of water and related natural resources and for related activities, including the operation, maintenance, and rehabilitation of reclamation and other facilities, participation in fulfilling related Federal responsibilities to Native Americans, and related grants to, and cooperative and other agreements with, State and local governments, Indian tribes, and others, $859,481,000, to remain available until expended, of which $53,299,000 shall be available for transfer to the Upper Colorado River Basin Fund and $33,794,000 shall be available for transfer to the Lower Colorado River Basin Development Fund; of which such amounts as may be necessary may be advanced to the Colorado River Dam Fund; of which not more than $500,000 is for high priority projects which shall be carried out by the Youth Conservation Corps, as authorized by 16 U.S.C. 1706: Provided further, That such transfers may be increased or decreased within the overall appropriation under this heading: Provided further, That of the total appropriated, the amount for program activities can be financed by the Reclamation Fund or the Bureau of Reclamation special fee account established by 16 U.S.C. 460l–6a(i) shall be derived from that Fund or account: Provided further, That funds contributed under 43 U.S.C. 395 are available until expended for the purposes for which contributed: Provided further, That $250,000 is provided under the Weber Basin project for the Park City, Utah feasibility study: Provided further, That funds advanced under 43 U.S.C. 397a shall be credited to this account and are available until expended for the same purposes as the sums appropriated under this heading: Provided further, That funds available for expenditure for the Departmental Irrigation Drainage Program may be expended by the Bureau of Reclamation for site remediation on a non-reimbursable basis.

CENTRAL VALLEY PROJECT RESTORATION FUND

For carrying out the programs, projects, plans, and habitat restoration, improvement, and acquisition provisions of the Central Valley Project Improvement Act, $54,695,000, to be derived from such sums as may be collected in the Central Valley Project Restoration Fund pursuant to sections 3407(d), 3404(c)(3), 3405(f), and 3406(c)(1) of Public Law 102–575, to remain available until expended: Provided, That the Bureau of Reclamation is directed to assess and collect the full amount of the additional mitigation and restoration payments authorized by section 3407(d) of Public Law 102–575: Provided further, That none of the funds made available under this heading may be used for the acquisition or leasing of water for in-stream purposes if the water is already committed to in-stream purposes by a court adopted decree or order.

POLICY AND ADMINISTRATION

For necessary expenses of policy, administration, and related functions in the office of the Commissioner, the Denver office, and offices in the five regions of the Bureau of Reclamation, to remain available until expended, $58,153,000 to be derived from the Rec-

lamation Fund and be nonreimbursable as provided in 43 U.S.C. 377: Provided, That no part of any other appropriation in this Act shall be available for activities or functions budgeted as policy and administration expenses.

ADMINSITRATIVE PROVISIONS

Appropriations for the Bureau of Reclamation shall be available for purchase of not to exceed 14 passenger motor vehicles, of which 11 are for replacement only.

GENERAL PROVISIONS, DEPARTMENT OF THE INTERIOR

SEC. 201. (a) None of the funds appropriated or otherwise made available by this Act may be used to determine the final point of discharge for the interceptor drain for the San Luis Unit until development by the Secretary of the Interior and the State of California of a plan, which shall conform to the water quality standards of the State of California as approved by the Administrator of the Environmental Protection Agency, to minimize any detrimental effect of the San Luis drainage waters.

(b) The costs of the Kesterson Reservoir Cleanup Program and the costs of the San Joaquin Valley Drainage Program shall be classified by the Secretary of the Interior as reimbursable or nonreimbursable and collected until fully repaid pursuant to the "Cleanup Program-Alternative Repayment Plan" and the "SJVDP-Alternative Repayment Plan" described in the report entitled "Repayment Report, Kesterson Reservoir Cleanup Program and San Joaquin Valley Drainage Program, February 1995", prepared by the Department of the Interior, Bureau of Reclamation. Any future obligations of funds by the United States relating to, or providing for, drainage service or drainage studies for the San Luis Unit shall be fully reimbursable by San Luis Unit beneficiaries of such service or studies pursuant to Federal reclamation law.

SEC. 202. None of the funds appropriated or otherwise made available by this or any other Act may be used to pay the salaries and expenses of personnel to purchase or lease water in the Middle Rio Grande or the Carlsbad Projects in New Mexico unless said purchase or lease is in compliance with the purchase requirements of section 202 of Public Law 106–60.

SEC. 203. LOWER COLORADO RIVER BASIN DEVELOPMENT. (a) IN GENERAL.—Notwithstanding section 403(f) of the Colorado River Basin Project Act (43 U.S.C. 1543(f)), no amount from the Lower Colorado River Basin Development Fund shall be paid to the general fund of the Treasury until each provision of the revised Stipulation Regarding a Stay and for Ultimate Judgment Upon the Satisfaction of Conditions, filed in United States District Court on April 24, 2003, in Central Arizona Water Conservation District v. United States (No. CIV 95–625–TUC–WDB (EHC), No. CIV 95–1720–OHX–EHC (Consolidated Action)), and any amendment or revision thereof, is met.

(b) PAYMENT TO GENERAL FUND.—If any of the provisions of the stipulation referred to in subsection (a) are not met by the date that is 10 years after the date of enactment of this Act, payments to the general fund of the Treasury shall resume in accordance with sec-

tion 403(f) of the Colorado River Basin Project Act (43 U.S.C. 1543(f)).

(c) AUTHORIZATION.—Amounts in the Lower Colorado River Basin Development Fund that but for this section would be returned to the general fund of the Treasury shall not be expended until further Act of Congress.

SEC. 204. Funds under this title for Drought Emergency Assistance shall be made available primarily for leasing of water for specified drought related purposes from willing lessors, in compliance with existing State laws and administered under State water priority allocation. Such leases may be entered into with an option to purchase: Provided, That such purchase is approved by the State in which the purchase takes place and the purchase does not cause economic harm within the State in which the purchase is made.

SEC. 205. (a) Notwithstanding any other provision of law and hereafter, the Secretary of the Interior, acting through the Commissioner of the Bureau of Reclamation, may not obligate funds, and may not use discretion, if any, to restrict, reduce or reallocate any water stored in Heron Reservoir or delivered pursuant to San Juan-Chama Project contracts, including execution of said contracts facilitated by the Middle Rio Grande Project, to meet the requirements of the Endangered Species Act, unless such water is acquired or otherwise made available from a willing seller or lessor and the use is in compliance with the laws of the State of New Mexico, including but not limited to, permitting requirements.

(b) Complying with the reasonable and prudent alternatives and the incidental take limits defined in the Biological Opinion released by the United States Fish and Wildlife Service dated March 17, 2003 combined with efforts carried out pursuant to Public Law 106–377, Public Law 107–66, and Public Law 108–7 fully meet all requirements of the Endangered Species Act (16 U.S.C. 1531 et seq.) for the conservation of the Rio Grande Silvery Minnow (Hybognathus amarus) and the Southwestern Willow Flycatcher (Empidonax trailii extimus) on the Middle Rio Grande in New Mexico.

(c) This section applies only to those Federal agency and non-Federal actions addressed in the March 17, 2003 Biological Opinion.

(d) Subsection (b) will remain in effect until March 16, 2013.

SEC. 206. The Secretary of the Interior, acting through the Commissioner of the Bureau of Reclamation, is authorized to enter into grants, cooperative agreements, and other agreements with irrigation or water districts and States to fund up to 50 percent of the cost of planning, designing, and constructing improvements that will conserve water, increase water use efficiency, or enhance water management through measurement or automation, at existing water supply projects within the states identified in the Act of June 17, 1902, as amended, and supplemented: Provided, That when such improvements are to federally owned facilities, such funds may be provided in advance on a non-reimbursable basis to an entity operating affected transferred works or may be deemed non-reimbursable for non-transferred works: Provided further, That the calculation of the non-Federal contribution shall provide for consideration of the value of any in-kind contributions, but shall not include funds received from other Federal agencies: Provided further, That

the cost of operating and maintaining such improvements shall be the responsibility of the non-Federal entity: Provided further, That this section shall not supercede any existing project-specific funding authority: Provided further, That the Secretary is also authorized to enter into grants or cooperative agreements with universities or non-profit research institutions to fund water use efficiency research.

SEC. 207. ANIMAS-LA PLATA NON-INDIAN SPONSOR OBLIGATIONS. In accordance with the nontribal repayment obligation specified in Subsection 6(a)(3)(B) of the Colorado Ute Indian Rights Settlement Act of 1988 (Public Law 100–585), as amended by the Colorado Ute Settlement Act Amendments of 2000 (Public Law 106–554), the reimbursable cost upon which the cost allocation shall be based shall not exceed $43,000,000, plus interest during construction for those parties not utilizing the up front payment option, of the first $500,000,000 (January 2003 price level) of the total project costs. Consequently, the Secretary may forgive the obligation of the non-Indian sponsors relative to the $163,000,000 increase in estimated total project costs that occurred in 2003.

SEC. 208. MONTANA WATER CONTRACTS EXTENSION. (a) AUTHORITY TO EXTEND.—The Secretary of the Interior may extend each of the water contracts listed in subsection (b) until the earlier of—

(1) the expiration of the 2-year period beginning on the date on which the contract would expire but for this section; or

(2) the date on which a new long-term water contract is executed by the parties to the contract listed in subsection (b).

(b) EXTENDED CONTRACTS.—The water contracts referred to in subsection (a) are the following:

(1) Contract Number 14–06–600–2078, as amended, for purchase of water between the United States of America and the City of Helena, Montana.

(2) Contract Number 14–06–600–2079, as amended, between the United States of America and the Helena Valley Irrigation District for water service.

(3) Contract Number 14–06–600–8734, as amended, between the United States of America and the Toston Irrigation District for water service.

(4) Contract Number 14–06–600–3592, as amended, between the United States and the Clark Canyon Water Supply Company, Inc., for water service and for a supplemental supply.

(5) Contract Number 14–06–600–3593, as amended, between the United States and the East Bench Irrigation District for water service.

TITLE III

DEPARTMENT OF ENERGY

ENERGY PROGRAMS

ENERGY SUPPLY

For Department of Energy expenses including the purchase, construction, and acquisition of plant and capital equipment, and other expenses necessary for energy supply activities in carrying out the purposes of the Department of Energy Organization Act (42

U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, and the purchase of not to exceed 9 passenger motor vehicles for replacement only, and one ambulance, $946,272,000, to remain available until expended.

NON-DEFENSE SITE ACCELERATION COMPLETION

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and other expenses necessary for non-defense environmental management site acceleration completion activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, $151,850,000, to remain available until expended.

URANIUM ENRICHMENT DECONTAMINATION AND DECOMMISSIONING FUND

For necessary expenses in carrying out uranium enrichment facility decontamination and decommissioning, remedial actions, and other activities of title II of the Atomic Energy Act of 1954, as amended, and title X, subtitle A, of the Energy Policy Act of 1992, $499,007,000, to be derived from the Fund, to remain available until expended, of which $80,000,000 shall be available in accordance with title X, subtitle A, of the Energy Policy Act of 1992.

NON-DEFENSE ENVIRONMENTAL SERVICES

For Department of Energy expenses necessary for non-defense environmental services activities that indirectly support the accelerated cleanup and closure mission at environmental management sites, including the purchase, construction, and acquisition of plant and capital equipment and other necessary expenses, $291,296,000, to remain available until expended.

SCIENCE

For Department of Energy expenses including the purchase, construction and acquisition of plant and capital equipment, and other expenses necessary for science activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or facility or for plant or facility acquisition, construction, or expansion, and purchase of not to exceed four passenger motor vehicles for replacement only, including not to exceed one ambulance, $3,628,902,000, to remain available until expended.

NUCLEAR WASTE DISPOSAL

For nuclear waste disposal activities to carry out the purposes of Public Law 97–425, as amended, including the acquisition of real property or facility construction or expansion, $346,000,000, to remain available until expended: Provided, That of the funds made available in this Act for Nuclear Waste Disposal, $2,000,000 shall be provided to the State of Nevada solely for expenditures, other

than salaries and expenses of State employees, to conduct scientific oversight responsibilities and participate in licensing activities pursuant to the Nuclear Waste Policy Act of 1982, Public Law 97–425, as amended: Provided further, That $8,000,000 shall be provided to affected units of local governments, as defined in Public Law 97–425, to conduct scientific oversight responsibilities and participate in licensing activities pursuant to the Act: Provided further, That the distribution of the funds as determined by the units of local government shall be approved by the Department of Energy: Provided further, That the funds for the State of Nevada shall be made available solely to the Nevada Division of Emergency Management by direct payment and units of local government by direct payment: Provided further, That within 90 days of the completion of each Federal fiscal year, the Nevada Division of Emergency Management and the Governor of the State of Nevada and each local entity shall provide certification to the Department of Energy that all funds expended from such payments have been expended for activities authorized by Public Law 97–425 and this Act: Provided further, That failure to provide such certification shall cause such entity to be prohibited from any further funding provided for similar activities: Provided further, That none of the funds herein appropriated may be: (1) used directly or indirectly to influence legislative action on any matter pending before Congress or a State legislature or for lobbying activity as provided in 18 U.S.C. 1913; (2) used for litigation expenses; or (3) used to support multi-State efforts or other coalition building activities inconsistent with the restrictions contained in this Act: Provided further, That all proceeds and recoveries realized by the Secretary in carrying out activities authorized by the Nuclear Waste Policy Act of 1982, Public Law 97–425, as amended, including but not limited to, any proceeds from the sale of assets, shall be available without further appropriation and shall remain available until expended.

DEPARTMENTAL ADMINISTRATION

(INCLUDING TRANSFER OF FUNDS)

For salaries and expenses of the Department of Energy necessary for departmental administration in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the hire of passenger motor vehicles and official reception and representation expenses (not to exceed $35,000), $240,426,000, to remain available until expended, plus such additional amounts as necessary to cover increases in the estimated amount of cost of work for others notwithstanding the provisions of the Anti-Deficiency Act (31 U.S.C. 1511 et seq.): Provided, That such increases in cost of work are offset by revenue increases of the same or greater amount, to remain available until expended: Provided further, That moneys received by the Department for miscellaneous revenues estimated to total $122,000,000 in fiscal year 2005 may be retained and used for operating expenses within this account, and may remain available until expended, as authorized by section 201 of Public Law 95–238, notwithstanding the provisions of 31 U.S.C. 3302: Provided further, That the sum herein appropriated shall be reduced by the amount of miscellaneous revenues received during fiscal year 2005, and any related unappropriated receipt account

balances remaining from prior years' miscellaneous revenues, so as to result in a final fiscal year 2005 appropriation from the general fund estimated at not more than $118,426,000.

OFFICE OF THE INSPECTOR GENERAL

For necessary expenses of the Office of the Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, $41,508,000, to remain available until expended.

ATOMIC ENERGY DEFENSE ACTIVITIES

NATIONAL NUCLEAR SECURITY ADMINISTRATION

WEAPONS ACTIVITIES

(INCLUDING TRANSFER OF FUNDS)

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and other incidental expenses necessary for atomic energy defense weapons activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion; and the purchase of not to exceed 19 passenger motor vehicles, for replacement only, including not to exceed two buses; $6,226,471,000, together with $300,000,000 to be derived by transfer from the Department of Defense, to remain available until expended: Provided, That the Secretary of Defense shall reduce proportionately each program, project, and activity funded by appropriations in titles I through VI of the Department of Defense Appropriations Act, 2005 (Public Law 108–287) to fund this transfer: Provided further, That $91,100,000 is authorized to be appropriated for Project 01–D–108, Microsystems and engineering sciences applications (MESA), Sandia National Laboratories, Albuquerque, New Mexico: Provided further, That $40,000,000 is authorized to be appropriated for Project 04–D–125, chemistry and metallurgy facility replacement project, Los Alamos Laboratory, Los Alamos, New Mexico: Provided further, That $1,500,000 is authorized to be appropriated for Project 04–D–103, Project engineering and design (PED), various locations: Provided further, That a plant or construction project for which amounts are made available under this heading but not exclusive to the Atomic Energy Defense Weapons Activities account, with a current estimated cost of less than $10,000,000 is considered for purposes of section 3622 of Public Law 107–314 as a plant project for which the approved total estimated cost does not exceed the minor construction threshold and for purposes of section 3623 of Public Law 107–314 as a construction project with a current estimated cost of less than the minor construction threshold.

DEFENSE NUCLEAR NONPROLIFERATION

For Department of Energy expenses, including the purchase, construction and acquisition of plant and capital equipment and other incidental expenses necessary for atomic energy defense, defense nuclear nonproliferation activities, in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C.

7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, $1,420,397,000, to remain available until expended.

NAVAL REACTORS

For Department of Energy expenses necessary for naval reactors activities to carry out the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition (by purchase, condemnation, construction, or otherwise) of real property, plant, and capital equipment, facilities, and facility expansion, $807,900,000, to remain available until expended.

OFFICE OF THE ADMINISTRATOR

For necessary expenses of the Office of the Administrator in the National Nuclear Security Administration, including official reception and representation expenses (not to exceed $12,000), $356,200,000, to remain available until expended.

ENVIRONMENTAL AND OTHER DEFENSE ACTIVITIES

DEFENSE SITE ACCELERATION COMPLETION

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and other expenses necessary for atomic energy defense site acceleration completion activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, $6,096,429,000, to remain available until expended.

DEFENSE ENVIRONMENTAL SERVICES

For Department of Energy expenses necessary for defense-related environmental services activities that indirectly support the accelerated cleanup and closure mission at environmental management sites, including the purchase, construction, and acquisition of plant and capital equipment and other necessary expenses, and the purchase of not to exceed three ambulances for replacement only, $937,976,000, to remain available until expended.

OTHER DEFENSE ACTIVITIES

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and other expenses, necessary for atomic energy defense, other defense activities, and classified activities, in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, $692,691,000, to remain available until expended.

DEFENSE NUCLEAR WASTE DISPOSAL

For nuclear waste disposal activities to carry out the purposes of Public Law 97–425, as amended, including the acquisition of real

property or facility construction or expansion, $231,000,000, to remain available until expended.

POWER MARKETING ADMINISTRATIONS

BONNEVILLE POWER ADMINISTRATION FUND

Expenditures from the Bonneville Power Administration Fund, established pursuant to Public Law 93–454, are approved for official reception and representation expenses in an amount not to exceed $1,500. During fiscal year 2005, no new direct loan obligations may be made.

OPERATION AND MAINTENANCE, SOUTHEASTERN POWER ADMINISTRATION

For necessary expenses of operation and maintenance of power transmission facilities and of marketing electric power and energy, including transmission wheeling and ancillary services, pursuant to the provisions of section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), as applied to the southeastern power area, $5,200,000, to remain available until expended: Provided, That notwithstanding the provisions of 31 U.S.C. 3302, up to $34,000,000 collected by the Southeastern Power Administration pursuant to the Flood Control Act of 1944 to recover purchase power and wheeling expenses shall be credited to this account as offsetting collections, to remain available until expended for the sole purpose of making purchase power and wheeling expenditures.

OPERATION AND MAINTENANCE, SOUTHWESTERN POWER ADMINISTRATION

For necessary expenses of operation and maintenance of power transmission facilities and of marketing electric power and energy, for construction and acquisition of transmission lines, substations and appurtenant facilities, and for administrative expenses, including official reception and representation expenses in an amount not to exceed $1,500 in carrying out the provisions of section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), as applied to the southwestern power area, $29,352,000, to remain available until expended: Provided, That, notwithstanding the provisions of 31 U.S.C. 3302, up to $2,900,000 collected by the Southwestern Power Administration pursuant to the Flood Control Act to recover purchase power and wheeling expenses shall be credited to this account as offsetting collections, to remain available until expended for the sole purpose of making purchase power and wheeling expenditures; in addition, notwithstanding 31 U.S.C. 3302, beginning in fiscal year 2005 and thereafter, such funds as are received by the Southwestern Power Administration from any State, municipality, corporation, association, firm, district, or individual as advance payment for work that is associated with Southwestern's transmission facilities, consistent with that authorized in section 5 of the Flood Control Act, shall be credited to this account and be available until expended.

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

For carrying out the functions authorized by title III, section 302(a)(1)(E) of the Act of August 4, 1977 (42 U.S.C. 7152), and other related activities including conservation and renewable resources programs as authorized, including official reception and representation expenses in an amount not to exceed $1,500; $173,100,000, to remain available until expended, of which $167,236,000 shall be derived from the Department of the Interior Reclamation Fund: Provided, That of the amount herein appropriated, $10,000,000 shall be available until expended on a nonreimbursable basis to the Western Area Power Administration to design, construct, operate and maintain transmission facilities and services for the Animas-LaPlata Project as authorized by section 301(b)(10) of Public Law 106–554: Provided further, That of the amount herein appropriated, $6,200,000 is for deposit into the Utah Reclamation Mitigation and Conservation Account pursuant to title IV of the Reclamation Projects Authorization and Adjustment Act of 1992: Provided further, That of the amount herein appropriated, $6,000,000 shall be available until expended on a nonreimbursable basis to the Western Area Power Administration for Topock-Davis-Mead Transmission Line Upgrades: Provided further, That notwithstanding the provision of 31 U.S.C. 3302, up to $227,600,000 collected by the Western Area Power Administration pursuant to the Flood Control Act of 1944 and the Reclamation Project Act of 1939 to recover purchase power and wheeling expenses shall be credited to this account as offsetting collections, to remain available until expended for the sole purpose of making purchase power and wheeling expenditures.

FALCON AND AMISTAD OPERATING AND MAINTENANCE FUND

For operation, maintenance, and emergency costs for the hydroelectric facilities at the Falcon and Amistad Dams, $2,827,000, to remain available until expended, and to be derived from the Falcon and Amistad Operating and Maintenance Fund of the Western Area Power Administration, as provided in section 423 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995.

FEDERAL ENERGY REGULATORY COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Federal Energy Regulatory Commission to carry out the provisions of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including services as authorized by 5 U.S.C. 3109, the hire of passenger motor vehicles, and official reception and representation expenses (not to exceed $3,000), $210,000,000, to remain available until expended: Provided, That notwithstanding any other provision of law, not to exceed $210,000,000 of revenues from fees and annual charges, and other services and collections in fiscal year 2005 shall be retained and used for necessary expenses in this account, and shall remain available until expended: Provided further, That the sum herein appropriated from the general fund shall be reduced as revenues are received during fiscal year 2005 so as to result in a final fiscal year

2005 appropriation from the general fund estimated at not more than $0.

GENERAL PROVISIONS

DEPARTMENT OF ENERGY

SEC. 301. (a)(1) None of the funds in this or any other appropriations Act for fiscal year 2005 or any previous fiscal year may be used to make payments for a noncompetitive management and operating contract unless the Secretary of Energy has published in the Federal Register and submitted to the Committees on Appropriations of the House of Representatives and the Senate a written notification, with respect to each such contract, of the Secretary's decision to use competitive procedures for the award of the contract, or to not renew the contract, when the term of the contract expires.

(2) Paragraph (1) does not apply to an extension for up to two years of a noncompetitive management and operating contract, if the extension is for purposes of allowing time to award competitively a new contract, to provide continuity of service between contracts, or to complete a contract that will not be renewed.

(b) In this section:

(1) The term "noncompetitive management and operating contract" means a contract that was awarded more than 50 years ago without competition for the management and operation of Ames Laboratory, Argonne National Laboratory, Lawrence Berkeley National Laboratory, Lawrence Livermore National Laboratory, and Los Alamos National Laboratory.

(2) The term "competitive procedures" has the meaning provided in section 4 of the Office of Federal Procurement Policy Act (41 U.S.C. 403) and includes procedures described in section 303 of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253) other than a procedure that solicits a proposal from only one source.

(c) For all management and operating contracts other than those listed in subsection (b)(1), none of the funds appropriated by this Act may be used to award a management and operating contract, or award a significant extension or expansion to an existing management and operating contract, unless such contract is awarded using competitive procedures or the Secretary of Energy grants, on a case-by-case basis, a waiver to allow for such a deviation. The Secretary may not delegate the authority to grant such a waiver. At least 60 days before a contract award for which the Secretary intends to grant such a waiver, the Secretary shall submit to the Committees on Appropriations of the House of Representatives and the Senate a report notifying the Committees of the waiver and setting forth, in specificity, the substantive reasons why the Secretary believes the requirement for competition should be waived for this particular award.

SEC. 302. None of the funds appropriated by this Act may be used to—

(1) develop or implement a workforce restructuring plan that covers employees of the Department of Energy; or

(2) provide enhanced severance payments or other benefits for employees of the Department of Energy, under section 3161

of the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102–484; 42 U.S.C. 7274h).

SEC. 303. None of the funds appropriated by this Act may be used to augment the funds made available for obligation by this Act for severance payments and other benefits and community assistance grants under section 3161 of the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102–484; 42 U.S.C. 7274h) unless the Department of Energy submits a reprogramming request subject to approval by the appropriate congressional committees.

SEC. 304. None of the funds appropriated by this Act may be used to prepare or initiate Requests For Proposals (RFPs) for a program if the program has not been funded by Congress.

(TRANSFERS OF UNEXPENDED BALANCES)

SEC. 305. The unexpended balances of prior appropriations provided for activities in this Act may be transferred to appropriation accounts for such activities established pursuant to this title. Balances so transferred may be merged with funds in the applicable established accounts and thereafter may be accounted for as one fund for the same time period as originally enacted.

SEC. 306. None of the funds in this or any other Act for the Administrator of the Bonneville Power Administration may be used to enter into any agreement to perform energy efficiency services outside the legally defined Bonneville service territory, with the exception of services provided internationally, including services provided on a reimbursable basis, unless the Administrator certifies in advance that such services are not available from private sector businesses.

SEC. 307. When the Department of Energy makes a user facility available to universities or other potential users, or seeks input from universities or other potential users regarding significant characteristics or equipment in a user facility or a proposed user facility, the Department shall ensure broad public notice of such availability or such need for input to universities and other potential users. When the Department of Energy considers the participation of a university or other potential user as a formal partner in the establishment or operation of a user facility, the Department shall employ full and open competition in selecting such a partner. For purposes of this section, the term "user facility" includes, but is not limited to: (1) a user facility as described in section 2203(a)(2) of the Energy Policy Act of 1992 (42 U.S.C. 13503(a)(2)); (2) a National Nuclear Security Administration Defense Programs Technology Deployment Center/User Facility; and (3) any other Departmental facility designated by the Department as a user facility.

SEC. 308. The Administrator of the National Nuclear Security Administration may authorize the manager of a covered nuclear weapons research, development, testing or production facility to engage in research, development, and demonstration activities with respect to the engineering and manufacturing capabilities at such facility in order to maintain and enhance such capabilities at such facility: Provided, That of the amount allocated to a covered nuclear weapons facility each fiscal year from amounts available to the Department of Energy for such fiscal year for national security programs, not more than an amount equal to 2 percent of such amount

may be used for these activities: Provided further, That for purposes of this section, the term "covered nuclear weapons facility" means the following:

(1) the Kansas City Plant, Kansas City, Missouri;

(2) the Y–12 Plant, Oak Ridge, Tennessee;

(3) the Pantex Plant, Amarillo, Texas;

(4) the Savannah River Plant, South Carolina; and

(5) the Nevada Test Site.

SEC. 309. Funds appropriated by this or any other Act, or made available by the transfer of funds in this Act, for intelligence activities are deemed to be specifically authorized by the Congress for purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 414) during fiscal year 2005 until the enactment of the Intelligence Authorization Act for fiscal year 2005.

SEC. 310. (a) The Secretary of Energy was directed to file a permit modification to the Waste Analysis Plan (WAP) and associated provisions contained in the Hazardous Waste Facility Permit for the Waste Isolation Pilot Plant (WIPP). For purposes of determining hereafter compliance of the modifications to the WAP with the hazardous waste analysis requirements of the Solid Waste Disposal Act (42 U.S.C. 6901 et seq.), or other applicable laws waste confirmation for all waste received for storage and disposal shall be limited to: (1) confirmation that the waste contains no ignitable, corrosive, or reactive waste through the use of either radiography or visual examination of a statistically representative subpopulation of the waste; and (2) review of the Waste Stream Profile Form to verify that the waste contains no ignitable, corrosive, or reactive waste and that assigned Environmental Protection Agency hazardous waste numbers are allowed for storage and disposal by the WIPP Hazardous Waste Facility Permit.

(b) Compliance with the disposal room performance standards of the WAP hereafter shall be demonstrated exclusively by monitoring airborne volatile organic compounds in underground disposal rooms in which waste has been emplaced until panel closure.

SEC. 311. Section 3113 of Public Law 102–486 (42 U.S.C. 2297h–11) is amended by adding a new paragraph (4) to subsection (a), as follows:

> *"(4) In the event that a licensee requests the Secretary to accept for disposal depleted uranium pursuant to this subsection, the Secretary shall be required to take title to and possession of such depleted uranium at an existing DUF6 storage facility.".*

SEC. 312. The Department of Energy may use the funds appropriated by this Act to undertake any procurement action necessary to achieve its small business contracting goals set forth in Section (g) of the Small Business Act, 15 U.S.C. § 644(g): Provided, That, none of the funds appropriated by this Act may be used by the Department of Energy for procurement actions resulting from the break-out of requirements from current facility management and operating contracts unless, consistent with requirements of Subpart 19.4 of the Federal Acquisition Regulation, the Secretary of Energy or his duly authorized designee formally requests, considers, and renders an appropriate decision on the views of the Small Business Administration Breakout Procurement Center Representative or the Representative's duly authorized designee concerning cost effectiveness, mission performance, security, safety, small business partici-

pation, and other legitimate acquisition objectives of procurement actions at issue. No later than April 1, 2005, the Secretary of Energy shall submit a report to the Comptroller General and to Congress discussing the Secretary's plans required by Section 15(h) of the Small Business Act, 15 U.S.C. § 644(h), for meeting the Department's statutory small business contracting goals while taking into account other legitimate acquisition objectives. In preparing the report, the Secretary shall request and consider the views of the Administrator of the Small Business Administration and the Director of the Office of Small and Disadvantaged Business Utilization of the Department of Energy. The report shall discuss the Department's policies and activities concerning break-outs of procurement requirements from current management and operating contracts, consistent with requirements of this Act, Section 15(h) of the Small Business Act, and Subpart 19.4 of the Federal Acquisition Regulations.

SEC. 313. None of the funds appropriated by this Act may be used by the Department of Energy to require its management and operating contractors to perform contract management, oversight, or administration functions prohibited by Section 7.503 of the Federal Acquisition Regulation in connection with any small business prime contract awarded by the Department of Energy.

SEC. 314. None of the funds in this Act may be used to dispose of transuranic waste in the Waste Isolation Pilot Plant which contains concentrations of plutonium in excess of 20 percent by weight for the aggregate of any material category on the date of enactment of this Act, or is generated after such date. For the purpose of this section, the material categories of transuranic waste at the Rocky Flats Environmental Technology Site include: (1) ash residues; (2) salt residue; (3) wet residues; (4) direct repackage residues; and (5) scrub alloy as referenced in the "Final Environmental Impact Statement on Management of Certain Plutonium Residues and Scrub Alloy Stored at the Rocky Flats Environmental Technology Site".

TITLE IV

INDEPENDENT AGENCIES

APPALACHIAN REGIONAL COMMISSION

For expenses necessary to carry out the programs authorized by the Appalachian Regional Development Act of 1965, as amended, for necessary expenses for the Federal Co-Chairman and the alternate on the Appalachian Regional Commission, for payment of the Federal share of the administrative expenses of the Commission, including services as authorized by 5 U.S.C. 3109, and hire of passenger motor vehicles, $66,000,000, to remain available until expended.

DEFENSE NUCLEAR FACILITIES SAFETY BOARD

SALARIES AND EXPENSES

For necessary expenses of the Defense Nuclear Facilities Safety Board in carrying out activities authorized by the Atomic Energy Act of 1954, as amended by Public Law 100–456, section 1441, $20,268,000, to remain available until expended.

DELTA REGIONAL AUTHORITY

SALARIES AND EXPENSES

For necessary expenses of the Delta Regional Authority and to carry out its activities, as authorized by the Delta Regional Authority Act of 2000, as amended, notwithstanding sections 382C(b)(2), 382F(d), and 382M(b) of said Act, $6,048,000, to remain available until expended.

DENALI COMMISSION

For expenses of the Denali Commission including the purchase, construction and acquisition of plant and capital equipment as necessary and other expenses, $67,000,000 nothwithstanding the limitations contained in section 306(g) of the Denali Commission Act of 1998, $2,500,000, to remain available until expended: Provided, That of the amounts provided to the Denali Commission, $5,000,000 is for community showers and washeteria in villages with homes with no running water; $13,000,000 is for the Juneau/Green's Creek/Hoonah Intertie project; $3,200,000 is for the Swan Lake/Tyee Intertie project; $5,000,000 is for multi-purpose community facilities including the Bering Straits Region, Dillingham, Moose Pass, Sterling, Funny River, Eclutna, and Anchor Point; $10,000,000 is for teacher housing in remote villages such as Savoogna, Allakakaet, Hughes, Huslia, Minto, Nulato, and Ruby where there is limited housing available for teachers; $10,000,000 is for facilities serving Native elders and senior citizens; and $5,000,000 is for (1) the Rural Communications service to provide broadcast facilities in communities with no television or radio station, (2) the Public Broadcasting Digital Distribution Network to link rural broadcasting facilities together to improve economies of scale, share programming, and reduce operating costs and (3) rural public broadcasting facilities and equipment upgrades.

NUCLEAR REGULATORY COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Commission in carrying out the purposes of the Energy Reorganization Act of 1974, as amended, and the Atomic Energy Act of 1954, as amended, including official representation expenses (not to exceed $15,000), and purchase of promotional items for use in the recruitment of individuals for employment, $662,777,000, to remain available until expended: Provided, That of the amount appropriated herein, $69,050,000 shall be derived from the Nuclear Waste Fund: Provided further, That revenues from licensing fees, inspection services, and other services and collections estimated at $534,354,000 in fiscal year 2005 shall be retained and used for necessary salaries and expenses in this account, notwithstanding 31 U.S.C. 3302, and shall remain available until expended: Provided further, That the sum herein appropriated shall be reduced by the amount of revenues received during fiscal year 2005 so as to result in a final fiscal year 2005 appropriation estimated at not more than $128,423,000.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, $7,518,000, to remain available until expended: Provided, That revenues from licensing fees, inspection services, and other services and collections estimated at $6,766,200 in fiscal year 2005 shall be retained and be available until expended, for necessary salaries and expenses in this account, notwithstanding 31 U.S.C. 3302: Provided further, That the sum herein appropriated shall be reduced by the amount of revenues received during fiscal year 2005 so as to result in a final fiscal year 2005 appropriation estimated at not more than $751,800.

NUCLEAR WASTE TECHNICAL REVIEW BOARD

SALARIES AND EXPENSES

For necessary expenses of the Nuclear Waste Technical Review Board, as authorized by Public Law 100–203, section 5051, $3,177,000, to be derived from the Nuclear Waste Fund, and to remain available until expended.

TITLE V

GENERAL PROVISIONS

SEC. 501. None of the funds appropriated by this Act may be used in any way, directly or indirectly, to influence congressional action on any legislation or appropriation matters pending before Congress, other than to communicate to Members of Congress as described in 18 U.S.C. 1913.

SEC. 502. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriation Act.

SEC. 503. None of the funds made available in this Act may be used to deny requests for the public release of documents or evidence obtained through or in the Western Energy Markets: Enron Investigation (Docket No. PA02–2), the California Refund case (Docket No. EL00–95), the Anomalous Bidding Investigation (Docket No. IN03–10), or the Physical Withholding Investigation.

SEC. 504. EXTENSION OF PROHIBITION OF OIL AND GAS DRILLING IN THE GREAT LAKES. Section 503 of the Energy and Water Development Appropriations Act, 2002, (115 Stat. 512), as amended, is amended by striking "2005" and inserting in lieu thereof "2007".

SEC. 505. The Secretary of the Army is hereby authorized, without further appropriation, to transfer and advance funds to the Administrator of the Bonneville Power Administration for the purposes necessary to carry out joint activities in connection with Section 2406 of the Energy Policy Act of 1992.

SEC. 506. VOTING METHOD FOR DELTA REGIONAL AUTHORITY. Section 382B(c)(1) of the Consolidated Farm and Rural Development Act (7 U.S.C. 2009aa–1(c)(1)) is amended—

(1) in subparagraph (A), by striking "2004" and inserting "2008"; and

(2) in subparagraph (B), by striking "2005" and inserting "2009".

TITLE VI—REFORM OF THE BOARD OF DIRECTORS OF THE TENNESSEE VALLEY AUTHORITY

SEC. 601. CHANGE IN COMPOSITION, OPERATION, AND DUTIES OF THE BOARD OF DIRECTORS OF THE TENNESSEE VALLEY AUTHORITY.

The Tennessee Valley Authority Act of 1933 (16 U.S.C. 831 et seq.) is amended by striking section 2 and inserting the following:

"SEC. 2. MEMBERSHIP, OPERATION, AND DUTIES OF THE BOARD OF DIRECTORS.

"(a) MEMBERSHIP.—

"(1) APPOINTMENT.—The Board of Directors of the Corporation (referred to in this Act as the 'Board') shall be composed of 9 members appointed by the President by and with the advice and consent of the Senate, at least 7 of whom shall be a legal resident of the service area of the Corporation.

"(2) CHAIRMAN.—The members of the Board shall select 1 of the members to act as chairman of the Board.

"(b) QUALIFICATIONS.—To be eligible to be appointed as a member of the Board, an individual—

"(1) shall be a citizen of the United States;

"(2) shall have management expertise relative to a large for-profit or nonprofit corporate, government, or academic structure;

"(3) shall not be an employee of the Corporation;

"(4) shall make full disclosure to Congress of any investment or other financial interest that the individual holds in the energy industry; and

"(5) shall affirm support for the objectives and missions of the Corporation, including being a national leader in technological innovation, low-cost power, and environmental stewardship.

"(c) RECOMMENDATIONS.—In appointing members of the Board, the President shall—

"(1) consider recommendations from such public officials as—

"(A) the Governors of States in the service area;

"(B) individual citizens;

"(C) business, industrial, labor, electric power distribution, environmental, civic, and service organizations; and

"(D) the congressional delegations of the States in the service area; and

"(2) seek qualified members from among persons who reflect the diversity, including the geographical diversity, and needs of the service area of the Corporation.

"(d) TERMS.—

"(1) IN GENERAL.—A member of the Board shall serve a term of 5 years. A member of the Board whose term has expired may continue to serve after the member's term has expired until the date on which a successor takes office, except that the member shall not serve beyond the end of the session of Congress in which the term of the member expires.

"(2) VACANCIES.—A member appointed to fill a vacancy on the Board occurring before the expiration of the term for which the predecessor of the member was appointed shall be appointed for the remainder of that term.

"(e) QUORUM.—

"(1) IN GENERAL.—Five of the members of the Board shall constitute a quorum for the transaction of business.

"(2) VACANCIES.—A vacancy on the Board shall not impair the power of the Board to act.

"(f) COMPENSATION.—

"(1) IN GENERAL.—A member of the Board shall be entitled to receive—

"(A) a stipend of—

"(i) $45,000 per year; or

"(ii)(I) in the case of the chairman of any committee of the Board created by the Board, $46,000 per year; or

"(II) in the case of the chairman of the Board, $50,000 per year; and

"(B) travel expenses, including per diem in lieu of subsistence, in the same manner as persons employed intermittently in Government service under section 5703 of title 5, United States Code.

"(2) ADJUSTMENTS IN STIPENDS.—The amount of the stipend under paragraph (1)(A)(i) shall be adjusted by the same percentage, at the same time and manner, and subject to the same limitations as are applicable to adjustments under section 5318 of title 5, United States Code.

"(g) DUTIES.—

"(1) IN GENERAL.—The Board shall—

"(A) establish the broad goals, objectives, and policies of the Corporation that are appropriate to carry out this Act;

"(B) develop long-range plans to guide the Corporation in achieving the goals, objectives, and policies of the Corporation and provide assistance to the chief executive officer to achieve those goals, objectives, and policies;

"(C) ensure that those goals, objectives, and policies are achieved;

"(D) approve an annual budget for the Corporation;

"(E) adopt and submit to Congress a conflict-of-interest policy applicable to members of the Board and employees of the Corporation;

"(F) establish a compensation plan for employees of the Corporation in accordance with subsection (i);

"(G) approve all compensation (including salary or any other pay, bonuses, benefits, incentives, and any other form of remuneration) of all managers and technical personnel that report directly to the chief executive officer (including any adjustment to compensation);

"(H) ensure that all activities of the Corporation are carried out in compliance with applicable law;

"(I) create an audit committee, composed solely of Board members independent of the management of the Corporation, which shall—

"(i) in consultation with the inspector general of the Corporation, recommend to the Board an external auditor;

"(ii) receive and review reports from the external auditor of the Corporation and inspector general of the Corporation; and

"(iii) make such recommendations to the Board as the audit committee considers necessary;

"(J) create such other committees of Board members as the Board considers to be appropriate;

"(K) conduct such public hearings as it deems appropriate on issues that could have a substantial effect on—

"(i) the electric ratepayers in the service area; or

"(ii) the economic, environmental, social, or physical well-being of the people of the service area;

"(L) establish the electricity rates charged by the Corporation; and

"(M) engage the services of an external auditor for the Corporation.

"(2) MEETINGS.—The Board shall meet at least 4 times each year.

"(h) CHIEF EXECUTIVE OFFICER.—

"(1) APPOINTMENT.—The Board shall appoint a person to serve as chief executive officer of the Corporation.

"(2) QUALIFICATIONS.—

"(A) IN GENERAL.—To serve as chief executive officer of the Corporation, a person—

"(i) shall have senior executive-level management experience in large, complex organizations;

"(ii) shall not be a current member of the Board or have served as a member of the Board within 2 years before being appointed chief executive officer; and

"(iii) shall comply with the conflict-of-interest policy adopted by the Board.

"(B) EXPERTISE.—In appointing a chief executive officer, the Board shall give particular consideration to appointing an individual with expertise in the electric industry and with strong financial skills.

"(3) TENURE.—The chief executive officer shall serve at the pleasure of the Board.

"(i) COMPENSATION PLAN.—

"(1) IN GENERAL.—The Board shall approve a compensation plan that specifies all compensation (including salary or any other pay, bonuses, benefits, incentives, and any other form of remuneration) for the chief executive officer and employees of the Corporation.

"(2) ANNUAL SURVEY.—The compensation plan shall be based on an annual survey of the prevailing compensation for similar positions in private industry, including engineering and electric utility companies, publicly owned electric utilities, and Federal, State, and local governments.

"(3) CONSIDERATIONS.—The compensation plan shall provide that education, experience, level of responsibility, geographic differences, and retention and recruitment needs will be taken into account in determining compensation of employees.

"(4) POSITIONS AT OR BELOW LEVEL IV.—The chief executive officer shall determine the salary and benefits of employees whose annual salary is not greater than the annual rate payable for positions at level IV of the Executive Schedule under section 5315 of title 5, United States Code.

"(5) POSITIONS ABOVE LEVEL IV.—On the recommendation of the chief executive officer, the Board shall approve the salaries of employees whose annual salaries would be in excess of the annual rate payable for positions at level IV of the Executive Schedule under section 5315 of title 5, United States Code.".

SEC. 602. CHANGE IN MANNER OF APPOINTMENT OF STAFF.

Section 3 of the Tennessee Valley Authority Act of 1933 (16 U.S.C. 831b) is amended—

(1) by striking the first undesignated paragraph and inserting the following:

"(a) APPOINTMENT BY THE CHIEF EXECUTIVE OFFICER.—The chief executive officer shall appoint, with the advice and consent of the Board, and without regard to the provisions of the civil service laws applicable to officers and employees of the United States, such managers, assistant managers, officers, employees, attorneys, and agents as are necessary for the transaction of the business of the Corporation."; and

(2) by striking "All contracts" and inserting the following: "(b) WAGE RATES.—All contracts".

SEC. 603. CONFORMING AMENDMENTS.

(a) The Tennessee Valley Authority Act of 1933 (16 U.S.C. 831 et seq.) is amended—

(1) by striking "board of directors" each place it appears and inserting "Board of Directors"; and

(2) by striking "board" each place it appears and inserting "Board".

(b) Section 9 of the Tennessee Valley Authority Act of 1933 (16 U.S.C. 831h) is amended—

(1) by striking "The Comptroller General of the United States shall audit" and inserting the following:

"(c) AUDITS.—The Comptroller General of the United States shall audit"; and

(2) by striking "The Corporation shall determine" and inserting the following:

"(d) ADMINISTRATIVE ACCOUNTS AND BUSINESS DOCUMENTS.—The Corporation shall determine".

(c) Title 5, United States Code, is amended—

(1) in section 5314, by striking "Chairman, Board of Directors of the Tennessee Valley Authority."; and

(2) in section 5315, by striking "Members, Board of Directors of the Tennessee Valley Authority.".

SEC. 604. APPOINTMENTS; EFFECTIVE DATE; TRANSITION.

(a) APPOINTMENTS.—

(1) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the President shall submit to the Senate nominations of 6 persons to serve as members of the Board of Directors of the Tennessee Valley Authority in addition to the members serving on the date of enactment of this Act.

(2) INITIAL TERMS.—Notwithstanding section 2(d) of the Tennessee Valley Authority Act of 1933 (as amended by this title), in making the appointments under paragraph (1), the President shall appoint—

(A) 2 members for a term to expire on May 18, 2007;

(B) 2 members for a term to expire on May 18, 2009; and

(C) 2 members for a term to expire on May 18, 2011.

(b) EFFECTIVE DATE.—The amendments made by this title take effect on the later of—

(1) the date on which at least 3 persons nominated under subsection (a) take office; or

(2) May 18, 2005.

(c) SELECTION OF CHAIRMAN.—The Board of Directors of the Tennessee Valley Authority shall select 1 of the members to act as chairman of the Board not later than 30 days after the effective date specified in subsection (b).

(d) CONFLICT-OF-INTEREST POLICY.—The Board of Directors of the Tennessee Valley Authority shall adopt and submit to Congress a conflict-of-interest policy, as required by section 2(g)(1)(E) of the Tennessee Valley Authority Act of 1933 (as amended by this title), as soon as practicable after the effective date specified in subsection (b).

(e) TRANSITION.—A person who is serving as a member of the board of directors of the Tennessee Valley Authority on the date of enactment of this Act—

(1) shall continue to serve until the end of the current term of the member; but

(2) after the effective date specified in subsection (b), shall serve under the terms of the Tennessee Valley Authority Act of 1933 (as amended by this title).

This Division may be cited as the "Energy and Water Development Appropriations Act, 2005".

DIVISION D—FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS APPROPRIATIONS ACT, 2005

TITLE I—EXPORT AND INVESTMENT ASSISTANCE

EXPORT-IMPORT BANK OF THE UNITED STATES

The Export-Import Bank of the United States is authorized to make such expenditures within the limits of funds and borrowing authority available to such corporation, and in accordance with law, and to make such contracts and commitments without regard to fiscal year limitations, as provided by section 104 of the Government Corporation Control Act, as may be necessary in carrying out the program for the current fiscal year for such corporation: Provided, That none of the funds available during the current fiscal year may be used to make expenditures, contracts, or commitments for the export of nuclear equipment, fuel, or technology to any country, other than a nuclear-weapon state as defined in Article IX of the Treaty on the Non-Proliferation of Nuclear Weapons eligible to receive economic or military assistance under this Act, that has detonated a nuclear explosive after the date of the enactment of this Act: Provided further, That notwithstanding section 1(c) of Public

Law 103–428, as amended, sections 1(a) and (b) of Public Law 103–428 shall remain in effect through October 1, 2005.

SUBSIDY APPROPRIATION

For the cost of direct loans, loan guarantees, insurance, and tied-aid grants as authorized by section 10 of the Export-Import Bank Act of 1945, as amended, $59,800,000, to remain available until September 30, 2008: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That such sums shall remain available until September 30, 2023 for the disbursement of direct loans, loan guarantees, insurance and tied-aid grants obligated in fiscal years 2005, 2006, 2007, and 2008: Provided further, That none of the funds appropriated by this Act or any prior Act appropriating funds for foreign operations, export financing, and related programs for tied-aid credits or grants may be used for any other purpose except through the regular notification procedures of the Committees on Appropriations: Provided further, That funds appropriated by this paragraph are made available notwithstanding section 2(b)(2) of the Export-Import Bank Act of 1945, in connection with the purchase or lease of any product by any Eastern European country, any Baltic State or any agency or national thereof: Provided further, That not later than 30 days after the date of enactment of this Act, the Export-Import Bank shall submit a report to the Committees on Appropriations of the House of Representatives and the Senate, containing an analysis of the economic impact on United States producers of ethanol of the extension of credit and financial guarantees for the development of an ethanol dehydration plant in Trinidad and Tobago, including a determination of whether such extension will cause substantial injury to such producers, as defined in section 2(e)(4) of the Export-Import Bank Act of 1945 (12 U.S.C. 635(e)(4)).

ADMINISTRATIVE EXPENSES

For administrative expenses to carry out the direct and guaranteed loan and insurance programs, including hire of passenger motor vehicles and services as authorized by 5 U.S.C. 3109, and not to exceed $30,000 for official reception and representation expenses for members of the Board of Directors, $73,200,000: Provided, That the Export-Import Bank may accept, and use, payment or services provided by transaction participants for legal, financial, or technical services in connection with any transaction for which an application for a loan, guarantee or insurance commitment has been made: Provided further, That, notwithstanding subsection (b) of section 117 of the Export Enhancement Act of 1992, subsection (a) thereof shall remain in effect until October 1, 2005.

OVERSEAS PRIVATE INVESTMENT CORPORATION

NONCREDIT ACCOUNT

The Overseas Private Investment Corporation is authorized to make, without regard to fiscal year limitations, as provided by 31 U.S.C. 9104, such expenditures and commitments within the limits of funds available to it and in accordance with law as may be necessary: Provided, That the amount available for administrative ex-

penses to carry out the credit and insurance programs (including an amount for official reception and representation expenses which shall not exceed $35,000) shall not exceed $42,885,000: Provided further, That project-specific transaction costs, including direct and indirect costs incurred in claims settlements, and other direct costs associated with services provided to specific investors or potential investors pursuant to section 234 of the Foreign Assistance Act of 1961, shall not be considered administrative expenses for the purposes of this heading.

PROGRAM ACCOUNT

For the cost of direct and guaranteed loans, $24,000,000, as authorized by section 234 of the Foreign Assistance Act of 1961, to be derived by transfer from the Overseas Private Investment Corporation Non-Credit Account: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That such sums shall be available for direct loan obligations and loan guaranty commitments incurred or made during fiscal years 2005 and 2006: Provided further, That such sums shall remain available through fiscal year 2013 for the disbursement of direct and guaranteed loans obligated in fiscal year 2005, and through fiscal year 2014 for the disbursement of direct and guaranteed loans obligated in fiscal year 2006: Provided further, That notwithstanding any other provision of law, the Overseas Private Investment Corporation is authorized to undertake any program authorized by title IV of the Foreign Assistance Act of 1961 in Iraq: Provided further, That funds made available pursuant to the authority of the previous proviso shall be subject to the regular notification procedures of the Committees on Appropriations.

In addition, such sums as may be necessary for administrative expenses to carry out the credit program may be derived from amounts available for administrative expenses to carry out the credit and insurance programs in the Overseas Private Investment Corporation Noncredit Account and merged with said account.

FUNDS APPROPRIATED TO THE PRESIDENT

TRADE AND DEVELOPMENT AGENCY

For necessary expenses to carry out the provisions of section 661 of the Foreign Assistance Act of 1961, $51,500,000, to remain available until September 30, 2006.

TITLE II—BILATERAL ECONOMIC ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

For expenses necessary to enable the President to carry out the provisions of the Foreign Assistance Act of 1961, and for other purposes, to remain available until September 30, 2005, unless otherwise specified herein, as follows:

UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

CHILD SURVIVAL AND HEALTH PROGRAMS FUND

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses to carry out the provisions of chapters 1 and 10 of part I of the Foreign Assistance Act of 1961, for child survival, health, and family planning/reproductive health activities, in addition to funds otherwise available for such purposes, $1,550,000,000, to remain available until September 30, 2006: Provided, That this amount shall be made available for such activities as: (1) immunization programs; (2) oral rehydration programs; (3) health, nutrition, water and sanitation programs which directly address the needs of mothers and children, and related education programs; (4) assistance for children displaced or orphaned by causes other than AIDS; (5) programs for the prevention, treatment, control of, and research on HIV/AIDS, tuberculosis, polio, malaria, and other infectious diseases, and for assistance to communities severely affected by HIV/AIDS, including children displaced or orphaned by AIDS; and (6) family planning/reproductive health: Provided further, That none of the funds appropriated under this heading may be made available for nonproject assistance, except that funds may be made available for such assistance for ongoing health activities: Provided further, That of the funds appropriated under this heading, not to exceed $250,000, in addition to funds otherwise available for such purposes, may be used to monitor and provide oversight of child survival, maternal and family planning/reproductive health, and infectious disease programs: Provided further, That the following amounts should be allocated as follows: $345,000,000 for child survival and maternal health; $30,000,000 for vulnerable children; $350,000,000 for HIV/AIDS including not less than $30,000,000 to support the development of microbicides as a means for combating HIV/AIDS; $200,000,000 for other infectious diseases; and $375,000,000 for family planning/reproductive health, including in areas where population growth threatens biodiversity or endangered species: Provided further, That of the funds appropriated under this heading, and in addition to funds allocated under the previous proviso, not less than $250,000,000 shall be made available, notwithstanding any other provision of law, except for the United States Leadership Against HIV/AIDS, Tuberculosis and Malaria Act of 2003 (Public Law 108–25), for a United States contribution to the Global Fund to Fight AIDS, Tuberculosis and Malaria (the "Global Fund"), and shall be expended at the minimum rate necessary to make timely payment for projects and activities: Provided further, That of the funds appropriated under this heading in the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2004, that were withheld from obligation to the Global Fund, not less than $87,800,000 shall be made available to the Global Fund, notwithstanding section 202(d)(4) of Public Law 108–25 which required such withholding from the Global Fund in fiscal year 2004: Provided further, That the funds made available in the previous proviso shall be subject to any withholding required by section 202(d)(4) of Public Law 108–25 for contributions made to the Global Fund in fiscal year 2005: Provided further, That up to 5 percent of the aggregate amount of funds made available to

the Global Fund in fiscal year 2005 may be made available to the United States Agency for International Development for technical assistance related to the activities of the Global Fund: Provided further, That of the funds appropriated under this heading that are available for HIV/AIDS programs and activities, not less than $27,000,000 should be made available for the International AIDS Vaccine Initiative: Provided further, That of the funds appropriated under this heading, $65,000,000 should be made available for a United States contribution to The Vaccine Fund, and up to $6,000,000 may be transferred to and merged with funds appropriated by this Act under the heading "Operating Expenses of the United States Agency for International Development" for costs directly related to international health, but funds made available for such costs may not be derived from amounts made available for contribution under this and preceding provisos: Provided further, That none of the funds made available in this Act nor any unobligated balances from prior appropriations may be made available to any organization or program which, as determined by the President of the United States, supports or participates in the management of a program of coercive abortion or involuntary sterilization: Provided further, That none of the funds made available under this Act may be used to pay for the performance of abortion as a method of family planning or to motivate or coerce any person to practice abortions: Provided further, That nothing in this paragraph shall be construed to alter any existing statutory prohibitions against abortion under section 104 of the Foreign Assistance Act of 1961: Provided further, That none of the funds made available under this Act may be used to lobby for or against abortion: Provided further, That in order to reduce reliance on abortion in developing nations, funds shall be available only to voluntary family planning projects which offer, either directly or through referral to, or information about access to, a broad range of family planning methods and services, and that any such voluntary family planning project shall meet the following requirements: (1) service providers or referral agents in the project shall not implement or be subject to quotas, or other numerical targets, of total number of births, number of family planning acceptors, or acceptors of a particular method of family planning (this provision shall not be construed to include the use of quantitative estimates or indicators for budgeting and planning purposes); (2) the project shall not include payment of incentives, bribes, gratuities, or financial reward to: (A) an individual in exchange for becoming a family planning acceptor; or (B) program personnel for achieving a numerical target or quota of total number of births, number of family planning acceptors, or acceptors of a particular method of family planning; (3) the project shall not deny any right or benefit, including the right of access to participate in any program of general welfare or the right of access to health care, as a consequence of any individual's decision not to accept family planning services; (4) the project shall provide family planning acceptors comprehensible information on the health benefits and risks of the method chosen, including those conditions that might render the use of the method inadvisable and those adverse side effects known to be consequent to the use of the method; and (5) the project shall ensure that experimental contraceptive drugs and devices and medical procedures are provided only in the context of a scientific study in which partici-

pants are advised of potential risks and benefits; and, not less than 60 days after the date on which the Administrator of the United States Agency for International Development determines that there has been a violation of the requirements contained in paragraph (1), (2), (3), or (5) of this proviso, or a pattern or practice of violations of the requirements contained in paragraph (4) of this proviso, the Administrator shall submit to the Committees on Appropriations a report containing a description of such violation and the corrective action taken by the Agency: Provided further, That in awarding grants for natural family planning under section 104 of the Foreign Assistance Act of 1961 no applicant shall be discriminated against because of such applicant's religious or conscientious commitment to offer only natural family planning; and, additionally, all such applicants shall comply with the requirements of the previous proviso: Provided further, That for purposes of this or any other Act authorizing or appropriating funds for foreign operations, export financing, and related programs, the term "motivate", as it relates to family planning assistance, shall not be construed to prohibit the provision, consistent with local law, of information or counseling about all pregnancy options: Provided further, That to the maximum extent feasible, taking into consideration cost, timely availability, and best health practices, funds appropriated in this Act or prior appropriations Acts that are made available for condom procurement shall be made available only for the procurement of condoms manufactured in the United States: Provided further, That information provided about the use of condoms as part of projects or activities that are funded from amounts appropriated by this Act shall be medically accurate and shall include the public health benefits and failure rates of such use.

DEVELOPMENT ASSISTANCE

For necessary expenses of the United States Agency for International Development to carry out the provisions of sections 103, 105, 106, and 131, and chapter 10 of part I of the Foreign Assistance Act of 1961, $1,460,000,000, to remain available until September 30, 2006: Provided, That $194,000,000 should be allocated for trade capacity building: Provided further, That $300,000,000 should be allocated for basic education: Provided further, That of the funds appropriated under this heading and managed by the United States Agency for International Development Bureau of Democracy, Conflict, and Humanitarian Assistance, not less than $15,000,000 shall be made available only for programs to improve women's leadership capacity in recipient countries: Provided further, That such funds may not be made available for construction: Provided further, That of the aggregate amount of the funds appropriated by this Act that are made available for agriculture and rural development programs, $25,000,000 should be made available for plant biotechnology research and development: Provided further, That not less than $2,300,000 should be made available for core support for the International Fertilizer Development Center: Provided further, That of the funds appropriated under this heading, not less than $20,000,000 should be made available for the American Schools and Hospitals Abroad program: Provided further, That of the funds appropriated under this heading that are made available for assistance programs for displaced and orphaned children

and victims of war, not to exceed $37,500, in addition to funds otherwise available for such purposes, may be used to monitor and provide oversight of such programs: Provided further, That funds appropriated under this heading should be made available for programs in sub-Saharan Africa to address sexual and gender-based violence: Provided further, That of the funds appropriated under this heading, $2,000,000 should be made available to develop clean water treatment activities in developing countries: Provided further, That of the funds appropriated by this Act, $100,000,000 shall be made available for drinking water supply projects and related activities.

INTERNATIONAL DISASTER AND FAMINE ASSISTANCE

For necessary expenses of the United States Agency for International Development to carry out the provisions of section 491 of the Foreign Assistance Act of 1961 for international disaster relief, rehabilitation, and reconstruction assistance, $335,500,000, to remain available until expended.

In addition, for necessary expenses for assistance for famine prevention and relief, including for mitigation of the effects of famine, $34,500,000, to remain available until expended: Provided, That such funds shall be made available utilizing the general authorities of section 491 of the Foreign Assistance Act of 1961, and shall be in addition to amounts otherwise available for such purposes: Provided further, That funds appropriated by this paragraph shall be available for obligation subject to prior consultation with the Committees on Appropriations.

TRANSITION INITIATIVES

For necessary expenses for international disaster rehabilitation and reconstruction assistance pursuant to section 491 of the Foreign Assistance Act of 1961, $49,000,000, to remain available until expended, to support transition to democracy and to long-term development of countries in crisis: Provided, That such support may include assistance to develop, strengthen, or preserve democratic institutions and processes, revitalize basic infrastructure, and foster the peaceful resolution of conflict: Provided further, That the United States Agency for International Development shall submit a report to the Committees on Appropriations at least 5 days prior to beginning a new program of assistance: Provided further, That if the President determines that is important to the national interests of the United States to provide transition assistance in excess of the amount appropriated under this heading, up to $15,000,000 of the funds appropriated by this Act to carry out the provisions of part I of the Foreign Assistance Act of 1961 may be used for purposes of this heading and under the authorities applicable to funds appropriated under this heading: Provided further, That funds made available pursuant to the previous proviso shall be made available subject to prior consultation with the Committees on Appropriations.

DEVELOPMENT CREDIT AUTHORITY

(INCLUDING TRANSFER OF FUNDS)

For the cost of direct loans and loan guarantees provided by the United States Agency for International Development, as authorized by sections 108 and 635 of the Foreign Assistance Act of 1961, funds may be derived by transfer from funds appropriated by this Act to carry out part I of such Act and under the heading "Assistance for Eastern Europe and the Baltic States": Provided, That such funds shall not exceed $21,000,000, which shall be made available only for micro and small enterprise programs, urban programs, and other programs which further the purposes of part I of the Act: Provided further, That such costs, including the cost of modifying such direct and guaranteed loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: Provided further, That funds made available by this paragraph may be used for the cost of modifying any such guaranteed loans under this Act or prior Acts, and funds used for such costs shall be subject to the regular notification procedures of the Committees on Appropriations: Provided further, That the provisions of section 107A(d) (relating to general provisions applicable to the Development Credit Authority) of the Foreign Assistance Act of 1961, as contained in section 306 of H.R. 1486 as reported by the House Committee on International Relations on May 9, 1997, shall be applicable to direct loans and loan guarantees provided under this heading.

In addition, for administrative expenses to carry out credit programs administered by the United States Agency for International Development, $8,000,000, which may be transferred to and merged with the appropriation for Operating Expenses of the United States Agency for International Development: Provided, That funds made available under this heading shall remain available until September 30, 2007.

PAYMENT TO THE FOREIGN SERVICE RETIREMENT AND DISABILITY FUND

For payment to the "Foreign Service Retirement and Disability Fund", as authorized by the Foreign Service Act of 1980, $42,500,000.

OPERATING EXPENSES OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

For necessary expenses to carry out the provisions of section 667 of the Foreign Assistance Act of 1961, $618,000,000, of which up to $25,000,000 may remain available until September 30, 2006: Provided, That none of the funds appropriated under this heading and under the heading "Capital Investment Fund" may be made available to finance the construction (including architect and engineering services), purchase, or long-term lease of offices for use by the United States Agency for International Development, unless the Administrator has identified such proposed construction (including architect and engineering services), purchase, or long-term lease of offices in a report submitted to the Committees on Appropriations at least 15 days prior to the obligation of these funds for such purposes: Provided further, That the previous proviso shall not apply

where the total cost of construction (including architect and engineering services), purchase, or long-term lease of offices does not exceed $1,000,000: Provided further, That contracts or agreements entered into with funds appropriated under this heading may entail commitments for the expenditure of such funds through fiscal year 2006: Provided further, That none of the funds in this Act may be used to open a new overseas mission of the United States Agency for International Development without the prior written notification of the Committees on Appropriations: Provided further, That the authority of sections 610 and 109 of the Foreign Assistance Act of 1961 may be exercised by the Secretary of State to transfer funds appropriated to carry out chapter 1 of part I of such Act to "Operating Expenses of the United States Agency for International Development" in accordance with the provisions of those sections.

CAPITAL INVESTMENT FUND

For necessary expenses for overseas construction and related costs, and for the procurement and enhancement of information technology and related capital investments, pursuant to section 667 of the Foreign Assistance Act of 1961, $59,000,000, to remain available until expended: Provided, That this amount is in addition to funds otherwise available for such purposes: Provided further, That funds appropriated under this heading shall be available for obligation only pursuant to the regular notification procedures of the Committees on Appropriations: Provided further, That of the amounts appropriated under this heading, not to exceed $19,709,000 may be made available for the purposes of implementing the Capital Security Cost Sharing Program.

OPERATING EXPENSES OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT OFFICE OF INSPECTOR GENERAL

For necessary expenses to carry out the provisions of section 667 of the Foreign Assistance Act of 1961, $35,000,000, to remain available until September 30, 2006, which sum shall be available for the Office of the Inspector General of the United States Agency for International Development.

OTHER BILATERAL ECONOMIC ASSISTANCE

ECONOMIC SUPPORT FUND

For necessary expenses to carry out the provisions of chapter 4 of part II, $2,482,500,000, to remain available until September 30, 2006: Provided, That of the funds appropriated under this heading, not less than $360,000,000 shall be available only for Israel, which sum shall be available on a grant basis as a cash transfer and shall be disbursed within 30 days of the enactment of this Act: Provided further, That not less than $535,000,000 shall be available only for Egypt, which sum shall be provided on a grant basis, and of which sum cash transfer assistance shall be provided with the understanding that Egypt will undertake significant economic reforms which are additional to those which were undertaken in previous fiscal years, and of which $200,000,000 should be provided as Commodity Import Program assistance: Provided further, That with respect to the provision of assistance for Egypt for democracy and governance activities, the organizations implementing such assistance

and the specific nature of that assistance shall not be subject to the prior approval by the Government of Egypt: Provided further, That in exercising the authority to provide cash transfer assistance for Israel, the President shall ensure that the level of such assistance does not cause an adverse impact on the total level of nonmilitary exports from the United States to such country and that Israel enters into a side letter agreement in an amount proportional to the fiscal year 1999 agreement: Provided further, That of the funds appropriated under this heading, not less than $250,000,000 should be made available only for assistance for Jordan: Provided further, That $13,500,000 of the funds appropriated under this heading shall be made available for Cyprus to be used only for scholarships, administrative support of the scholarship program, bicommunal projects, and measures aimed at reunification of the island and designed to reduce tensions and promote peace and cooperation between the two communities on Cyprus: Provided further, That $35,000,000 of the funds appropriated under this heading shall be made available for assistance for Lebanon, of which not less than $4,000,000 should be made available for scholarships and direct support of American educational institutions in Lebanon: Provided further, That funds appropriated under this heading may be used, notwithstanding any other provision of law, to provide assistance to the National Democratic Alliance of Sudan to strengthen its ability to protect civilians from attacks, slave raids, and aerial bombardment by the Sudanese Government forces and its militia allies, and the provision of such funds shall be subject to the regular notification procedures of the Committees on Appropriations: Provided further, That in the previous proviso, the term "assistance" includes non-lethal, non-food aid such as blankets, medicine, fuel, mobile clinics, water drilling equipment, communications equipment to notify civilians of aerial bombardment, non-military vehicles, tents, and shoes: Provided further, That not to exceed $200,000,000 of the funds appropriated under this heading may be used for the costs, as defined in section 502 of the Congressional Budget Act of 1974, of modifying direct loans and guarantees for Pakistan: Provided further, That amounts that are made available under the previous proviso for the costs of modifying direct loans and guarantees shall not be considered "assistance" for the purposes of provisions of law limiting assistance to a country: Provided further, That of the funds appropriated under this heading, not less than $22,000,000 shall be made available for assistance for the Democratic Republic of Timor-Leste, of which up to $1,000,000 may be available for administrative expenses of the United States Agency for International Development: Provided further, That of the funds available under this heading for assistance for Indonesia, $3,000,000 should be made available to promote freedom of the media in Indonesia: Provided further, That of the funds appropriated under this heading, $5,000,000 shall be made available to continue to support the provision of wheelchairs for needy persons in developing countries: Provided further, That funds appropriated under this heading that are made available for a Middle East Financing Facility, Middle East Enterprise Fund, or any other similar entity in the Middle East shall be subject to the regular notification procedures of the Committees on Appropriations: Provided further, That with respect to funds appropriated under this heading in this Act or prior Acts

making appropriations for foreign operations, export financing, and related programs, the responsibility for policy decisions and justifications for the use of such funds, including whether there will be a program for a country that uses those funds and the amount of each such program, shall be the responsibility of the Secretary of State and the Deputy Secretary of State and this responsibility shall not be delegated.

INTERNATIONAL FUND FOR IRELAND

For necessary expenses to carry out the provisions of chapter 4 of part II of the Foreign Assistance Act of 1961, $18,500,000, which shall be available for the United States contribution to the International Fund for Ireland and shall be made available in accordance with the provisions of the Anglo-Irish Agreement Support Act of 1986 (Public Law 99–415): Provided, That such amount shall be expended at the minimum rate necessary to make timely payment for projects and activities: Provided further, That funds made available under this heading shall remain available until September 30, 2006.

ASSISTANCE FOR EASTERN EUROPE AND THE BALTIC STATES

(a) For necessary expenses to carry out the provisions of the Foreign Assistance Act of 1961 and the Support for East European Democracy (SEED) Act of 1989, $396,600,000, to remain available until September 30, 2006, which shall be available, notwithstanding any other provision of law, for assistance and for related programs for Eastern Europe and the Baltic States: Provided, That of the funds appropriated under this heading that are made available for assistance for Bulgaria, $2,000,000 should be made available to enhance safety at nuclear power plants.

(b) Funds appropriated under this heading shall be considered to be economic assistance under the Foreign Assistance Act of 1961 for purposes of making available the administrative authorities contained in that Act for the use of economic assistance.

(c) The provisions of section 529 of this Act shall apply to funds appropriated under this heading: Provided, That notwithstanding any provision of this or any other Act, including provisions in this subsection regarding the application of section 529 of this Act, local currencies generated by, or converted from, funds appropriated by this Act and by previous appropriations Acts and made available for the economic revitalization program in Bosnia may be used in Eastern Europe and the Baltic States to carry out the provisions of the Foreign Assistance Act of 1961 and the Support for East European Democracy (SEED) Act of 1989.

(d) The President is authorized to withhold funds appropriated under this heading made available for economic revitalization programs in Bosnia and Herzegovina, if he determines and certifies to the Committees on Appropriations that the Federation of Bosnia and Herzegovina has not complied with article III of annex 1–A of the General Framework Agreement for Peace in Bosnia and Herzegovina concerning the withdrawal of foreign forces, and that intelligence cooperation on training, investigations, and related activities between state sponsors of terrorism and terrorist organizations and Bosnian officials has not been terminated.

ASSISTANCE FOR THE INDEPENDENT STATES OF THE FORMER SOVIET UNION

(a) For necessary expenses to carry out the provisions of chapters 11 and 12 of part I of the Foreign Assistance Act of 1961 and the FREEDOM Support Act, for assistance for the Independent States of the former Soviet Union and for related programs, $560,000,000, to remain available until September 30, 2006: Provided, That the provisions of such chapters shall apply to funds appropriated by this paragraph: Provided further, That funds made available for the Southern Caucasus region may be used, notwithstanding any other provision of law, for confidence-building measures and other activities in furtherance of the peaceful resolution of the regional conflicts, especially those in the vicinity of Abkhazia and Nagorno-Karabagh: Provided further, That of the funds appropriated under this heading, $3,859,000 should be available only to meet the health and other assistance needs of victims of trafficking in persons: Provided further, That of the funds appropriated under this heading, $17,500,000 shall be made available solely for assistance for the Russian Far East: Provided further, That, notwithstanding any other provision of law, funds appropriated under this heading in this Act or prior Acts making appropriations for foreign operations, export financing, and related programs, that are made available pursuant to the provisions of section 807 of Public Law 102–511 shall be subject to a 6 percent ceiling on administrative expenses.

(b) Of the funds appropriated under this heading that are made available for assistance for Ukraine, not less than $5,000,000 should be made available for nuclear reactor safety initiatives, and not less than $1,500,000 shall be made available for coal mine safety programs.

(c) Of the funds appropriated under this heading, not less than $55,000,000 should be made available, in addition to funds otherwise available for such purposes, for assistance for child survival, environmental and reproductive health, and to combat HIV/AIDS, tuberculosis and other infectious diseases, and for related activities.

(d)(1) Of the funds appropriated under this heading that are allocated for assistance for the Government of the Russian Federation, 60 percent shall be withheld from obligation until the President determines and certifies in writing to the Committees on Appropriations that the Government of the Russian Federation:

(A) has terminated implementation of arrangements to provide Iran with technical expertise, training, technology, or equipment necessary to develop a nuclear reactor, related nuclear research facilities or programs, or ballistic missile capability; and

(B) is providing full access to international non-government organizations providing humanitarian relief to refugees and internally displaced persons in Chechnya.

(2) Paragraph (1) shall not apply to—

(A) assistance to combat infectious diseases, child survival activities, or assistance for victims of trafficking in persons; and

(B) activities authorized under title V (Nonproliferation and Disarmament Programs and Activities) of the FREEDOM Support Act.

(e) Section 907 of the FREEDOM Support Act shall not apply to—

(1) activities to support democracy or assistance under title V of the FREEDOM Support Act and section 1424 of Public Law 104–201 or non-proliferation assistance;

(2) any assistance provided by the Trade and Development Agency under section 661 of the Foreign Assistance Act of 1961 (22 U.S.C. 2421);

(3) any activity carried out by a member of the United States and Foreign Commercial Service while acting within his or her official capacity;

(4) any insurance, reinsurance, guarantee or other assistance provided by the Overseas Private Investment Corporation under title IV of chapter 2 of part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2191 et seq.);

(5) any financing provided under the Export-Import Bank Act of 1945; or

(6) humanitarian assistance.

INDEPENDENT AGENCIES

INTER-AMERICAN FOUNDATION

For necessary expenses to carry out the functions of the Inter-American Foundation in accordance with the provisions of section 401 of the Foreign Assistance Act of 1969, $18,000,000, to remain available until September 30, 2006.

AFRICAN DEVELOPMENT FOUNDATION

For necessary expenses to carry out title V of the International Security and Development Cooperation Act of 1980, Public Law 96–533, $19,000,000, to remain available until September 30, 2006: Provided, That funds made available to grantees may be invested pending expenditure for project purposes when authorized by the board of directors of the Foundation: Provided further, That interest earned shall be used only for the purposes for which the grant was made: Provided further, That notwithstanding section 505(a)(2) of the African Development Foundation Act, in exceptional circumstances the board of directors of the Foundation may waive the $250,000 limitation contained in that section with respect to a project: Provided further, That the Foundation shall provide a report to the Committees on Appropriations after each time such waiver authority is exercised.

PEACE CORPS

For necessary expenses to carry out the provisions of the Peace Corps Act (75 Stat. 612), $320,000,000, including the purchase of not to exceed five passenger motor vehicles for administrative purposes for use outside of the United States: Provided, That none of the funds appropriated under this heading shall be used to pay for abortions: Provided further, That funds appropriated under this heading shall remain available until September 30, 2006.

MILLENNIUM CHALLENGE CORPORATION

For necessary expenses for the "Millennium Challenge Corporation", $1,500,000,000, to remain available until expended: Provided, That of the funds appropriated under this heading, up to $50,000,000 may be available for administrative expenses of the Millennium Challenge Corporation: Provided further, That none of the funds appropriated under this heading may be made available for the provision of assistance until the Chief Executive Officer of the Millennium Challenge Corporation provides a written budget justification to the Committees on Appropriations: Provided further, That up to 10 percent of the funds appropriated under this heading may be made available to carry out the purposes of section 616 of the Millennium Challenge Act of 2003: Provided further, That none of the funds available to carry out section 616 of such Act may be made available until the Chief Executive Officer of the Millennium Challenge Corporation provides a report to the Committees on Appropriations listing the candidate countries that will be receiving assistance under section 616 of such Act, the level of assistance proposed for each such country, a description of the proposed programs, projects and activities, and the implementing agency or agencies of the United States Government: Provided further, That section 605(e)(4) of the Millennium Challenge Act of 2003 shall apply to funds appropriated under this heading: Provided further, That funds appropriated under this heading, and funds appropriated under this heading in division D of Public Law 108–199, may be made available for a Millennium Challenge Compact entered into pursuant to section 609 of the Millennium Challenge Act of 2003 only if such Compact obligates, or contains a commitment to obligate subject to the availability of funds and the mutual agreement of the parties to the Compact to proceed, the entire amount of the United States Government funding anticipated for the duration of the Compact: Provided further, That the previous proviso shall be effective on the date of enactment of this Act.

DEPARTMENT OF STATE

GLOBAL HIV/AIDS INITIATIVE

For necessary expenses to carry out the provisions of the Foreign Assistance Act of 1961 for the prevention, treatment, and control of, and research on, HIV/AIDS, $1,385,000,000, to remain available until expended: Provided, That of the funds appropriated under this heading, not more than $8,818,000 may be made available for administrative expenses of the Office of the Coordinator of United States Government Activities to Combat HIV/AIDS Globally of the Department of State: Provided further, That of the funds appropriated under this heading, not less than $27,000,000 should be made available for a United States contribution to UNAIDS.

INTERNATIONAL NARCOTICS CONTROL AND LAW ENFORCEMENT

For necessary expenses to carry out section 481 of the Foreign Assistance Act of 1961, $328,820,000, to remain available until September 30, 2007: Provided, That during fiscal year 2005, the Department of State may also use the authority of section 608 of the Foreign Assistance Act of 1961, without regard to its restrictions, to

receive excess property from an agency of the United States Government for the purpose of providing it to a foreign country under chapter 8 of part I of that Act subject to the regular notification procedures of the Committees on Appropriations: Provided further, That the Secretary of State shall provide to the Committees on Appropriations not later than 45 days after the date of the enactment of this Act and prior to the initial obligation of funds appropriated under this heading, a report on the proposed uses of all funds under this heading on a country-by-country basis for each proposed program, project, or activity: Provided further, That of the funds appropriated under this heading, not less than $11,900,000 should be made available for training programs and activities of the International Law Enforcement Academies: Provided further, That of the funds appropriated under this heading, not less than $4,000,000 should be made available for assistance for the Philippines for police training and other related activities: Provided further, That $10,000,000 of the funds appropriated under this heading shall be made available for demand reduction programs: Provided further, That $40,000,000 of the funds appropriated under this heading should be made available for assistance for Mexico: Provided further, That $10,500,000 of the funds appropriated under this heading should be made available for assistance for countries and programs in Africa: Provided further, That of the funds appropriated under this heading, $3,000,000 shall be made available for assistance for the Government of Malta for the purchase of helicopters to enhance its ability to control its borders and deter terrorists: Provided further, That of the funds appropriated under this heading, not more than $30,300,000 may be available for administrative expenses.

ANDEAN COUNTERDRUG INITIATIVE

For necessary expenses to carry out section 481 of the Foreign Assistance Act of 1961 to support counterdrug activities in the Andean region of South America, $731,000,000, to remain available until September 30, 2007: Provided, That in fiscal year 2005, funds available to the Department of State for assistance to the Government of Colombia shall be available to support a unified campaign against narcotics trafficking, against activities by organizations designated as terrorist organizations such as the Revolutionary Armed Forces of Colombia (FARC), the National Liberation Army (ELN), and the United Self-Defense Forces of Colombia (AUC), and to take actions to protect human health and welfare in emergency circumstances, including undertaking rescue operations: Provided further, That this authority shall cease to be effective if the Secretary of State has credible evidence that the Colombian Armed Forces are not conducting vigorous operations to restore government authority and respect for human rights in areas under the effective control of paramilitary and guerrilla organizations: Provided further, That the President shall ensure that if any helicopter procured with funds under this heading is used to aid or abet the operations of any illegal self-defense group or illegal security cooperative, such helicopter shall be immediately returned to the United States: Provided further, That none of the funds appropriated by this Act may be made available to support a Peruvian air interdiction program until the Secretary of State and Director of Central Intelligence certify to the

Congress, 30 days before any resumption of United States involvement in a Peruvian air interdiction program, that an air interdiction program that permits the ability of the Peruvian Air Force to shoot down aircraft will include enhanced safeguards and procedures to prevent the occurrence of any incident similar to the April 20, 2001 incident: Provided further, That the Secretary of State, in consultation with the Administrator of the United States Agency for International Development, shall provide to the Committees on Appropriations not later than 45 days after the date of the enactment of this Act and prior to the initial obligation of funds appropriated under this heading, a report on the proposed uses of all funds under this heading on a country-by-country basis for each proposed program, project, or activity: Provided further, That of the funds appropriated under this heading, not less than $264,600,000 shall be made available for alternative development/institution building, of which $237,000,000 shall be apportioned directly to the United States Agency for International Development, including $125,700,000 for assistance for Colombia: Provided further, That with respect to funds apportioned to the United States Agency for International Development under the previous proviso, the responsibility for policy decisions for the use of such funds, including what activities will be funded and the amount of funds that will be provided for each of those activities, shall be the responsibility of the Administrator of the United States Agency for International Development in consultation with the Assistant Secretary of State for International Narcotics and Law Enforcement Affairs: Provided further, That of the funds appropriated under this heading, not less than $6,000,000 should be made available for judicial reform programs in Colombia: Provided further, That of the funds appropriated under this heading, in addition to funds made available pursuant to the previous proviso, not less than $6,000,000 shall be made available to the United States Agency for International Development for organizations and programs to protect human rights: Provided further, That funds made available in this Act for demobilization/reintegration of members of foreign terrorist organizations in Colombia shall be subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations: Provided further, That not more than 20 percent of the funds appropriated by this Act that are used for the procurement of chemicals for aerial coca and poppy fumigation programs may be made available for such programs unless the Secretary of State certifies to the Committees on Appropriations that: (1) the herbicide mixture is being used in accordance with EPA label requirements for comparable use in the United States and with Colombian laws; and (2) the herbicide mixture, in the manner it is being used, does not pose unreasonable risks or adverse effects to humans or the environment: Provided further, That such funds may not be made available unless the Secretary of State certifies to the Committees on Appropriations that complaints of harm to health or licit crops caused by such fumigation are evaluated and fair compensation is being paid for meritorious claims: Provided further, That such funds may not be made available for such purposes unless programs are being implemented by the United States Agency for International Development, the Government of Colombia, or other organizations, in consultation with local communities, to provide alternative sources of income in

areas where security permits for small-acreage growers whose illicit crops are targeted for fumigation: Provided further, That of the funds appropriated under this heading, $2,000,000 should be made available through nongovernmental organizations for programs to protect biodiversity and indigenous reserves in Colombia: Provided further, That funds appropriated by this Act may be used for aerial fumigation in Colombia's national parks or reserves only if the Secretary of State determines that it is in accordance with Colombian laws and that there are no effective alternatives to reduce drug cultivation in these areas: Provided further, That section 482(b) of the Foreign Assistance Act of 1961 shall not apply to funds appropriated under this heading: Provided further, That assistance provided with funds appropriated under this heading that is made available notwithstanding section 482(b) of the Foreign Assistance Act of 1961 shall be made available subject to the regular notification procedures of the Committees on Appropriations: Provided further, That no United States Armed Forces personnel or United States civilian contractor employed by the United States will participate in any combat operation in connection with assistance made available by this Act for Colombia: Provided further, That funds appropriated under this heading that are available for assistance for the Bolivian military and police may be made available for such purposes only if the Bolivian military and police are respecting human rights and cooperating with civilian judicial authorities, and the Bolivian Government is prosecuting and punishing those responsible for violations of human rights: Provided further, That of the funds appropriated under this heading, not more than $16,285,000 may be available for administrative expenses of the Department of State, and not more than $7,800,000 may be available, in addition to amounts otherwise available for such purposes, for administrative expenses of the United States Agency for International Development.

MIGRATION AND REFUGEE ASSISTANCE

For expenses, not otherwise provided for, necessary to enable the Secretary of State to provide, as authorized by law, a contribution to the International Committee of the Red Cross, assistance to refugees, including contributions to the International Organization for Migration and the United Nations High Commissioner for Refugees, and other activities to meet refugee and migration needs; salaries and expenses of personnel and dependents as authorized by the Foreign Service Act of 1980; allowances as authorized by sections 5921 through 5925 of title 5, United States Code; purchase and hire of passenger motor vehicles; and services as authorized by section 3109 of title 5, United States Code, $770,000,000, which shall remain available until expended: Provided, That not more than $22,000,000 may be available for administrative expenses: Provided further, That not less than $50,000,000 of the funds made available under this heading shall be made available for refugees from the former Soviet Union and Eastern Europe and other refugees resettling in Israel: Provided further, That funds appropriated under this heading may be made available for a headquarters contribution to the International Committee of the Red Cross only if the Secretary of State determines (and so reports to the appropriate committees of Congress) that the Magen David Adom Society of Israel is not being

denied participation in the activities of the International Red Cross and Red Crescent Movement.

UNITED STATES EMERGENCY REFUGEE AND MIGRATION ASSISTANCE FUND

For necessary expenses to carry out the provisions of section 2(c) of the Migration and Refugee Assistance Act of 1962, as amended (22 U.S.C. 2601(c)), $30,000,000, to remain available until expended: Provided, That funds made available under this heading are appropriated notwithstanding the provisions contained in section 2(c)(2) of such Act which would limit the amount of funds which could be appropriated for this purpose.

NONPROLIFERATION, ANTI-TERRORISM, DEMINING AND RELATED PROGRAMS

For necessary expenses for nonproliferation, anti-terrorism, demining and related programs and activities, $402,000,000, to carry out the provisions of chapter 8 of part II of the Foreign Assistance Act of 1961 for anti-terrorism assistance, chapter 9 of part II of the Foreign Assistance Act of 1961, section 504 of the FREEDOM Support Act, section 23 of the Arms Export Control Act or the Foreign Assistance Act of 1961 for demining activities, the clearance of unexploded ordnance, the destruction of small arms, and related activities, notwithstanding any other provision of law, including activities implemented through nongovernmental and international organizations, and section 301 of the Foreign Assistance Act of 1961 for a voluntary contribution to the International Atomic Energy Agency (IAEA), and for a United States contribution to the Comprehensive Nuclear Test Ban Treaty Preparatory Commission: Provided, That of this amount not to exceed $32,000,000, to remain available until expended, may be made available for the Nonproliferation and Disarmament Fund, notwithstanding any other provision of law, to promote bilateral and multilateral activities relating to nonproliferation and disarmament: Provided further, That such funds may also be used for such countries other than the Independent States of the former Soviet Union and international organizations when it is in the national security interest of the United States to do so: Provided further, That funds appropriated under this heading may be made available for the International Atomic Energy Agency only if the Secretary of State determines (and so reports to the Congress) that Israel is not being denied its right to participate in the activities of that Agency: Provided further, That funds available during fiscal year 2005 for a contribution to the Comprehensive Nuclear Test Ban Treaty Preparatory Commission and that are not necessary to make the United States contribution to the Commission in the amount assessed for fiscal year 2005 shall be made available for a voluntary contribution to the International Atomic Energy Agency and shall remain available until September 30, 2006: Provided further, That of the funds made available for demining and related activities, not to exceed $690,000, in addition to funds otherwise available for such purposes, may be used for administrative expenses related to the operation and management of the demining program: Provided further, That funds appropriated under this heading that are available for "Anti-terrorism Assist-

ance" and "Export Control and Border Security" shall remain available until September 30, 2006.

DEPARTMENT OF THE TREASURY

INTERNATIONAL AFFAIRS TECHNICAL ASSISTANCE

For necessary expenses to carry out the provisions of section 129 of the Foreign Assistance Act of 1961, $19,000,000, to remain available until September 30, 2007, which shall be available notwithstanding any other provision of law.

DEBT RESTRUCTURING

For the cost, as defined in section 502 of the Congressional Budget Act of 1974, of modifying loans and loan guarantees, as the President may determine, for which funds have been appropriated or otherwise made available for programs within the International Affairs Budget Function 150, including the cost of selling, reducing, or canceling amounts owed to the United States as a result of concessional loans made to eligible countries, pursuant to parts IV and V of the Foreign Assistance Act of 1961, and of modifying concessional credit agreements with least developed countries, as authorized under section 411 of the Agricultural Trade Development and Assistance Act of 1954, as amended, and concessional loans, guarantees and credit agreements, as authorized under section 572 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1989 (Public Law 100–461), and of canceling amounts owed, as a result of loans or guarantees made pursuant to the Export-Import Bank Act of 1945, by countries that are eligible for debt reduction pursuant to title V of H.R. 3425 as enacted into law by section 1000(a)(5) of Public Law 106–113, $100,000,000, to remain available until September 30, 2007: Provided, That not less than $20,000,000 of the funds appropriated under this heading shall be made available to carry out the provisions of part V of the Foreign Assistance Act of 1961: Provided further, That up to $75,000,000 of the funds appropriated under this heading may be used by the Secretary of the Treasury to pay to the Heavily Indebted Poor Countries (HIPC) Trust Fund administered by the International Bank for Reconstruction and Development amounts for the benefit of countries that are eligible for debt reduction pursuant to title V of H.R. 3425 as enacted into law by section 1000(a)(5) of Public Law 106–113: Provided further, That amounts paid to the HIPC Trust Fund may be used only to fund debt reduction under the enhanced HIPC initiative by—

(1) the Inter-American Development Bank;

(2) the African Development Fund;

(3) the African Development Bank; and

(4) the Central American Bank for Economic Integration:

Provided further, That funds may not be paid to the HIPC Trust Fund for the benefit of any country if the Secretary of State has credible evidence that the government of such country is engaged in a consistent pattern of gross violations of internationally recognized human rights or in military or civil conflict that undermines its ability to develop and implement measures to alleviate poverty and to devote adequate human and financial resources to that end: Provided further, That on the basis of final appropriations, the Sec-

retary of the Treasury shall consult with the Committees on Appropriations concerning which countries and international financial institutions are expected to benefit from a United States contribution to the HIPC Trust Fund during the fiscal year: Provided further, That the Secretary of the Treasury shall inform the Committees on Appropriations not less than 15 days in advance of the signature of an agreement by the United States to make payments to the HIPC Trust Fund of amounts for such countries and institutions: Provided further, That the Secretary of the Treasury may disburse funds designated for debt reduction through the HIPC Trust Fund only for the benefit of countries that—

(1) have committed, for a period of 24 months, not to accept new market-rate loans from the international financial institution receiving debt repayment as a result of such disbursement, other than loans made by such institutions to export-oriented commercial projects that generate foreign exchange which are generally referred to as "enclave" loans; and

(2) have documented and demonstrated their commitment to redirect their budgetary resources from international debt repayments to programs to alleviate poverty and promote economic growth that are additional to or expand upon those previously available for such purposes:

Provided further, That any limitation of subsection (e) of section 411 of the Agricultural Trade Development and Assistance Act of 1954 shall not apply to funds appropriated under this heading: Provided further, That none of the funds made available under this heading in this or any other appropriations Act shall be made available for Sudan or Burma unless the Secretary of the Treasury determines and notifies the Committees on Appropriations that a democratically elected government has taken office: Provided further, That none of the funds appropriated under this heading may be paid to the HIPC Trust Fund for the benefit of any country that has accepted loans from an international financial institution between such country's decision point and completion point: Provided further, That the terms "decision point" and "completion point" shall have the same meaning as defined by the International Monetary Fund.

TITLE III—MILITARY ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

INTERNATIONAL MILITARY EDUCATION AND TRAINING

For necessary expenses to carry out the provisions of section 541 of the Foreign Assistance Act of 1961, $89,730,000, of which up to $3,000,000 may remain available until expended: Provided, That the civilian personnel for whom military education and training may be provided under this heading may include civilians who are not members of a government whose participation would contribute to improved civil-military relations, civilian control of the military, or respect for human rights: Provided further, That funds appropriated under this heading for military education and training for Guatemala may only be available for expanded international military education and training, and funds made available for Haiti, the Democratic Republic of the Congo, and Nigeria may only be pro-

vided through the regular notification procedures of the Committees on Appropriations.

FOREIGN MILITARY FINANCING PROGRAM

(INCLUDING TRANSFER OF FUNDS)

For expenses necessary for grants to enable the President to carry out the provisions of section 23 of the Arms Export Control Act, $4,783,500,000: Provided, That of the funds appropriated under this heading, not less than $2,220,000,000 shall be available for grants only for Israel, and not less than $1,300,000,000 shall be made available for grants only for Egypt: Provided further, That the funds appropriated by this paragraph for Israel shall be disbursed within 30 days of the enactment of this Act: Provided further, That to the extent that the Government of Israel requests that funds be used for such purposes, grants made available for Israel by this paragraph shall, as agreed by Israel and the United States, be available for advanced weapons systems, of which not less than $580,000,000 shall be available for the procurement in Israel of defense articles and defense services, including research and development: Provided further, That of the funds appropriated by this paragraph, $206,000,000 should be made available for assistance for Jordan: Provided further, That in addition to the funds appropriated under this heading, up to $150,000,000 for assistance for Pakistan may be derived by transfer from unobligated balances of funds appropriated under the headings "Economic Support Fund" and "Foreign Military Financing Program" in prior appropriations Acts and not otherwise designated in those Acts for a specific country, use, or purpose: Provided further, That of the funds appropriated under this heading, not more than $2,000,000 may be made available for assistance for Uganda and only for non-lethal military equipment if the Secretary of State determines and reports to the Committees on Appropriations that the Government of Uganda has made significant progress in: (1) the protection of human rights, especially preventing acts of torture; (2) the protection of civilians in northern and eastern Uganda; and (3) the professionalization of the Ugandan armed forces: Provided further, That funds appropriated or otherwise made available by this paragraph shall be nonrepayable notwithstanding any requirement in section 23 of the Arms Export Control Act: Provided further, That funds made available under this paragraph shall be obligated upon apportionment in accordance with paragraph (5)(C) of title 31, United States Code, section 1501(a).

None of the funds made available under this heading shall be available to finance the procurement of defense articles, defense services, or design and construction services that are not sold by the United States Government under the Arms Export Control Act unless the foreign country proposing to make such procurements has first signed an agreement with the United States Government specifying the conditions under which such procurements may be financed with such funds: Provided, That all country and funding level increases in allocations shall be submitted through the regular notification procedures of section 515 of this Act: Provided further, That none of the funds appropriated under this heading shall be available for assistance for Sudan and Guatemala: Provided fur-

ther, That none of the funds appropriated under this heading may be made available for assistance for Haiti except pursuant to the regular notification procedures of the Committees on Appropriations: Provided further, That funds made available under this heading may be used, notwithstanding any other provision of law, for demining, the clearance of unexploded ordnance, and related activities, and may include activities implemented through nongovernmental and international organizations: Provided further, That only those countries for which assistance was justified for the "Foreign Military Sales Financing Program" in the fiscal year 1989 congressional presentation for security assistance programs may utilize funds made available under this heading for procurement of defense articles, defense services or design and construction services that are not sold by the United States Government under the Arms Export Control Act: Provided further, That funds appropriated under this heading shall be expended at the minimum rate necessary to make timely payment for defense articles and services: Provided further, That not more than $40,000,000 of the funds appropriated under this heading may be obligated for necessary expenses, including the purchase of passenger motor vehicles for replacement only for use outside of the United States, for the general costs of administering military assistance and sales: Provided further, That not more than $367,000,000 of funds realized pursuant to section 21(e)(1)(A) of the Arms Export Control Act may be obligated for expenses incurred by the Department of Defense during fiscal year 2005 pursuant to section 43(b) of the Arms Export Control Act, except that this limitation may be exceeded only through the regular notification procedures of the Committees on Appropriations: Provided further, That foreign military financing program funds estimated to be outlayed for Egypt during fiscal year 2005 shall be transferred to an interest bearing account for Egypt in the Federal Reserve Bank of New York within 30 days of enactment of this Act.

PEACEKEEPING OPERATIONS

For necessary expenses to carry out the provisions of section 551 of the Foreign Assistance Act of 1961, $104,000,000: Provided, That none of the funds appropriated under this heading shall be obligated or expended except as provided through the regular notification procedures of the Committees on Appropriations.

TITLE IV—MULTILATERAL ECONOMIC ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

INTERNATIONAL FINANCIAL INSTITUTIONS

GLOBAL ENVIRONMENT FACILITY

For the United States contribution for the Global Environment Facility, $107,500,000 to the International Bank for Reconstruction and Development as trustee for the Global Environment Facility, by the Secretary of the Treasury, to remain available until expended.

CONTRIBUTION TO THE INTERNATIONAL DEVELOPMENT ASSOCIATION

For payment to the International Development Association by the Secretary of the Treasury, $850,000,000, to remain available until expended.

CONTRIBUTION TO THE ENTERPRISE FOR THE AMERICAS MULTILATERAL INVESTMENT FUND

For payment to the Enterprise for the Americas Multilateral Investment Fund by the Secretary of the Treasury, for the United States contribution to the fund, $11,000,000, to remain available until expended.

CONTRIBUTION TO THE ASIAN DEVELOPMENT FUND

For the United States contribution by the Secretary of the Treasury to the increase in resources of the Asian Development Fund, as authorized by the Asian Development Bank Act, as amended, $100,000,000, to remain available until expended.

CONTRIBUTION TO THE AFRICAN DEVELOPMENT BANK

For payment to the African Development Bank by the Secretary of the Treasury, $4,100,000, for the United States paid-in share of the increase in capital stock, to remain available until expended.

LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

The United States Governor of the African Development Bank may subscribe without fiscal year limitation for the callable capital portion of the United States share of such capital stock in an amount not to exceed $79,532,933.

CONTRIBUTION TO THE AFRICAN DEVELOPMENT FUND

For the United States contribution by the Secretary of the Treasury to the increase in resources of the African Development Fund, $106,000,000, to remain available until expended.

CONTRIBUTION TO THE EUROPEAN BANK FOR RECONSTRUCTION AND DEVELOPMENT

For payment to the European Bank for Reconstruction and Development by the Secretary of the Treasury, $35,431,111 for the United States share of the paid-in portion of the increase in capital stock, to remain available until expended.

LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

The United States Governor of the European Bank for Reconstruction and Development may subscribe without fiscal year limitation to the callable capital portion of the United States share of such capital stock in an amount not to exceed $121,996,662.

CONTRIBUTION TO THE INTERNATIONAL FUND FOR AGRICULTURAL DEVELOPMENT

For the United States contribution by the Secretary of the Treasury to increase the resources of the International Fund for Agricultural Development, $15,000,000, to remain available until expended.

INTERNATIONAL ORGANIZATIONS AND PROGRAMS

For necessary expenses to carry out the provisions of section 301 of the Foreign Assistance Act of 1961, and of section 2 of the United Nations Environment Program Participation Act of 1973, $328,394,000: Provided, That none of the funds appropriated under this heading may be made available to the International Atomic Energy Agency (IAEA).

TITLE V—GENERAL PROVISIONS

COMPENSATION FOR UNITED STATES EXECUTIVE DIRECTORS TO INTERNATIONAL FINANCIAL INSTITUTIONS

SEC. 501. (a) No funds appropriated by this Act may be made as payment to any international financial institution while the United States Executive Director to such institution is compensated by the institution at a rate which, together with whatever compensation such Director receives from the United States, is in excess of the rate provided for an individual occupying a position at level IV of the Executive Schedule under section 5315 of title 5, United States Code, or while any alternate United States Director to such institution is compensated by the institution at a rate in excess of the rate provided for an individual occupying a position at level V of the Executive Schedule under section 5316 of title 5, United States Code.

(b) For purposes of this section, "international financial institutions" are: the International Bank for Reconstruction and Development, the Inter-American Development Bank, the Asian Development Bank, the Asian Development Fund, the African Development Bank, the African Development Fund, the International Monetary Fund, the North American Development Bank, and the European Bank for Reconstruction and Development.

RESTRICTIONS ON VOLUNTARY CONTRIBUTIONS TO UNITED NATIONS AGENCIES

SEC. 502. None of the funds appropriated by this Act may be made available to pay any voluntary contribution of the United States to the United Nations (including the United Nations Development Program) if the United Nations implements or imposes any taxation on any United States persons.

LIMITATION ON RESIDENCE EXPENSES

SEC. 503. Of the funds appropriated or made available pursuant to this Act, not to exceed $100,500 shall be for official residence expenses of the United States Agency for International Development during the current fiscal year: Provided, That appropriate steps shall be taken to assure that, to the maximum extent possible, United States-owned foreign currencies are utilized in lieu of dollars.

LIMITATION ON EXPENSES

SEC. 504. Of the funds appropriated or made available pursuant to this Act, not to exceed $5,000 shall be for entertainment expenses of the United States Agency for International Development during the current fiscal year.

LIMITATION ON REPRESENTATIONAL ALLOWANCES

SEC. 505. Of the funds appropriated or made available pursuant to this Act, not to exceed $125,000 shall be available for representation allowances for the United States Agency for International Development during the current fiscal year: Provided, That appropriate steps shall be taken to assure that, to the maximum extent possible, United States-owned foreign currencies are utilized in lieu of dollars: Provided further, That of the funds made available by this Act for general costs of administering military assistance and sales under the heading "Foreign Military Financing Program", not to exceed $4,000 shall be available for entertainment expenses and not to exceed $130,000 shall be available for representation allowances: Provided further, That of the funds made available by this Act under the heading "International Military Education and Training", not to exceed $55,000 shall be available for entertainment allowances: Provided further, That of the funds made available by this Act for the Inter-American Foundation, not to exceed $2,000 shall be available for entertainment and representation allowances: Provided further, That of the funds made available by this Act for the Peace Corps, not to exceed a total of $4,000 shall be available for entertainment expenses: Provided further, That of the funds made available by this Act under the heading "Trade and Development Agency", not to exceed $4,000 shall be available for representation and entertainment allowances: Provided further, That of the funds made available by this Act under the heading "Millennium Challenge Corporation", not to exceed $115,000 shall be available for representation and entertainment allowances.

PROHIBITION ON TAXATION OF UNITED STATES ASSISTANCE

SEC. 506. (a) PROHIBITION ON TAXATION.—None of the funds appropriated by this Act may be made available to provide assistance for a foreign country under a new bilateral agreement governing the terms and conditions under which such assistance is to be provided unless such agreement includes a provision stating that assistance provided by the United States shall be exempt from taxation, or reimbursed, by the foreign government, and the Secretary of State shall expeditiously seek to negotiate amendments to existing bilateral agreements, as necessary, to conform with this requirement.

(b) REIMBURSEMENT OF FOREIGN TAXES.—An amount equivalent to 200 percent of the total taxes assessed during fiscal year 2005 on funds appropriated by this Act by a foreign government or entity against commodities financed under United States assistance programs for which funds are appropriated by this Act, either directly or through grantees, contractors and subcontractors shall be withheld from obligation from funds appropriated for assistance for fiscal year 2006 and allocated for the central government of such country and for the West Bank and Gaza Program to the extent that the Secretary of State certifies and reports in writing to the Committees on Appropriations that such taxes have not been reimbursed to the Government of the United States.

(c) DE MINIMIS EXCEPTION.—Foreign taxes of a de minimis nature shall not be subject to the provisions of subsection (b).

(d) REPROGRAMMING OF FUNDS.—Funds withheld from obligation for each country or entity pursuant to subsection (b) shall be reprogrammed for assistance to countries which do not assess taxes on United States assistance or which have an effective arrangement that is providing substantial reimbursement of such taxes.

(e) DETERMINATIONS.—

(1) The provisions of this section shall not apply to any country or entity the Secretary of State determines—

(A) does not assess taxes on United States assistance or which has an effective arrangement that is providing substantial reimbursement of such taxes; or

(B) the foreign policy interests of the United States outweigh the policy of this section to ensure that United States assistance is not subject to taxation.

(2) The Secretary of State shall consult with the Committees on Appropriations at least 15 days prior to exercising the authority of this subsection with regard to any country or entity.

(f) IMPLEMENTATION.—The Secretary of State shall issue rules, regulations, or policy guidance, as appropriate, to implement the prohibition against the taxation of assistance contained in this section.

(g) DEFINITIONS.—As used in this section—

(1) the terms "taxes" and "taxation" refer to value added taxes and customs duties imposed on commodities financed with United States assistance for programs for which funds are appropriated by this Act; and

(2) the term "bilateral agreement" refers to a framework bilateral agreement between the Government of the United States and the government of the country receiving assistance that describes the privileges and immunities applicable to United States foreign assistance for such country generally, or an individual agreement between the Government of the United States and such government that describes, among other things, the treatment for tax purposes that will be accorded the United States assistance provided under that agreement.

PROHIBITION AGAINST DIRECT FUNDING FOR CERTAIN COUNTRIES

SEC. 507. None of the funds appropriated or otherwise made available pursuant to this Act shall be obligated or expended to finance directly any assistance or reparations to Cuba, Libya, North Korea, Iran, or Syria: Provided, That for purposes of this section, the prohibition on obligations or expenditures shall include direct loans, credits, insurance and guarantees of the Export-Import Bank or its agents.

MILITARY COUPS

SEC. 508. None of the funds appropriated or otherwise made available pursuant to this Act shall be obligated or expended to finance directly any assistance to the government of any country whose duly elected head of government is deposed by decree or military coup: Provided, That assistance may be resumed to such government if the President determines and certifies to the Committees on Appropriations that subsequent to the termination of assistance a democratically elected government has taken office: Provided fur-

ther, That the provisions of this section shall not apply to assistance to promote democratic elections or public participation in democratic processes: Provided further, That funds made available pursuant to the previous provisos shall be subject to the regular notification procedures of the Committees on Appropriations.

TRANSFERS

SEC. 509. (a)(1) LIMITATION ON TRANSFERS BETWEEN AGENCIES.—None of the funds made available by this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriation Act.

(2) Notwithstanding paragraph (1), in addition to transfers made by, or authorized elsewhere in, this Act, funds appropriated by this Act to carry out the purposes of the Foreign Assistance Act of 1961 may be allocated or transferred to agencies of the United States Government pursuant to the provisions of sections 109, 610, and 632 of the Foreign Assistance Act of 1961.

(b) TRANSFERS BETWEEN ACCOUNTS.—None of the funds made available by this Act may be obligated under an appropriation account to which they were not appropriated, except for transfers specifically provided for in this Act, unless the President, not less than five days prior to the exercise of any authority contained in the Foreign Assistance Act of 1961 to transfer funds, consults with and provides a written policy justification to the Committees on Appropriations of the House of Representatives and the Senate.

(c) AUDIT OF INTER-AGENCY TRANSFERS.—Any agreement for the transfer or allocation of funds appropriated by this Act, or prior Acts, entered into between the United States Agency for International Development and another agency of the United States Government under the authority of section 632(a) of the Foreign Assistance Act of 1961 or any comparable provision of law, shall expressly provide that the Office of the Inspector General for the agency receiving the transfer or allocation of such funds shall perform periodic program and financial audits of the use of such funds: Provided, That funds transferred under such authority may be made available for the cost of such audits.

COMMERCIAL LEASING OF DEFENSE ARTICLES

SEC. 510. Notwithstanding any other provision of law, and subject to the regular notification procedures of the Committees on Appropriations, the authority of section 23(a) of the Arms Export Control Act may be used to provide financing to Israel, Egypt and NATO and major non-NATO allies for the procurement by leasing (including leasing with an option to purchase) of defense articles from United States commercial suppliers, not including Major Defense Equipment (other than helicopters and other types of aircraft having possible civilian application), if the President determines that there are compelling foreign policy or national security reasons for those defense articles being provided by commercial lease rather than by government-to-government sale under such Act.

AVAILABILITY OF FUNDS

SEC. 511. No part of any appropriation contained in this Act shall remain available for obligation after the expiration of the current fiscal year unless expressly so provided in this Act: Provided, That funds appropriated for the purposes of chapters 1, 8, 11, and 12 of part I, section 667, chapters 4, 6, 8, and 9 of part II of the Foreign Assistance Act of 1961, section 23 of the Arms Export Control Act, and funds provided under the heading "Assistance for Eastern Europe and the Baltic States", shall remain available for an additional four years from the date on which the availability of such funds would otherwise have expired, if such funds are initially obligated before the expiration of their respective periods of availability contained in this Act: Provided further, That, notwithstanding any other provision of this Act, any funds made available for the purposes of chapter 1 of part I and chapter 4 of part II of the Foreign Assistance Act of 1961 which are allocated or obligated for cash disbursements in order to address balance of payments or economic policy reform objectives, shall remain available until expended.

LIMITATION ON ASSISTANCE TO COUNTRIES IN DEFAULT

SEC. 512. No part of any appropriation contained in this Act shall be used to furnish assistance to the government of any country which is in default during a period in excess of one calendar year in payment to the United States of principal or interest on any loan made to the government of such country by the United States pursuant to a program for which funds are appropriated under this Act unless the President determines, following consultations with the Committees on Appropriations, that assistance to such country is in the national interest of the United States.

COMMERCE AND TRADE

SEC. 513. (a) None of the funds appropriated or made available pursuant to this Act for direct assistance and none of the funds otherwise made available pursuant to this Act to the Export-Import Bank and the Overseas Private Investment Corporation shall be obligated or expended to finance any loan, any assistance or any other financial commitments for establishing or expanding production of any commodity for export by any country other than the United States, if the commodity is likely to be in surplus on world markets at the time the resulting productive capacity is expected to become operative and if the assistance will cause substantial injury to United States producers of the same, similar, or competing commodity: Provided, That such prohibition shall not apply to the Export-Import Bank if in the judgment of its Board of Directors the benefits to industry and employment in the United States are likely to outweigh the injury to United States producers of the same, similar, or competing commodity, and the Chairman of the Board so notifies the Committees on Appropriations.

(b) None of the funds appropriated by this or any other Act to carry out chapter 1 of part I of the Foreign Assistance Act of 1961 shall be available for any testing or breeding feasibility study, variety improvement or introduction, consultancy, publication, conference, or training in connection with the growth or production in

a foreign country of an agricultural commodity for export which would compete with a similar commodity grown or produced in the United States: Provided, That this subsection shall not prohibit—

(1) activities designed to increase food security in developing countries where such activities will not have a significant impact on the export of agricultural commodities of the United States; or

(2) research activities intended primarily to benefit American producers.

SURPLUS COMMODITIES

SEC. 514. The Secretary of the Treasury shall instruct the United States Executive Directors of the International Bank for Reconstruction and Development, the International Development Association, the International Finance Corporation, the Inter-American Development Bank, the International Monetary Fund, the Asian Development Bank, the Inter-American Investment Corporation, the North American Development Bank, the European Bank for Reconstruction and Development, the African Development Bank, and the African Development Fund to use the voice and vote of the United States to oppose any assistance by these institutions, using funds appropriated or made available pursuant to this Act, for the production or extraction of any commodity or mineral for export, if it is in surplus on world markets and if the assistance will cause substantial injury to United States producers of the same, similar, or competing commodity.

NOTIFICATION REQUIREMENTS

SEC. 515. For the purposes of providing the executive branch with the necessary administrative flexibility, none of the funds made available under this Act for "Child Survival and Health Programs Fund", "Development Assistance", "International Organizations and Programs", "Trade and Development Agency", "International Narcotics Control and Law Enforcement", "Andean Counterdrug Initiative", "Assistance for Eastern Europe and the Baltic States", "Assistance for the Independent States of the Former Soviet Union", "Economic Support Fund", "Global HIV/AIDS Initiative", "Peacekeeping Operations", "Capital Investment Fund", "Operating Expenses of the United States Agency for International Development", "Operating Expenses of the United States Agency for International Development Office of Inspector General", "Nonproliferation, Anti-terrorism, Demining and Related Programs", "Millennium Challenge Corporation" (by country only), "Foreign Military Financing Program", "International Military Education and Training", "Peace Corps", and "Migration and Refugee Assistance", shall be available for obligation for activities, programs, projects, type of materiel assistance, countries, or other operations not justified or in excess of the amount justified to the Committees on Appropriations for obligation under any of these specific headings unless the Committees on Appropriations of both Houses of Congress are previously notified 15 days in advance: Provided, That the President shall not enter into any commitment of funds appropriated for the purposes of section 23 of the Arms Export Control Act for the provision of major defense equipment, other than conventional ammunition, or other major defense items defined to be aircraft, ships, missiles, or combat vehicles, not

previously justified to Congress or 20 percent in excess of the quantities justified to Congress unless the Committees on Appropriations are notified 15 days in advance of such commitment: Provided further, That this section shall not apply to any reprogramming for an activity, program, or project for which funds are appropriated under title II of this Act of less than 10 percent of the amount previously justified to the Congress for obligation for such activity, program, or project for the current fiscal year: Provided further, That the requirements of this section or any similar provision of this Act or any other Act, including any prior Act requiring notification in accordance with the regular notification procedures of the Committees on Appropriations, may be waived if failure to do so would pose a substantial risk to human health or welfare: Provided further, That in case of any such waiver, notification to the Congress, or the appropriate congressional committees, shall be provided as early as practicable, but in no event later than 3 days after taking the action to which such notification requirement was applicable, in the context of the circumstances necessitating such waiver: Provided further, That any notification provided pursuant to such a waiver shall contain an explanation of the emergency circumstances.

LIMITATION ON AVAILABILITY OF FUNDS FOR INTERNATIONAL ORGANIZATIONS AND PROGRAMS

SEC. 516. Subject to the regular notification procedures of the Committees on Appropriations, funds appropriated under this Act or any previously enacted Act making appropriations for foreign operations, export financing, and related programs, which are returned or not made available for organizations and programs because of the implementation of section 307(a) of the Foreign Assistance Act of 1961, shall remain available for obligation until September 30, 2006.

INDEPENDENT STATES OF THE FORMER SOVIET UNION

SEC. 517. (a) None of the funds appropriated under the heading "Assistance for the Independent States of the Former Soviet Union" shall be made available for assistance for a government of an Independent State of the former Soviet Union if that government directs any action in violation of the territorial integrity or national sovereignty of any other Independent State of the former Soviet Union, such as those violations included in the Helsinki Final Act: Provided, That such funds may be made available without regard to the restriction in this subsection if the President determines that to do so is in the national security interest of the United States.

(b) None of the funds appropriated under the heading "Assistance for the Independent States of the Former Soviet Union" shall be made available for any state to enhance its military capability: Provided, That this restriction does not apply to demilitarization, demining or nonproliferation programs.

(c) Funds appropriated under the heading "Assistance for the Independent States of the Former Soviet Union" for the Russian Federation, Armenia, Georgia, and Ukraine shall be subject to the regular notification procedures of the Committees on Appropriations.

(d) Funds made available in this Act for assistance for the Independent States of the former Soviet Union shall be subject to

the provisions of section 117 (relating to environment and natural resources) of the Foreign Assistance Act of 1961.

(e) In issuing new task orders, entering into contracts, or making grants, with funds appropriated in this Act or prior appropriations Acts under the heading "Assistance for the Independent States of the Former Soviet Union" and under comparable headings in prior appropriations Acts, for projects or activities that have as one of their primary purposes the fostering of private sector development, the Coordinator for United States Assistance to Europe and Eurasia and the implementing agency shall encourage the participation of and give significant weight to contractors and grantees who propose investing a significant amount of their own resources (including volunteer services and in-kind contributions) in such projects and activities.

PROHIBITION OF FUNDING FOR ABORTIONS AND INVOLUNTARY STERILIZATION

SEC. 518. None of the funds made available to carry out part I of the Foreign Assistance Act of 1961, as amended, may be used to pay for the performance of abortions as a method of family planning or to motivate or coerce any person to practice abortions. None of the funds made available to carry out part I of the Foreign Assistance Act of 1961, as amended, may be used to pay for the performance of involuntary sterilization as a method of family planning or to coerce or provide any financial incentive to any person to undergo sterilizations. None of the funds made available to carry out part I of the Foreign Assistance Act of 1961, as amended, may be used to pay for any biomedical research which relates in whole or in part, to methods of, or the performance of, abortions or involuntary sterilization as a means of family planning. None of the funds made available to carry out part I of the Foreign Assistance Act of 1961, as amended, may be obligated or expended for any country or organization if the President certifies that the use of these funds by any such country or organization would violate any of the above provisions related to abortions and involuntary sterilizations.

EXPORT FINANCING TRANSFER AUTHORITIES

SEC. 519. Not to exceed 5 percent of any appropriation other than for administrative expenses made available for fiscal year 2005, for programs under title I of this Act may be transferred between such appropriations for use for any of the purposes, programs, and activities for which the funds in such receiving account may be used, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 25 percent by any such transfer: Provided, That the exercise of such authority shall be subject to the regular notification procedures of the Committees on Appropriations.

SPECIAL NOTIFICATION REQUIREMENTS

SEC. 520. None of the funds appropriated by this Act shall be obligated or expended for Liberia, Serbia, Sudan, Zimbabwe, Pakistan, or Cambodia except as provided through the regular notification procedures of the Committees on Appropriations.

DEFINITION OF PROGRAM, PROJECT, AND ACTIVITY

SEC. 521. For the purpose of this Act, "program, project, and activity" shall be defined at the appropriations Act account level and shall include all appropriations and authorizations Acts earmarks, ceilings, and limitations with the exception that for the following accounts: Economic Support Fund and Foreign Military Financing Program, "program, project, and activity" shall also be considered to include country, regional, and central program level funding within each such account; for the development assistance accounts of the United States Agency for International Development "program, project, and activity" shall also be considered to include central, country, regional, and program level funding, either as: (1) justified to the Congress; or (2) allocated by the executive branch in accordance with a report, to be provided to the Committees on Appropriations within 30 days of the enactment of this Act, as required by section 653(a) of the Foreign Assistance Act of 1961.

CHILD SURVIVAL AND HEALTH ACTIVITIES

SEC. 522. Up to $13,500,000 of the funds made available by this Act for assistance under the heading "Child Survival and Health Programs Fund", may be used to reimburse United States Government agencies, agencies of State governments, institutions of higher learning, and private and voluntary organizations for the full cost of individuals (including for the personal services of such individuals) detailed or assigned to, or contracted by, as the case may be, the United States Agency for International Development for the purpose of carrying out activities under that heading: Provided, That up to $3,500,000 of the funds made available by this Act for assistance under the heading "Development Assistance" may be used to reimburse such agencies, institutions, and organizations for such costs of such individuals carrying out other development assistance activities: Provided further, That funds appropriated by titles II and III of this Act that are made available for bilateral assistance for child survival activities or disease programs including activities relating to research on, and the prevention, treatment and control of, HIV/AIDS may be made available notwithstanding any other provision of law except for the provisions under the heading "Child Survival and Health Programs Fund" and the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003 (117 Stat. 711; 22 U.S.C. 7601 et seq.), as amended: Provided further, That of the funds appropriated under title II of this Act, not less than $441,000,000 shall be made available for family planning/reproductive health.

AFGHANISTAN

SEC. 523. Of the funds appropriated by titles II and III of this Act, not less than $980,000,000 should be made available for humanitarian, reconstruction, and related assistance for Afghanistan: Provided, That of the funds made available pursuant to this section, not less than $2,000,000 should be made available for reforestation activities: Provided further, That funds made available pursuant to the previous proviso should be matched, to the maximum extent possible, with contributions from American and Afghan businesses: Provided further, That of the funds made available pursuant to this

section, not less than $2,000,000 should be made available for the Afghan Independent Human Rights Commission and for other Afghan human rights organizations: Provided further, That to the maximum extent practicable members of the Afghan National Army should be vetted for involvement in terrorism, human rights violations, and drug trafficking: Provided further, That of the funds allocated for assistance for Afghanistan from this Act and other Acts making appropriations for foreign operations, export financing, and related programs for fiscal year 2005, not less than $50,000,000 should be made available to support programs that directly address the needs of Afghan women and girls, of which not less than $7,500,000 shall be made available for small grants to support training and equipment to improve the capacity of women-led Afghan nongovernmental organizations and to support the activities of such organizations.

NOTIFICATION ON EXCESS DEFENSE EQUIPMENT

SEC. 524. Prior to providing excess Department of Defense articles in accordance with section 516(a) of the Foreign Assistance Act of 1961, the Department of Defense shall notify the Committees on Appropriations to the same extent and under the same conditions as are other committees pursuant to subsection (f) of that section: Provided, That before issuing a letter of offer to sell excess defense articles under the Arms Export Control Act, the Department of Defense shall notify the Committees on Appropriations in accordance with the regular notification procedures of such Committees if such defense articles are significant military equipment (as defined in section 47(9) of the Arms Export Control Act) or are valued (in terms of original acquisition cost) at $7,000,000 or more, or if notification is required elsewhere in this Act for the use of appropriated funds for specific countries that would receive such excess defense articles: Provided further, That such Committees shall also be informed of the original acquisition cost of such defense articles.

HIV/AIDS

SEC. 525. (a)(1) Notwithstanding any other provision of this Act, 25 percent of the funds that are appropriated by this Act for a contribution to support the Global Fund to Fight AIDS, Tuberculosis and Malaria (the "Global Fund") shall be withheld from obligation to the Global Fund until the Secretary of State certifies to the Committees on Appropriations that the Global Fund—

(A) is establishing a full time, professional, independent office which reports directly to the Global Fund Board regarding, among other things, the integrity of processes for consideration and approval of grant proposals, and the implementation, monitoring and evaluation of grants made by the Global Fund;

(B) is strengthening domestic civil society participation, especially for people living with HIV/AIDS, in country coordinating mechanisms;

(C) is establishing procedures to assess the need for, and coordinate, technical assistance for Global Fund activities, in cooperation with bilateral and multilateral donors;

(D) has established clear progress indicators upon which to determine the release of incremental disbursements;

(E) is releasing such incremental disbursements only if positive results have been attained based on those indicators; and

(F) is providing support and oversight to country-level entities, such as country coordinating mechanisms, principal recipients, and local Fund agents, to enable them to fulfill their mandates.

(2) The Secretary of State may waive paragraph (1) of this subsection if he determines and reports to the Committees on Appropriations that such waiver is important to the national interest of the United States.

(b)(1) In furtherance of the purposes of section 104A of the Foreign Assistance Act of 1961, and to assist in providing a safe, secure, reliable, and sustainable supply chain of pharmaceuticals and other products needed to provide care and treatment of persons with HIV/AIDS and related infections, the Coordinator of the United States Government Activities to Combat HIV/AIDS Globally (the "Coordinator") is authorized to establish an HIV/AIDS Working Capital Fund (in this section referred to as the "HIV/AIDS Fund").

(2) Funds deposited during any fiscal year in the HIV/AIDS Fund shall be available without fiscal year limitation and used for pharmaceuticals and other products needed to provide care and treatment of persons with HIV/AIDS and related infections, including, but not limited to—

(A) anti-retroviral drugs;

(B) other pharmaceuticals and medical items needed to provide care and treatment to persons with HIV/AIDS and related infections;

(C) laboratory and other supplies for performing tests related to the provision of care and treatment to persons with HIV/AIDS and related infections;

(D) other medical supplies needed for the operation of HIV/AIDS treatment and care centers, including products needed in programs for the prevention of mother-to-child transmission;

(E) pharmaceuticals and health commodities needed for the provision of palliative care; and

(F) laboratory and clinical equipment, as well as equipment needed for the transportation and care of HIV/AIDS supplies, and other equipment needed to provide prevention, care and treatment of HIV/AIDS described above.

(3) There may be deposited during any fiscal year in the HIV/AIDS Fund payments for HIV/AIDS pharmaceuticals and products provided from the HIV/AIDS Fund received from applicable appropriations and funds of the United States Agency for International Development, the Department of Health and Human Services, the Department of Defense, or other Federal agencies and other sources at actual cost of the HIV/AIDS pharmaceuticals and other products, actual cost plus the additional costs of providing such HIV/AIDS pharmaceuticals and other products, or at any other price agreed to by the Coordinator or his designee.

(4) There may be deposited in the HIV/AIDS Fund payments for the loss of, or damage to, HIV/AIDS pharmaceuticals and products held in the HIV/AIDS Fund, rebates, reimbursements, refunds and other credits applicable to the operation of the HIV/AIDS Fund.

(5) At the close of each fiscal year the Coordinator may transfer out of the HIV/AIDS Fund to other HIV/AIDS programmatic areas such amounts as the Coordinator determines to be in excess of the needs of the HIV/AIDS Fund.

(6) At the close of each fiscal year the Coordinator shall submit a report to the Committees on Appropriations detailing the financial activities of the HIV/AIDS Fund, including sources of income and information regarding disbursements.

DEMOCRACY PROGRAMS

SEC. 526. (a) Notwithstanding any other provision of law, of the funds appropriated by this Act to carry out the provisions of chapter 4 of part II of the Foreign Assistance Act of 1961, not less than $19,000,000 shall be made available for assistance for activities to support democracy, human rights, and the rule of law in the People's Republic of China and Hong Kong: Provided, That funds appropriated under the heading "Economic Support Fund" should be made available for assistance for Taiwan for the purposes of furthering political and legal reforms: Provided further, That such funds shall only be made available to the extent that they are matched from sources other than the United States Government: Provided further, That funds made available pursuant to the authority of this subsection shall be subject to the regular notification procedures of the Committees on Appropriations.

(b)(1) In addition to the funds made available in subsection (a), of the funds appropriated by this Act under the heading "Economic Support Fund" not less than $15,000,000 shall be made available for programs and activities to foster democracy, human rights, civic education, women's development, press freedom, and the rule of law in countries with a significant Muslim population, and where such programs and activities would be important to United States efforts to respond to, deter, or prevent acts of international terrorism: Provided, That funds made available pursuant to the authority of this subsection should support new initiatives and activities in those countries: Provided further, That of the funds appropriated under this heading, $3,000,000 shall be made available for programs and activities that provide professional training for journalists: Provided further, That notwithstanding any other provision of law, not less than $3,000,000 of such funds may be used for making grants to educational, humanitarian and nongovernmental organizations and individuals inside Iran to support the advancement of democracy and human rights in Iran: Provided further, That notwithstanding any other provision of law, funds appropriated pursuant to the authority of this subsection may be made available for democracy, human rights, and rule of law programs for Syria: Provided further, That funds made available pursuant to this subsection shall be subject to the regular notification procedures of the Committees on Appropriations.

(2) In addition to funds made available under subsections (a) and (b)(1), of the funds appropriated by this Act under the heading "Economic Support Fund" not less than $4,500,000 shall be made available for programs and activities of the National Endowment for Democracy to foster democracy, human rights, civic education, women's development, press freedom, and the rule of law in countries in sub-Saharan Africa.

(c) Of the funds made available under subsection (a), not less than $15,000,000 shall be made available for the Human Rights and Democracy Fund of the Bureau of Democracy, Human Rights and Labor, Department of State, to support the activities described in subsection (a), and of the funds made available under subsection (b)(1), not less than $11,000,000 shall be made available for such Fund to support the activities described in subsection (b)(1): Provided, That up to $1,200,000 may be used for the Reagan/Fascell Democracy Fellows program: Provided further, That the total amount of funds made available by this Act under "Economic Support Fund" for activities of the Bureau of Democracy, Human Rights and Labor, Department of State, including funds available in this section, shall be not less than $37,000,000.

(d) Of the funds made available under subsection (a), not less than $4,000,000 shall be made available for the National Endowment for Democracy to support the activities described in subsection (a), and of the funds made available under subsection (b)(1), not less than $4,000,000 shall be made available for the National Endowment for Democracy to support the activities described in subsection (b)(1): Provided, That the Secretary of State shall provide a report to the Committees on Appropriations within 120 days of the date of enactment of this Act on the status of the allocation and obligation of such funds.

PROHIBITION ON BILATERAL ASSISTANCE TO TERRORIST COUNTRIES

SEC. 527. (a) Funds appropriated for bilateral assistance under any heading of this Act and funds appropriated under any such heading in a provision of law enacted prior to the enactment of this Act, shall not be made available to any country which the President determines—

(1) grants sanctuary from prosecution to any individual or group which has committed an act of international terrorism; or

(2) otherwise supports international terrorism.

(b) The President may waive the application of subsection (a) to a country if the President determines that national security or humanitarian reasons justify such waiver. The President shall publish each waiver in the Federal Register and, at least 15 days before the waiver takes effect, shall notify the Committees on Appropriations of the waiver (including the justification for the waiver) in accordance with the regular notification procedures of the Committees on Appropriations.

DEBT-FOR-DEVELOPMENT

SEC. 528. In order to enhance the continued participation of nongovernmental organizations in debt-for-development and debt-for-nature exchanges, a nongovernmental organization which is a grantee or contractor of the United States Agency for International Development may place in interest bearing accounts local currencies which accrue to that organization as a result of economic assistance provided under title II of this Act and, subject to the regular notification procedures of the Committees on Appropriations, any interest earned on such investment shall be used for the purpose for which the assistance was provided to that organization.

SEPARATE ACCOUNTS

SEC. 529. (a) SEPARATE ACCOUNTS FOR LOCAL CURRENCIES.—(1) If assistance is furnished to the government of a foreign country under chapters 1 and 10 of part I or chapter 4 of part II of the Foreign Assistance Act of 1961 under agreements which result in the generation of local currencies of that country, the Administrator of the United States Agency for International Development shall—

(A) require that local currencies be deposited in a separate account established by that government;

(B) enter into an agreement with that government which sets forth—

(i) the amount of the local currencies to be generated; and

(ii) the terms and conditions under which the currencies so deposited may be utilized, consistent with this section; and

(C) establish by agreement with that government the responsibilities of the United States Agency for International Development and that government to monitor and account for deposits into and disbursements from the separate account.

(2) USES OF LOCAL CURRENCIES.—As may be agreed upon with the foreign government, local currencies deposited in a separate account pursuant to subsection (a), or an equivalent amount of local currencies, shall be used only—

(A) to carry out chapter 1 or 10 of part I or chapter 4 of part II (as the case may be), for such purposes as—

(i) project and sector assistance activities; or

(ii) debt and deficit financing; or

(B) for the administrative requirements of the United States Government.

(3) PROGRAMMING ACCOUNTABILITY.—The United States Agency for International Development shall take all necessary steps to ensure that the equivalent of the local currencies disbursed pursuant to subsection (a)(2)(A) from the separate account established pursuant to subsection (a)(1) are used for the purposes agreed upon pursuant to subsection (a)(2).

(4) TERMINATION OF ASSISTANCE PROGRAMS.—Upon termination of assistance to a country under chapter 1 or 10 of part I or chapter 4 of part II (as the case may be), any unencumbered balances of funds which remain in a separate account established pursuant to subsection (a) shall be disposed of for such purposes as may be agreed to by the government of that country and the United States Government.

(5) REPORTING REQUIREMENT.—The Administrator of the United States Agency for International Development shall report on an annual basis as part of the justification documents submitted to the Committees on Appropriations on the use of local currencies for the administrative requirements of the United States Government as authorized in subsection (a)(2)(B), and such report shall include the amount of local currency (and United States dollar equivalent) used and/or to be used for such purpose in each applicable country.

(b) SEPARATE ACCOUNTS FOR CASH TRANSFERS.—(1) If assistance is made available to the government of a foreign country, under chapter 1 or 10 of part I or chapter 4 of part II of the Foreign

Assistance Act of 1961, as cash transfer assistance or as nonproject sector assistance, that country shall be required to maintain such funds in a separate account and not commingle them with any other funds.

(2) APPLICABILITY OF OTHER PROVISIONS OF LAW.—Such funds may be obligated and expended notwithstanding provisions of law which are inconsistent with the nature of this assistance including provisions which are referenced in the Joint Explanatory Statement of the Committee of Conference accompanying House Joint Resolution 648 (House Report No. 98–1159).

(3) NOTIFICATION.—At least 15 days prior to obligating any such cash transfer or nonproject sector assistance, the President shall submit a notification through the regular notification procedures of the Committees on Appropriations, which shall include a detailed description of how the funds proposed to be made available will be used, with a discussion of the United States interests that will be served by the assistance (including, as appropriate, a description of the economic policy reforms that will be promoted by such assistance).

(4) EXEMPTION.—Nonproject sector assistance funds may be exempt from the requirements of subsection (b)(1) only through the notification procedures of the Committees on Appropriations.

ENTERPRISE FUND RESTRICTIONS

SEC. 530. (a) Prior to the distribution of any assets resulting from any liquidation, dissolution, or winding up of an Enterprise Fund, in whole or in part, the President shall submit to the Committees on Appropriations, in accordance with the regular notification procedures of the Committees on Appropriations, a plan for the distribution of the assets of the Enterprise Fund.

(b) Funds made available by this Act for Enterprise Funds shall be expended at the minimum rate necessary to make timely payment for projects and activities.

BURMA

SEC. 531. (a) The Secretary of the Treasury shall instruct the United States executive director to each appropriate international financial institution in which the United States participates, to oppose and vote against the extension by such institution of any loan or financial or technical assistance or any other utilization of funds of the respective bank to and for Burma.

(b) Of the funds appropriated under the heading "Economic Support Fund", not less than $8,000,000 shall be made available to support democracy activities in Burma, along the Burma-Thailand border, for activities of Burmese student groups and other organizations located outside Burma, and for the purpose of supporting the provision of humanitarian assistance to displaced Burmese along Burma's borders: Provided, That funds made available under this heading may be made available notwithstanding any other provision of law: Provided further, That in addition to assistance for Burmese refugees provided under the heading "Migration and Refugee Assistance" in this Act, not less than $4,000,000 shall be allocated to the United States Agency for International Development for humanitarian assistance for displaced Burmese and host communities in Thailand: Provided further, That funds made available

under this section shall be subject to the regular notification procedures of the Committees on Appropriations.

(c) The President shall include amounts expended by the Global Fund to Fight AIDS, Tuberculosis and Malaria to the State Peace and Development Council in Burma, directly or through groups and organizations affiliated with the Global Fund, in making determinations regarding the amount to be withheld by the United States from its contribution to the Global Fund pursuant to section 202(d)(4)(A)(ii) of Public Law 108–25.

AUTHORITIES FOR THE PEACE CORPS, INTER-AMERICAN FOUNDATION AND AFRICAN DEVELOPMENT FOUNDATION

SEC. 532. Unless expressly provided to the contrary, provisions of this or any other Act, including provisions contained in prior Acts authorizing or making appropriations for foreign operations, export financing, and related programs, shall not be construed to prohibit activities authorized by or conducted under the Peace Corps Act, the Inter-American Foundation Act or the African Development Foundation Act. The agency shall promptly report to the Committees on Appropriations whenever it is conducting activities or is proposing to conduct activities in a country for which assistance is prohibited.

IMPACT ON JOBS IN THE UNITED STATES

SEC. 533. None of the funds appropriated by this Act may be obligated or expended to provide—

(1) any financial incentive to a business enterprise currently located in the United States for the purpose of inducing such an enterprise to relocate outside the United States if such incentive or inducement is likely to reduce the number of employees of such business enterprise in the United States because United States production is being replaced by such enterprise outside the United States; or

(2) assistance for any program, project, or activity that contributes to the violation of internationally recognized workers rights, as defined in section 507(4) of the Trade Act of 1974, of workers in the recipient country, including any designated zone or area in that country: Provided, That the application of section 507(4) (D) and (E) of such Act should be commensurate with the level of development of the recipient country and sector, and shall not preclude assistance for the informal sector in such country, micro and small-scale enterprise, and smallholder agriculture.

SPECIAL AUTHORITIES

SEC. 534. (a) AFGHANISTAN, PAKISTAN, LEBANON, MONTENEGRO, VICTIMS OF WAR, DISPLACED CHILDREN, AND DISPLACED BURMESE.—Funds appropriated by this Act that are made available for assistance for Afghanistan may be made available notwithstanding section 512 of this Act or any similar provision of law and section 660 of the Foreign Assistance Act of 1961, and funds appropriated in titles I and II of this Act that are made available for Lebanon, Montenegro, Pakistan, and for victims of war, displaced children, and displaced Burmese, and to assist victims of trafficking in persons and, subject to the regular notification procedures of the

Committees on Appropriations, to combat such trafficking, may be made available notwithstanding any other provision of law.

(b) TROPICAL FORESTRY AND BIODIVERSITY CONSERVATION ACTIVITIES.—Funds appropriated by this Act to carry out the provisions of sections 103 through 106, and chapter 4 of part II, of the Foreign Assistance Act of 1961 may be used, notwithstanding any other provision of law, for the purpose of supporting tropical forestry and biodiversity conservation activities and energy programs aimed at reducing greenhouse gas emissions: Provided, That such assistance shall be subject to sections 116, 502B, and 620A of the Foreign Assistance Act of 1961.

(c) PERSONAL SERVICES CONTRACTORS.—Funds appropriated by this Act to carry out chapter 1 of part I, chapter 4 of part II, and section 667 of the Foreign Assistance Act of 1961, and title II of the Agricultural Trade Development and Assistance Act of 1954, may be used by the United States Agency for International Development to employ up to 25 personal services contractors in the United States, notwithstanding any other provision of law, for the purpose of providing direct, interim support for new or expanded overseas programs and activities managed by the agency until permanent direct hire personnel are hired and trained: Provided, That not more than 10 of such contractors shall be assigned to any bureau or office: Provided further, That such funds appropriated to carry out title II of the Agricultural Trade Development and Assistance Act of 1954, may be made available only for personal services contractors assigned to the Office of Food for Peace.

(d)(1) WAIVER.—The President may waive the provisions of section 1003 of Public Law 100–204 if the President determines and certifies in writing to the Speaker of the House of Representatives and the President pro tempore of the Senate that it is important to the national security interests of the United States.

(2) PERIOD OF APPLICATION OF WAIVER.—Any waiver pursuant to paragraph (1) shall be effective for no more than a period of 6 months at a time and shall not apply beyond 12 months after the enactment of this Act.

(e) SMALL BUSINESS.—In entering into multiple award indefinite-quantity contracts with funds appropriated by this Act, the United States Agency for International Development may provide an exception to the fair opportunity process for placing task orders under such contracts when the order is placed with any category of small or small disadvantaged business.

(f) CONTINGENCIES.—During fiscal year 2005, the President may use up to $45,000,000 under the authority of section 451 of the Foreign Assistance Act of 1961, notwithstanding the funding ceiling in section 451(a).

(g) RECONSTITUTING CIVILIAN POLICE AUTHORITY.—In providing assistance with funds appropriated by this Act under section 660(b)(6) of the Foreign Assistance Act of 1961, support for a nation emerging from instability may be deemed to mean support for regional, district, municipal, or other sub-national entity emerging from instability, as well as a nation emerging from instability.

(h) WORLD FOOD PROGRAM.—Of the funds managed by the Bureau for Democracy, Conflict, and Humanitarian Assistance of the United States Agency for International Development, from this or any other Act, not less than $6,000,000 shall be made available as

a general contribution to the World Food Program, notwithstanding any other provision of law.

(i) NATIONAL ENDOWMENT FOR DEMOCRACY.—Funds appropriated by this Act that are provided to the National Endowment for Democracy may be provided notwithstanding any other provision of law or regulation.

(j) TECHNICAL AMENDMENT.—Section 201(a)(2) of the North Korean Human Rights Act of 2004 (Public Law 108–333) is amended by striking "paragraphs (1) through (4) of section 202(b)" and inserting "subparagraphs (A) through (D) of section 202(b)(1)".

(k) REPORT MODIFICATION.—Section 406(b)(4) of the Foreign Relations Authorization Act, Fiscal Years 1990 and 1991 (Public Law 101–246; 22 U.S.C. 2414a(b)(4)) is amended by inserting after "United States" the following: ", including a separate listing of all plenary votes cast by member countries of the United Nations in the General Assembly on resolutions specifically related to Israel that are opposed by the United States".

(l) UNIVERSITY PROGRAMS.—Notwithstanding any other provision of law, funds made available in this Act under the heading "Development Assistance" may be made available to American educational institutions for programs and activities in the People's Republic of China relating to the environment, democracy, and the rule of law: Provided, That funds made available pursuant to this authority shall be subject to the regular notification procedures of the Committees on Appropriations.

(m) INDOCHINESE PAROLEES.—Section 586 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2001 (8 U.S.C. 1255 note), as enacted into law by section 101(a) of Public Law 106–429, is amended—

(1) by striking "Attorney General" each place that term appears and inserting "Secretary of Homeland Security";

(2) in subsection (a)—

(A) in the matter preceding paragraph (1), by striking "she" and inserting "the Secretary of Homeland Security"; and

(B) in paragraph (1), by striking "within three years after the date of promulgation by the Attorney General of regulations in connection with this title";

(3) in subsection (c), by striking "212(8)(A)" and inserting "212(a)(8)(A)";

(4) by striking subsection (d);

(5) by redesignating subsections (e) and (f) as subsections (d) and (e), respectively;

(6) by adding at the end the following new subsection:

"(f) ADJUDICATION OF APPLICATIONS.—The Secretary of Homeland Security shall—

"(1) adjudicate applications for adjustment under this section, notwithstanding any limitation on the number of adjustments under this section or any deadline for such applications that previously existed in law or regulation; and

"(2) not charge a fee in addition to any fee that previously was submitted with such application."; and

(7) The amendments made by this subsection shall take effect as if enacted as part of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2001.

(n) EXTENSION OF AUTHORITY.—Public Law 107–57, as amended, is further amended—

(1) in section 1(b) by striking "2004" wherever appearing (including in the caption), and inserting in lieu thereof "2005";

(2) in section 3(2), by striking "and 2004" and inserting in lieu thereof "2004 and 2005"; and

(3) in section 6, by striking "2004" and inserting in lieu thereof "2005".

(o) ENDOWMENTS.—

(1) Of the funds appropriated by this Act and prior Acts making appropriations for foreign operations, export financing, and related programs, that are available for assistance for Cambodia, the following amounts should be made available as follows:

(A) $2,000,000 for an endowment for a Cambodian nongovernmental organization to document genocide and crimes against humanity in Cambodia; and

(B) $3,750,000 for an endowment for an American nongovernmental organization to sustain rehabilitation programs in Cambodia for persons suffering from physical disabilities.

(2) Such organizations may place amounts made available under this subsection in interest bearing accounts and any interest earned on such investment shall be used for the purpose for which funds were made available under this subsection.

(p) EXTENSION OF AUTHORITY.—Chapter 5 of title I of the Emergency Wartime Supplemental Appropriations Act, 2003 (Public Law 108–11), is amended under the heading "Loan Guarantees to Israel"—

(1) by striking "During the period beginning March 1, 2003, and ending September 30, 2005," and inserting "During the period beginning March 1, 2003, and ending September 30, 2007,"; and

(2) by striking "That if less than the full amount of guarantees authorized to be made available is issued prior to September 30, 2005," and inserting "That if less than the full amount of guarantees authorized to be made available is issued prior to September 30, 2007,".

(q) DEFINITION.—Section 603 of title VI of Division D of the Consolidated Appropriations Act, 2004, Public Law 108–199, is amended by adding the following paragraph:

"(8) INVESTMENTS IN THE PEOPLE.—The term "investments in the people" means government policies or programs of an eligible country that promote the health, education, and other factors which contribute to the well-being and productivity of their people, such as decent, affordable housing for all."

ARAB LEAGUE BOYCOTT OF ISRAEL

SEC. 535. It is the sense of the Congress that—

(1) the Arab League boycott of Israel, and the secondary boycott of American firms that have commercial ties with Israel, is an impediment to peace in the region and to United States investment and trade in the Middle East and North Africa;

(2) the Arab League boycott, which was regrettably reinstated in 1997, should be immediately and publicly terminated,

and the Central Office for the Boycott of Israel immediately disbanded;

(3) the three Arab League countries with diplomatic and trade relations with Israel should return their ambassadors to Israel, should refrain from downgrading their relations with Israel, and should play a constructive role in securing a peaceful resolution of the Israeli-Arab conflict;

(4) the remaining Arab League states should normalize relations with their neighbor Israel;

(5) the President and the Secretary of State should continue to vigorously oppose the Arab League boycott of Israel and find concrete steps to demonstrate that opposition by, for example, taking into consideration the participation of any recipient country in the boycott when determining to sell weapons to said country; and

(6) the President should report to Congress annually on specific steps being taken by the United States to encourage Arab League states to normalize their relations with Israel to bring about the termination of the Arab League boycott of Israel, including those to encourage allies and trading partners of the United States to enact laws prohibiting businesses from complying with the boycott and penalizing businesses that do comply.

ELIGIBILITY FOR ASSISTANCE

SEC. 536. (a) ASSISTANCE THROUGH NONGOVERNMENTAL ORGANIZATIONS.—Restrictions contained in this or any other Act with respect to assistance for a country shall not be construed to restrict assistance in support of programs of nongovernmental organizations from funds appropriated by this Act to carry out the provisions of chapters 1, 10, 11, and 12 of part I and chapter 4 of part II of the Foreign Assistance Act of 1961, and from funds appropriated under the heading "Assistance for Eastern Europe and the Baltic States": Provided, That before using the authority of this subsection to furnish assistance in support of programs of nongovernmental organizations, the President shall notify the Committees on Appropriations under the regular notification procedures of those committees, including a description of the program to be assisted, the assistance to be provided, and the reasons for furnishing such assistance: Provided further, That nothing in this subsection shall be construed to alter any existing statutory prohibitions against abortion or involuntary sterilizations contained in this or any other Act.

(b) PUBLIC LAW 480.—During fiscal year 2005, restrictions contained in this or any other Act with respect to assistance for a country shall not be construed to restrict assistance under the Agricultural Trade Development and Assistance Act of 1954: Provided, That none of the funds appropriated to carry out title I of such Act and made available pursuant to this subsection may be obligated or expended except as provided through the regular notification procedures of the Committees on Appropriations.

(c) EXCEPTION.—This section shall not apply—

(1) with respect to section 620A of the Foreign Assistance Act of 1961 or any comparable provision of law prohibiting assistance to countries that support international terrorism; or

(2) with respect to section 116 of the Foreign Assistance Act of 1961 or any comparable provision of law prohibiting assistance to the government of a country that violates internationally recognized human rights.

RESERVATIONS OF FUNDS

SEC. 537. (a) Funds appropriated by this Act which are earmarked may be reprogrammed for other programs within the same account notwithstanding the earmark if compliance with the earmark is made impossible by operation of any provision of this or any other Act: Provided, That any such reprogramming shall be subject to the regular notification procedures of the Committees on Appropriations: Provided further, That assistance that is reprogrammed pursuant to this subsection shall be made available under the same terms and conditions as originally provided.

(b) In addition to the authority contained in subsection (a), the original period of availability of funds appropriated by this Act and administered by the United States Agency for International Development that are earmarked for particular programs or activities by this or any other Act shall be extended for an additional fiscal year if the Administrator of such agency determines and reports promptly to the Committees on Appropriations that the termination of assistance to a country or a significant change in circumstances makes it unlikely that such earmarked funds can be obligated during the original period of availability: Provided, That such earmarked funds that are continued available for an additional fiscal year shall be obligated only for the purpose of such earmark.

CEILINGS AND EARMARKS

SEC. 538. Ceilings and earmarks contained in this Act shall not be applicable to funds or authorities appropriated or otherwise made available by any subsequent Act unless such Act specifically so directs. Earmarks or minimum funding requirements contained in any other Act shall not be applicable to funds appropriated by this Act.

PROHIBITION ON PUBLICITY OR PROPAGANDA

SEC. 539. No part of any appropriation contained in this Act shall be used for publicity or propaganda purposes within the United States not authorized before the date of the enactment of this Act by the Congress: Provided, That not to exceed $750,000 may be made available to carry out the provisions of section 316 of Public Law 96–533.

PROHIBITION OF PAYMENTS TO UNITED NATIONS MEMBERS

SEC. 540. None of the funds appropriated or made available pursuant to this Act for carrying out the Foreign Assistance Act of 1961, may be used to pay in whole or in part any assessments, arrearages, or dues of any member of the United Nations or, from funds appropriated by this Act to carry out chapter 1 of part I of the Foreign Assistance Act of 1961, the costs for participation of another country's delegation at international conferences held under the auspices of multilateral or international organizations.

NONGOVERNMENTAL ORGANIZATIONS—DOCUMENTATION

SEC. 541. None of the funds appropriated or made available pursuant to this Act shall be available to a nongovernmental organization which fails to provide upon timely request any document, file, or record necessary to the auditing requirements of the United States Agency for International Development.

PROHIBITION ON ASSISTANCE TO FOREIGN GOVERNMENTS THAT EXPORT LETHAL MILITARY EQUIPMENT TO COUNTRIES SUPPORTING INTERNATIONAL TERRORISM

SEC. 542. (a) None of the funds appropriated or otherwise made available by this Act may be available to any foreign government which provides lethal military equipment to a country the government of which the Secretary of State has determined is a terrorist government for purposes of section 6(j) of the Export Administration Act. The prohibition under this section with respect to a foreign government shall terminate 12 months after that government ceases to provide such military equipment. This section applies with respect to lethal military equipment provided under a contract entered into after October 1, 1997.

(b) Assistance restricted by subsection (a) or any other similar provision of law, may be furnished if the President determines that furnishing such assistance is important to the national interests of the United States.

(c) Whenever the waiver authority of subsection (b) is exercised, the President shall submit to the appropriate congressional committees a report with respect to the furnishing of such assistance. Any such report shall include a detailed explanation of the assistance to be provided, including the estimated dollar amount of such assistance, and an explanation of how the assistance furthers United States national interests.

WITHHOLDING OF ASSISTANCE FOR PARKING FINES AND REAL PROPERTY TAXES OWED BY FOREIGN COUNTRIES

SEC. 543. (a) Subject to subsection (c), of the funds appropriated by this Act that are made available for assistance for a foreign country, an amount equal to 110 percent of the total amount of the unpaid fully adjudicated parking fines and penalties and unpaid property taxes owed by the central government of such country shall be withheld from obligation for assistance for the central government of such country until the Secretary of State submits a certification to the appropriate congressional committees stating that such parking fines and penalties and unpaid property taxes are fully paid.

(b) Funds withheld from obligation pursuant to subsection (a) may be made available for other programs or activities funded by this Act, after consultation with and subject to the regular notification procedures of the appropriate congressional committees, provided that no such funds shall be made available for assistance for the central government of a foreign country that has not paid the total amount of the fully adjudicated parking fines and penalties and unpaid property taxes owed by such country.

(c) Subsection (a) shall not include amounts that have been withheld under any other provision of law.

(d)(1) The Secretary of State may waive the requirements set forth in subsection (a) with respect to parking fines and penalties no sooner than 60 days from the date of enactment of this Act, or at any time with respect to a particular country, if the Secretary determines that it is in the national interests of the United States to do so.

(2) The Secretary of State may waive the requirements set forth in subsection (a) with respect to the unpaid property taxes if the Secretary of State determines that it is in the national interests of the United States to do so.

(e) Not later than 6 months after the initial exercise of the waiver authority in subsection (d), the Secretary of State, after consultations with the City of New York, shall submit a report to the Committees on Appropriations describing a strategy, including a timetable and steps currently being taken, to collect the parking fines and penalties and unpaid property taxes and interest owed by nations receiving foreign assistance under this Act.

(f) In this section:

(1) The term "appropriate congressional committees" means the Committee on Appropriations of the Senate and the Committee on Appropriations of the House of Representatives.

(2) The term "fully adjudicated" includes circumstances in which the person to whom the vehicle is registered—

(A)(i) has not responded to the parking violation summons; or

(ii) has not followed the appropriate adjudication procedure to challenge the summons; and

(B) the period of time for payment of or challenge to the summons has lapsed.

(3) The term "parking fines and penalties" means parking fines and penalties—

(A) owed to—

(i) the District of Columbia; or

(ii) New York, New York; and

(B) incurred during the period April 1, 1997 through September 30, 2004.

(4) The term "unpaid property taxes" means the amount of unpaid taxes and interest determined to be owed by a foreign country on real property in the District of Columbia or New York, New York in a court order or judgment entered against such country by a court of the United States or any State or subdivision thereof.

LIMITATION ON ASSISTANCE FOR THE PLO FOR THE WEST BANK AND GAZA

SEC. 544. None of the funds appropriated by this Act may be obligated for assistance for the Palestine Liberation Organization for the West Bank and Gaza unless the President has exercised the authority under section 604(a) of the Middle East Peace Facilitation Act of 1995 (title VI of Public Law 104–107) or any other legislation to suspend or make inapplicable section 307 of the Foreign Assistance Act of 1961 and that suspension is still in effect: Provided, That if the President fails to make the certification under section 604(b)(2) of the Middle East Peace Facilitation Act of 1995 or to suspend the prohibition under other legislation, funds appropriated

by this Act may not be obligated for assistance for the Palestine Liberation Organization for the West Bank and Gaza.

WAR CRIMES TRIBUNALS DRAWDOWN

SEC. 545. If the President determines that doing so will contribute to a just resolution of charges regarding genocide or other violations of international humanitarian law, the President may direct a drawdown pursuant to section 552(c) of the Foreign Assistance Act of 1961 of up to $30,000,000 of commodities and services for the United Nations War Crimes Tribunal established with regard to the former Yugoslavia by the United Nations Security Council or such other tribunals or commissions as the Council may establish or authorize to deal with such violations, without regard to the ceiling limitation contained in paragraph (2) thereof: Provided, That the determination required under this section shall be in lieu of any determinations otherwise required under section 552(c): Provided further, That the drawdown made under this section for any tribunal shall not be construed as an endorsement or precedent for the establishment of any standing or permanent international criminal tribunal or court: Provided further, That funds made available for tribunals other than Yugoslavia, Rwanda, or the Special Court for Sierra Leone shall be made available subject to the regular notification procedures of the Committees on Appropriations.

LANDMINES

SEC. 546. Notwithstanding any other provision of law, demining equipment available to the United States Agency for International Development and the Department of State and used in support of the clearance of landmines and unexploded ordnance for humanitarian purposes may be disposed of on a grant basis in foreign countries, subject to such terms and conditions as the President may prescribe.

RESTRICTIONS CONCERNING THE PALESTINIAN AUTHORITY

SEC. 547. None of the funds appropriated by this Act may be obligated or expended to create in any part of Jerusalem a new office of any department or agency of the United States Government for the purpose of conducting official United States Government business with the Palestinian Authority over Gaza and Jericho or any successor Palestinian governing entity provided for in the Israel-PLO Declaration of Principles: Provided, That this restriction shall not apply to the acquisition of additional space for the existing Consulate General in Jerusalem: Provided further, That meetings between officers and employees of the United States and officials of the Palestinian Authority, or any successor Palestinian governing entity provided for in the Israel-PLO Declaration of Principles, for the purpose of conducting official United States Government business with such authority should continue to take place in locations other than Jerusalem. As has been true in the past, officers and employees of the United States Government may continue to meet in Jerusalem on other subjects with Palestinians (including those who now occupy positions in the Palestinian Authority), have social contacts, and have incidental discussions.

PROHIBITION OF PAYMENT OF CERTAIN EXPENSES

SEC. 548. None of the funds appropriated or otherwise made available by this Act under the heading "International Military Education and Training" or "Foreign Military Financing Program" for Informational Program activities or under the headings "Child Survival and Health Programs Fund", "Development Assistance", and "Economic Support Fund" may be obligated or expended to pay for—

(1) alcoholic beverages; or

(2) entertainment expenses for activities that are substantially of a recreational character, including but not limited to entrance fees at sporting events, theatrical and musical productions, and amusement parks.

HAITI

SEC. 549. (a) Of the funds appropriated by this Act, not less than the following amounts shall be made available for assistance for Haiti—

(1) $20,000,000 from "Child Survival and Health Programs Fund";

(2) $25,000,000 from "Development Assistance", of which funds should be made available for poverty reduction, agriculture, environment, and basic education programs; and

(3) $40,000,000 from "Economic Support Fund", of which funds should be made available for judicial reform programs, police training, and activities in support of national elections.

(b) The Government of Haiti shall be eligible to purchase defense articles and services under the Arms Export Control Act (22 U.S.C. 2751 et seq.), for the Coast Guard.

LIMITATION ON ASSISTANCE TO THE PALESTINIAN AUTHORITY

SEC. 550. (a) PROHIBITION OF FUNDS.—None of the funds appropriated by this Act to carry out the provisions of chapter 4 of part II of the Foreign Assistance Act of 1961 may be obligated or expended with respect to providing funds to the Palestinian Authority.

(b) WAIVER.—The prohibition included in subsection (a) shall not apply if the President certifies in writing to the Speaker of the House of Representatives and the President pro tempore of the Senate that waiving such prohibition is important to the national security interests of the United States.

(c) PERIOD OF APPLICATION OF WAIVER.—Any waiver pursuant to subsection (b) shall be effective for no more than a period of 6 months at a time and shall not apply beyond 12 months after the enactment of this Act.

(d) REPORT.—Whenever the waiver authority pursuant to subsection (b) is exercised, the President shall submit a report to the Committees on Appropriations detailing the steps the Palestinian Authority has taken to arrest terrorists, confiscate weapons and dismantle the terrorist infrastructure. The report shall also include a description of how funds will be spent and the accounting procedures in place to ensure that they are properly disbursed.

LIMITATION ON ASSISTANCE TO SECURITY FORCES

SEC. 551. None of the funds made available by this Act may be provided to any unit of the security forces of a foreign country if the Secretary of State has credible evidence that such unit has committed gross violations of human rights, unless the Secretary determines and reports to the Committees on Appropriations that the government of such country is taking effective measures to bring the responsible members of the security forces unit to justice: Provided, That nothing in this section shall be construed to withhold funds made available by this Act from any unit of the security forces of a foreign country not credibly alleged to be involved in gross violations of human rights: Provided further, That in the event that funds are withheld from any unit pursuant to this section, the Secretary of State shall promptly inform the foreign government of the basis for such action and shall, to the maximum extent practicable, assist the foreign government in taking effective measures to bring the responsible members of the security forces to justice.

FOREIGN MILITARY TRAINING REPORT

SEC. 552. The annual foreign military training report required by section 656 of the Foreign Assistance Act of 1961 shall be submitted by the Secretary of Defense and the Secretary of State to the Committees on Appropriations of the House of Representatives and the Senate by the date specified in that section.

AUTHORIZATION REQUIREMENT

SEC. 553. Funds appropriated by this Act, except funds appropriated under the headings "Trade and Development Agency", "Millennium Challenge Corporation", "Overseas Private Investment Corporation", and "Global HIV/AIDS Initiative", may be obligated and expended notwithstanding section 10 of Public Law 91–672 and section 15 of the State Department Basic Authorities Act of 1956.

CAMBODIA

SEC. 554. (a) The Secretary of the Treasury should instruct the United States executive directors of the international financial institutions to use the voice and vote of the United States to oppose loans to the Central Government of Cambodia, except loans to meet basic human needs.

(b)(1) None of the funds appropriated by this Act may be made available for assistance for the Central Government of Cambodia.

(2) Paragraph (1) shall not apply to assistance for basic education, reproductive and maternal and child health, cultural and historic preservation, programs for the prevention, treatment, and control of, and research on, HIV/AIDS, tuberculosis, malaria, polio and other infectious diseases, development and implementation of legislation and implementation of procedures on inter-country adoptions consistent with international standards, rule of law programs, counternarcotics programs, programs to combat human trafficking that are provided through nongovernmental organizations, and for the Ministry of Women and Veterans Affairs to combat human trafficking.

(c) Notwithstanding subsection (b), of the funds appropriated by this Act under the heading "Economic Support Fund", up to

$4,000,000 may be made available for activities to support democracy, including assistance for democratic political parties.

(d) Funds appropriated by this Act to carry out provisions of section 541 of the Foreign Assistance Act of 1961 may be made available notwithstanding subsection (b) only if at least 15 days prior to the obligation of such funds, the Secretary of State provides to the Committees on Appropriations a list of those individuals who have been credibly alleged to have ordered or carried out extrajudicial and political killings that occurred during the March 1997 grenade attack against the Khmer Nation Party.

(e) None of the funds appropriated or otherwise made available by this Act may be used to provide assistance to any tribunal established by the Government of Cambodia unless the Secretary of State determines and reports to the Committees on Appropriations that: (1) Cambodia's judiciary is competent, independent, free from widespread corruption, and its decisions are free from interference by the executive branch; and (2) the proposed tribunal is capable of delivering justice, that meets internationally recognized standards, for crimes against humanity and genocide in an impartial and credible manner.

PALESTINIAN STATEHOOD

SEC. 555. (a) LIMITATION ON ASSISTANCE.—None of the funds appropriated by this Act may be provided to support a Palestinian state unless the Secretary of State determines and certifies to the appropriate congressional committees that—

(1) a new leadership of a Palestinian governing entity has been democratically elected through credible and competitive elections;

(2) the elected governing entity of a new Palestinian state—

(A) has demonstrated a firm commitment to peaceful co-existence with the State of Israel;

(B) is taking appropriate measures to counter terrorism and terrorist financing in the West Bank and Gaza, including the dismantling of terrorist infrastructures;

(C) is establishing a new Palestinian security entity that is cooperative with appropriate Israeli and other appropriate security organizations; and

(3) the Palestinian Authority (or the governing body of a new Palestinian state) is working with other countries in the region to vigorously pursue efforts to establish a just, lasting, and comprehensive peace in the Middle East that will enable Israel and an independent Palestinian state to exist within the context of full and normal relationships, which should include—

(A) termination of all claims or states of belligerency;

(B) respect for and acknowledgement of the sovereignty, territorial integrity, and political independence of every state in the area through measures including the establishment of demilitarized zones;

(C) their right to live in peace within secure and recognized boundaries free from threats or acts of force;

(D) freedom of navigation through international waterways in the area; and

(E) a framework for achieving a just settlement of the refugee problem.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the newly elected governing entity should enact a constitution assuring the rule of law, an independent judiciary, and respect for human rights for its citizens, and should enact other laws and regulations assuring transparent and accountable governance.

(c) WAIVER.—The President may waive subsection (a) if he determines that it is vital to the national security interests of the United States to do so.

(d) EXEMPTION.—The restriction in subsection (a) shall not apply to assistance intended to help reform the Palestinian Authority and affiliated institutions, or a newly elected governing entity, in order to help meet the requirements of subsection (a), consistent with the provisions of section 550 of this Act ("Limitation on Assistance to the Palestinian Authority").

COLOMBIA

SEC. 556. (a) DETERMINATION AND CERTIFICATION REQUIRED.—Notwithstanding any other provision of law, funds appropriated by this Act that are available for assistance for the Colombian Armed Forces, may be made available as follows:

(1) Up to 75 percent of such funds may be obligated prior to a determination and certification by the Secretary of State pursuant to paragraph (2).

(2) Up to 12.5 percent of such funds may be obligated only after the Secretary of State certifies and reports to the appropriate congressional committees that:

(A) The Commander General of the Colombian Armed Forces is suspending from the Armed Forces those members, of whatever rank who, according to the Minister of Defense or the Procuraduria General de la Nacion, have been credibly alleged to have committed gross violations of human rights, including extra-judicial killings, or to have aided or abetted paramilitary organizations.

(B) The Colombian Government is vigorously investigating and prosecuting those members of the Colombian Armed Forces, of whatever rank, who have been credibly alleged to have committed gross violations of human rights, including extra-judicial killings, or to have aided or abetted paramilitary organizations, and is promptly punishing those members of the Colombian Armed Forces found to have committed such violations of human rights or to have aided or abetted paramilitary organizations.

(C) The Colombian Armed Forces have made substantial progress in cooperating with civilian prosecutors and judicial authorities in such cases (including providing requested information, such as the identity of persons suspended from the Armed Forces and the nature and cause of the suspension, and access to witnesses, relevant military documents, and other requested information).

(D) The Colombian Armed Forces have made substantial progress in severing links (including denying access to military intelligence, vehicles, and other equipment or supplies, and ceasing other forms of active or tacit cooperation) at the command, battalion, and brigade levels, with para-

military organizations, especially in regions where these organizations have a significant presence.

(E) The Colombian Government is dismantling paramilitary leadership and financial networks by arresting commanders and financial backers, especially in regions where these networks have a significant presence.

(3) The balance of such funds may be obligated after July 31, 2005, if the Secretary of State certifies and reports to the appropriate congressional committees, after such date, that the Colombian Armed Forces are continuing to meet the conditions contained in paragraph (2) and are conducting vigorous operations to restore government authority and respect for human rights in areas under the effective control of paramilitary and guerrilla organizations.

(b) CONGRESSIONAL NOTIFICATION.—Funds made available by this Act for the Colombian Armed Forces shall be subject to the regular notification procedures of the Committees on Appropriations.

(c) CONSULTATIVE PROCESS.—Not later than 60 days after the date of enactment of this Act, and every 90 days thereafter until September 30, 2006, the Secretary of State shall consult with internationally recognized human rights organizations regarding progress in meeting the conditions contained in that subsection.

(d) DEFINITIONS.—In this section:

(1) AIDED OR ABETTED.—The term "aided or abetted" means to provide any support to paramilitary groups, including taking actions which allow, facilitate, or otherwise foster the activities of such groups.

(2) PARAMILITARY GROUPS.—The term "paramilitary groups" means illegal self-defense groups and illegal security cooperatives.

ILLEGAL ARMED GROUPS

SEC. 557. (a) DENIAL OF VISAS TO SUPPORTERS OF COLOMBIAN ILLEGAL ARMED GROUPS.—Subject to subsection (b), the Secretary of State shall not issue a visa to any alien who the Secretary determines, based on credible evidence—

(1) has willfully provided any support to the Revolutionary Armed Forces of Colombia (FARC), the National Liberation Army (ELN), or the United Self-Defense Forces of Colombia (AUC), including taking actions or failing to take actions which allow, facilitate, or otherwise foster the activities of such groups; or

(2) has committed, ordered, incited, assisted, or otherwise participated in the commission of gross violations of human rights, including extra-judicial killings, in Colombia.

(b) WAIVER.—Subsection (a) shall not apply if the Secretary of State determines and certifies to the appropriate congressional committees, on a case-by-case basis, that the issuance of a visa to the alien is necessary to support the peace process in Colombia or for urgent humanitarian reasons.

PROHIBITION ON ASSISTANCE TO THE PALESTINIAN BROADCASTING CORPORATION

SEC. 558. None of the funds appropriated or otherwise made available by this Act may be used to provide equipment, technical

support, consulting services, or any other form of assistance to the Palestinian Broadcasting Corporation.

WEST BANK AND GAZA PROGRAM

SEC. 559. (a) OVERSIGHT.—For fiscal year 2005, 30 days prior to the initial obligation of funds for the bilateral West Bank and Gaza Program, the Secretary of State shall certify to the appropriate committees of Congress that procedures have been established to assure the Comptroller General of the United States will have access to appropriate United States financial information in order to review the uses of United States assistance for the Program funded under the heading "Economic Support Fund" for the West Bank and Gaza.

(b) VETTING.—Prior to the obligation of funds appropriated by this Act under the heading "Economic Support Fund" for assistance for the West Bank and Gaza, the Secretary of State shall take all appropriate steps to ensure that such assistance is not provided to or through any individual, private or government entity, or educational institution that the Secretary knows or has reason to believe advocates, plans, sponsors, engages in, or has engaged in, terrorist activity. The Secretary of State shall, as appropriate, establish procedures specifying the steps to be taken in carrying out this subsection and shall terminate assistance to any individual, entity, or educational institution which he has determined to be involved in or advocating terrorist activity.

(c) PROHIBITION.—None of the funds appropriated by this Act for assistance under the West Bank and Gaza program may be made available for the purpose of recognizing or otherwise honoring individuals who commit, or have committed, acts of terrorism.

(d) AUDITS.—

(1) The Administrator of the United States Agency for International Development shall ensure that Federal or non-Federal audits of all contractors and grantees, and significant subcontractors and subgrantees, under the West Bank and Gaza Program, are conducted at least on an annual basis to ensure, among other things, compliance with this section.

(2) Of the funds appropriated by this Act under the heading "Economic Support Fund" that are made available for assistance for the West Bank and Gaza, up to $1,000,000 may be used by the Office of the Inspector General of the United States Agency for International Development for audits, inspections, and other activities in furtherance of the requirements of this subsection. Such funds are in addition to funds otherwise available for such purposes.

CONTRIBUTIONS TO UNITED NATIONS POPULATION FUND

SEC. 560. (a) LIMITATIONS ON AMOUNT OF CONTRIBUTION.—Of the amounts made available under "International Organizations and Programs" and "Child Survival and Health Programs Fund" for fiscal year 2005, $34,000,000 shall be made available for the United Nations Population Fund (hereafter in this section referred to as the "UNFPA"): Provided, That of this amount, not less than $25,000,000 shall be derived from funds appropriated under the heading "International Organizations and Programs".

(b) AVAILABILITY OF FUNDS.—Funds appropriated under the heading "International Organizations and Programs" in this Act that are available for UNFPA, that are not made available for UNFPA because of the operation of any provision of law, shall be transferred to "Child Survival and Health Programs Fund" and shall be made available for family planning, maternal, and reproductive health activities, subject to the regular notification procedures of the Committees on Appropriations.

(c) REPROGRAMMING OF FUNDS.—Of the funds appropriated in Public Law 108–199 that were available for the UNFPA, $12,500,000 shall be made available for anti-trafficking programs: Provided, That of the funds appropriated in Public Law 108–199 that were available for the UNFPA, $12,500,000 shall be made available for the family planning, maternal, and reproductive health activities of the United States Agency for International Development in Albania, Azerbaijan, the Democratic Republic of the Congo, Ethiopia, Georgia, Haiti, Kazakhstan, Kenya, Nigeria, Romania, Russia, Rwanda, Tanzania, Uganda, and the Ukraine: Provided further, That such programs and activities shall be deemed to have been justified to Congress.

(d) PROHIBITION ON USE OF FUNDS IN CHINA.—None of the funds made available under "International Organizations and Programs" may be made available for the UNFPA for a country program in the People's Republic of China.

(e) CONDITIONS ON AVAILABILITY OF FUNDS.—Amounts made available under "International Organizations and Programs" for fiscal year 2005 for the UNFPA may not be made available to UNFPA unless—

(1) the UNFPA maintains amounts made available to the UNFPA under this section in an account separate from other accounts of the UNFPA;

(2) the UNFPA does not commingle amounts made available to the UNFPA under this section with other sums; and

(3) the UNFPA does not fund abortions.

WAR CRIMINALS

SEC. 561. (a)(1) None of the funds appropriated or otherwise made available pursuant to this Act may be made available for assistance, and the Secretary of the Treasury shall instruct the United States executive directors to the international financial institutions to vote against any new project involving the extension by such institutions of any financial or technical assistance, to any country, entity, or municipality whose competent authorities have failed, as determined by the Secretary of State, to take necessary and significant steps to implement its international legal obligations to apprehend and transfer to the International Criminal Tribunal for the former Yugoslavia (the "Tribunal") all persons in their territory who have been indicted by the Tribunal and to otherwise cooperate with the Tribunal.

(2) The provisions of this subsection shall not apply to humanitarian assistance or assistance for democratization.

(b) The provisions of subsection (a) shall apply unless the Secretary of State determines and reports to the appropriate congressional committees that the competent authorities of such country, entity, or municipality are—

(1) cooperating with the Tribunal, including access for investigators to archives and witnesses, the provision of documents, and the surrender and transfer of indictees or assistance in their apprehension; and

(2) are acting consistently with the Dayton Accords.

(c) Not less than 10 days before any vote in an international financial institution regarding the extension of any new project involving financial or technical assistance or grants to any country or entity described in subsection (a), the Secretary of the Treasury, in consultation with the Secretary of State, shall provide to the Committees on Appropriations a written justification for the proposed assistance, including an explanation of the United States position regarding any such vote, as well as a description of the location of the proposed assistance by municipality, its purpose, and its intended beneficiaries.

(d) In carrying out this section, the Secretary of State, the Administrator of the United States Agency for International Development, and the Secretary of the Treasury shall consult with representatives of human rights organizations and all government agencies with relevant information to help prevent indicted war criminals from benefiting from any financial or technical assistance or grants provided to any country or entity described in subsection (a).

(e) The Secretary of State may waive the application of subsection (a) with respect to projects within a country, entity, or municipality upon a written determination to the Committees on Appropriations that such assistance directly supports the implementation of the Dayton Accords.

(f) DEFINITIONS.—As used in this section—

(1) COUNTRY.—The term "country" means Bosnia and Herzegovina, Croatia and Serbia.

(2) ENTITY.—The term "entity" refers to the Federation of Bosnia and Herzegovina, Kosovo, Montenegro and the Republika Srpska.

(3) MUNICIPALITY.—The term "municipality" means a city, town or other subdivision within a country or entity as defined herein.

(4) DAYTON ACCORDS.—The term "Dayton Accords" means the General Framework Agreement for Peace in Bosnia and Herzegovina, together with annexes relating thereto, done at Dayton, November 10 through 16, 1995.

USER FEES

SEC. 562. The Secretary of the Treasury shall instruct the United States Executive Director at each international financial institution (as defined in section 1701(c)(2) of the International Financial Institutions Act) and the International Monetary Fund to oppose any loan, grant, strategy or policy of these institutions that would require user fees or service charges on poor people for primary education or primary healthcare, including prevention and treatment efforts for HIV/AIDS, malaria, tuberculosis, and infant, child, and maternal well-being, in connection with the institutions' financing programs.

FUNDING FOR SERBIA

SEC. 563. (a) Funds appropriated by this Act may be made available for assistance for the central Government of Serbia after May 31, 2005, if the President has made the determination and certification contained in subsection (c).

(b) After May 31, 2005, the Secretary of the Treasury should instruct the United States executive directors to the international financial institutions to support loans and assistance to the Government of Serbia and Montenegro subject to the conditions in subsection (c): Provided, That section 576 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1997, as amended, shall not apply to the provision of loans and assistance to the Government of Serbia and Montenegro through international financial institutions.

(c) The determination and certification referred to in subsection (a) is a determination by the President and a certification to the Committees on Appropriations that the Government of Serbia and Montenegro is—

(1) cooperating with the International Criminal Tribunal for the former Yugoslavia including access for investigators, the provision of documents, and the surrender and transfer of indictees or assistance in their apprehension, including making all practicable efforts to apprehend and transfer Ratko Mladic;

(2) taking steps that are consistent with the Dayton Accords to end Serbian financial, political, security and other support which has served to maintain separate Republika Srpska institutions; and

(3) taking steps to implement policies which reflect a respect for minority rights and the rule of law.

(d) This section shall not apply to Montenegro, Kosovo, humanitarian assistance or assistance to promote democracy.

COMMUNITY-BASED POLICE ASSISTANCE

SEC. 564. (a) AUTHORITY.—Funds made available by this Act to carry out the provisions of chapter 1 of part I and chapter 4 of part II of the Foreign Assistance Act of 1961, may be used, notwithstanding section 660 of that Act, to enhance the effectiveness and accountability of civilian police authority through training and technical assistance in human rights, the rule of law, strategic planning, and through assistance to foster civilian police roles that support democratic governance including assistance for programs to prevent conflict, respond to disasters, address gender-based violence, and foster improved police relations with the communities they serve.

(b) NOTIFICATION.—Assistance provided under subsection (a) shall be subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations.

SPECIAL DEBT RELIEF FOR THE POOREST

SEC. 565. (a) AUTHORITY TO REDUCE DEBT.—The President may reduce amounts owed to the United States (or any agency of the United States) by an eligible country as a result of—

(1) guarantees issued under sections 221 and 222 of the Foreign Assistance Act of 1961;

(2) credits extended or guarantees issued under the Arms Export Control Act; or

(3) any obligation or portion of such obligation, to pay for purchases of United States agricultural commodities guaranteed by the Commodity Credit Corporation under export credit guarantee programs authorized pursuant to section 5(f) of the Commodity Credit Corporation Charter Act of June 29, 1948, as amended, section 4(b) of the Food for Peace Act of 1966, as amended (Public Law 89–808), or section 202 of the Agricultural Trade Act of 1978, as amended (Public Law 95–501).

(b) LIMITATIONS.—

(1) The authority provided by subsection (a) may be exercised only to implement multilateral official debt relief and referendum agreements, commonly referred to as "Paris Club Agreed Minutes".

(2) The authority provided by subsection (a) may be exercised only in such amounts or to such extent as is provided in advance by appropriations Acts.

(3) The authority provided by subsection (a) may be exercised only with respect to countries with heavy debt burdens that are eligible to borrow from the International Development Association, but not from the International Bank for Reconstruction and Development, commonly referred to as "IDA-only" countries.

(c) CONDITIONS.—The authority provided by subsection (a) may be exercised only with respect to a country whose government—

(1) does not have an excessive level of military expenditures;

(2) has not repeatedly provided support for acts of international terrorism;

(3) is not failing to cooperate on international narcotics control matters;

(4) (including its military or other security forces) does not engage in a consistent pattern of gross violations of internationally recognized human rights; and

(5) is not ineligible for assistance because of the application of section 527 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995.

(d) AVAILABILITY OF FUNDS.—The authority provided by subsection (a) may be used only with regard to the funds appropriated by this Act under the heading "Debt Restructuring".

(e) CERTAIN PROHIBITIONS INAPPLICABLE.—A reduction of debt pursuant to subsection (a) shall not be considered assistance for the purposes of any provision of law limiting assistance to a country. The authority provided by subsection (a) may be exercised notwithstanding section 620(r) of the Foreign Assistance Act of 1961 or section 321 of the International Development and Food Assistance Act of 1975.

AUTHORITY TO ENGAGE IN DEBT BUYBACKS OR SALES

SEC. 566. (a) LOANS ELIGIBLE FOR SALE, REDUCTION, OR CANCELLATION.—

(1) AUTHORITY TO SELL, REDUCE, OR CANCEL CERTAIN LOANS.—Notwithstanding any other provision of law, the President may, in accordance with this section, sell to any eligible purchaser any concessional loan or portion thereof made before

January 1, 1995, pursuant to the Foreign Assistance Act of 1961, to the government of any eligible country as defined in section 702(6) of that Act or on receipt of payment from an eligible purchaser, reduce or cancel such loan or portion thereof, only for the purpose of facilitating—

(A) debt-for-equity swaps, debt-for-development swaps, or debt-for-nature swaps; or

(B) a debt buyback by an eligible country of its own qualified debt, only if the eligible country uses an additional amount of the local currency of the eligible country, equal to not less than 40 percent of the price paid for such debt by such eligible country, or the difference between the price paid for such debt and the face value of such debt, to support activities that link conservation and sustainable use of natural resources with local community development, and child survival and other child development, in a manner consistent with sections 707 through 710 of the Foreign Assistance Act of 1961, if the sale, reduction, or cancellation would not contravene any term or condition of any prior agreement relating to such loan.

(2) TERMS AND CONDITIONS.—Notwithstanding any other provision of law, the President shall, in accordance with this section, establish the terms and conditions under which loans may be sold, reduced, or canceled pursuant to this section.

(3) ADMINISTRATION.—The Facility, as defined in section 702(8) of the Foreign Assistance Act of 1961, shall notify the administrator of the agency primarily responsible for administering part I of the Foreign Assistance Act of 1961 of purchasers that the President has determined to be eligible, and shall direct such agency to carry out the sale, reduction, or cancellation of a loan pursuant to this section. Such agency shall make adjustment in its accounts to reflect the sale, reduction, or cancellation.

(4) LIMITATION.—The authorities of this subsection shall be available only to the extent that appropriations for the cost of the modification, as defined in section 502 of the Congressional Budget Act of 1974, are made in advance.

(b) DEPOSIT OF PROCEEDS.—The proceeds from the sale, reduction, or cancellation of any loan sold, reduced, or canceled pursuant to this section shall be deposited in the United States Government account or accounts established for the repayment of such loan.

(c) ELIGIBLE PURCHASERS.—A loan may be sold pursuant to subsection (a)(1)(A) only to a purchaser who presents plans satisfactory to the President for using the loan for the purpose of engaging in debt-for-equity swaps, debt-for-development swaps, or debt-for-nature swaps.

(d) DEBTOR CONSULTATIONS.—Before the sale to any eligible purchaser, or any reduction or cancellation pursuant to this section, of any loan made to an eligible country, the President should consult with the country concerning the amount of loans to be sold, reduced, or canceled and their uses for debt-for-equity swaps, debt-for-development swaps, or debt-for-nature swaps.

(e) AVAILABILITY OF FUNDS.—The authority provided by subsection (a) may be used only with regard to funds appropriated by this Act under the heading "Debt Restructuring".

BASIC EDUCATION

SEC. 567. Of the funds appropriated by title II of this Act, not less than $400,000,000 shall be made available for basic education.

RECONCILIATION PROGRAMS

SEC. 568. Of the funds appropriated under the heading "Economic Support Fund", not less than $12,000,000 shall be made available to support reconciliation programs and activities which bring together individuals of different ethnic, religious, and political backgrounds from areas of civil conflict and war.

SUDAN

SEC. 569. (a) AVAILABILITY OF FUNDS.—Of the funds appropriated by title II of this Act, not less than $311,000,000 should be made available for assistance for Sudan.

(b) LIMITATION ON ASSISTANCE.—Subject to section (c):

(1) Notwithstanding section 501(a) of the International Malaria Control Act of 2000 (Public Law 106–570) or any other provision of law, none of the funds appropriated by this Act may be made available for assistance for the Government of Sudan.

(2) None of the funds appropriated by this Act may be made available for the cost, as defined in section 502, of the Congressional Budget Act of 1974, of modifying loans and loan guarantees held by the Government of Sudan, including the cost of selling, reducing, or canceling amounts owed to the United States, and modifying concessional loans, guarantees, and credit agreements.

(c) Subsection (b) shall not apply if the Secretary of State determines and certifies to the Committees on Appropriations that—

(1) the Government of Sudan has taken significant steps to disarm and disband government-supported militia groups in the Darfur region;

(2) the Government of Sudan and all government-supported militia groups are honoring their commitments made in the cease-fire agreement of April 8, 2004; and

(3) the Government of Sudan is allowing unimpeded access to Darfur to humanitarian aid organizations, the human rights investigation and humanitarian teams of the United Nations, including protection officers, and an international monitoring team that is based in Darfur and that has the support of the United States.

(d) EXCEPTIONS.—The provisions of subsection (b) shall not apply to—

(1) humanitarian assistance; and

(2) assistance for Darfur and for areas outside the control of the Government of Sudan.

(e) NOTIFICATION.—Not more than $45,000,000 of the funds appropriated by this Act under the headings "International Disaster and Famine Assistance" and "Transition Initiatives" may be made available for assistance for Sudan outside of the Darfur region unless written notice has been provided to the Committees on Appropriations not less than 5 days prior to the obligation of such funds.

(f) DEFINITIONS.—For the purposes of this Act and section 501 of Public Law 106–570, the terms "Government of Sudan", "areas outside of control of the Government of Sudan", and "area in Sudan outside of control of the Government of Sudan" shall have the same meaning and application as was the case immediately prior to June 5, 2004, and, with regard to assistance in support of a viable peace agreement, Southern Kordofan/Nuba Mountains State, Blue Nile State and Abyei.

(g) APPROPRIATION.—In addition to amounts appropriated elsewhere in this Act, $75,000,000 is hereby appropriated for "Peacekeeping Operations" to support peace and humanitarian intervention operations for Sudan, and $18,000,000 is hereby appropriated for "International Disaster and Famine Assistance" for humanitarian assistance and related activities in Sudan: Provided, That the entire amount appropriated in this subsection is designated as an emergency requirement pursuant to section 402 of S. Con. Res. 95 (108th Congress), as made applicable to the House of Representatives by H. Res. 649 (108th Congress) and applicable to the Senate by section 14007 of Public Law 108–287: Provided further, That the Secretary of State shall consult with the Committees on Appropriations regarding the proposed uses of these funds within 30 days of the date of enactment of this Act.

(h) TECHNICAL CHANGE.—Section 12 of the International Organizations Immunities Act (22 U.S.C. 288f–2) is amended by striking "Organization of African Unity" and inserting in lieu thereof "African Union".

TRADE CAPACITY BUILDING

SEC. 570. Of the funds appropriated by this Act, under the headings "Trade and Development Agency", "Development Assistance", "Transition Initiatives", "Economic Support Fund", "International Affairs Technical Assistance", and "International Organizations and Programs", not less than $507,000,000 should be made available for trade capacity building assistance: Provided, That $20,000,000 of the funds appropriated in this Act under the heading "Economic Support Fund" shall be made available for labor and environmental capacity building activities relating to the free trade agreement with the countries of Central America and the Dominican Republic.

EXCESS DEFENSE ARTICLES FOR CENTRAL AND SOUTH EUROPEAN COUNTRIES AND CERTAIN OTHER COUNTRIES

SEC. 571. Notwithstanding section 516(e) of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j(e)), during fiscal year 2005, funds available to the Department of Defense may be expended for crating, packing, handling, and transportation of excess defense articles transferred under the authority of section 516 of such Act to Albania, Bulgaria, Croatia, Estonia, Former Yugoslavian Republic of Macedonia, Georgia, India, Kazakhstan, Kyrgyzstan, Latvia, Lithuania, Moldova, Mongolia, Pakistan, Romania, Slovakia, Tajikistan, Turkmenistan, Ukraine, and Uzbekistan.

INDONESIA

SEC. 572. (a) Funds appropriated by this Act under the heading "Foreign Military Financing Program" may be made available for assistance for Indonesia, and licenses may be issued for the export of lethal defense articles for the Indonesian Armed Forces, only if the Secretary of State certifies to the appropriate congressional committees that—

(1) the Armed Forces are taking steps to counter international terrorism, consistent with democratic principles and the rule of law, and in cooperation with countries in the region;

(2) the Indonesian Government is prosecuting and punishing, in a manner proportional to the crime, members of the Armed Forces, of whatever rank, who have been credibly alleged to have committed gross violations of human rights or to have aided or abetted militia groups;

(3) at the direction of the President of Indonesia, the Armed Forces are cooperating with civilian judicial authorities and with international efforts to resolve cases of gross violations of human rights in East Timor and elsewhere; and

(4) at the direction of the President of Indonesia, the Armed Forces are implementing reforms to increase the transparency and accountability of their operations and financial management, including making publicly available audits of receipts and expenditures.

(b) Funds appropriated under the heading "International Military Education and Training" may be made available for assistance for Indonesia if the Secretary of State determines and reports to the Committees on Appropriations that the Indonesian Government and Armed Forces are cooperating with the Federal Bureau of Investigation's investigation into the August 31, 2002 murders of two American citizens and one Indonesian citizen in Timika, Indonesia: Provided, That this restriction shall not apply to expanded international military education and training, which may include English language training.

LIMITATION ON CONTRACTS

SEC. 573. None of the funds made available under this Act may be used to fund any contract in contravention of section 8(d)(6) of the Small Business Act (15 U.S.C. 637(d)(6)).

LIMITATION ON ECONOMIC SUPPORT FUND ASSISTANCE FOR CERTAIN FOREIGN GOVERNMENTS THAT ARE PARTIES TO THE INTERNATIONAL CRIMINAL COURT

SEC. 574. (a) None of the funds made available in this Act in title II under the heading "Economic Support Fund" may be used to provide assistance to the government of a country that is a party to the International Criminal Court and has not entered into an agreement with the United States pursuant to Article 98 of the Rome Statute preventing the International Criminal Court from proceeding against United States personnel present in such country.

(b) The President may, without prior notice to Congress, waive the prohibition of subsection (a) with respect to a North Atlantic Treaty Organization ("NATO") member country, a major non-NATO ally (including Australia, Egypt, Israel, Japan, Jordan, Argentina,

the Republic of Korea, and New Zealand), or Taiwan if he determines and reports to the appropriate congressional committees that it is important to the national security interests of the United States to waive such prohibition.

(c) The President may, without prior notice to Congress, waive the prohibition of subsection (a) with respect to a particular country if he determines and reports to the appropriate congressional committees that such country has entered into an agreement with the United States pursuant to Article 98 of the Rome Statute preventing the International Criminal Court from proceeding against United States personnel present in such country.

(d) The prohibition of this section shall not apply to countries otherwise eligible for assistance under the Millennium Challenge Act of 2003, notwithstanding section 606(a)(2)(B) of such Act.

PROHIBITION AGAINST DIRECT FUNDING FOR SAUDI ARABIA

SEC. 575. None of the funds appropriated or otherwise made available pursuant to this Act shall be obligated or expended to finance any assistance to Saudi Arabia: Provided, That the President may waive the prohibition of this section if he certifies to the Committees on Appropriations, 15 days prior to the obligation of funds for assistance for Saudi Arabia, that Saudi Arabia is cooperating with efforts to combat international terrorism and that the proposed assistance will help facilitate that effort.

ENVIRONMENT PROGRAMS

SEC. 576. (a) FUNDING.—Of the funds appropriated under the heading "Development Assistance", not less than $165,500,000 shall be made available for programs and activities which directly protect biodiversity, including forests, in developing countries, of which not less than $8,000,000 should be made available to implement a regional strategy for biodiversity conservation in the countries comprising the Amazon basin of South America, including to improve the capacity of indigenous communities and local law enforcement agencies to protect the biodiversity of indigenous reserves, which amount shall be in addition to the amounts requested for biodiversity activities in these countries in fiscal year 2005: Provided, That of the funds appropriated by this Act, not less than $180,000,000 shall be made available to support clean energy and other climate change policies and programs in developing countries, of which $100,000,000 should be made available to directly promote and deploy energy conservation, energy efficiency, and renewable and clean energy technologies, and of which the balance should be made available to directly (1) measure, monitor, and reduce greenhouse gas emissions; (2) increase carbon sequestration activities; and (3) enhance climate change mitigation and adaptation programs.

(b) CLIMATE CHANGE REPORT.—Not later than 45 days after the date on which the President's fiscal year 2006 budget request is submitted to Congress, the President shall submit a report to the Committees on Appropriations describing in detail the following—

(1) all Federal agency obligations and expenditures, domestic and international, for climate change programs and activities in fiscal year 2005, including an accounting of expenditures by agency with each agency identifying climate change activities

and associated costs by line item as presented in the President's Budget Appendix; and

(2) all fiscal year 2004 obligations and estimated expenditures, fiscal year 2005 estimated expenditures and estimated obligations, and fiscal year 2006 requested funds by the United States Agency for International Development, by country and central program, for each of the following: (i) to promote the transfer and deployment of a wide range of United States clean energy and energy efficiency technologies; (ii) to assist in the measurement, monitoring, reporting, verification, and reduction of greenhouse gas emissions; (iii) to promote carbon capture and sequestration measures; (iv) to help meet such countries' responsibilities under the Framework Convention on Climate Change; and (v) to develop assessments of the vulnerability to impacts of climate change and mitigation and adaptation response strategies.

(c) EXTRACTION OF NATURAL RESOURCES.—

(1) The Secretary of the Treasury shall inform the managements of the international financial institutions and the public that it is the policy of the United States that any assistance by such institutions (including but not limited to any loan, credit, grant, or guarantee) for the extraction and export of oil, gas, coal, timber, or other natural resource should not be provided unless the government of the country has in place or is taking the necessary steps to establish functioning systems for (1) accurately accounting for revenues and expenditures in connection with the extraction and export of the type of natural resource to be extracted or exported; (2) the independent auditing of such accounts and the widespread public dissemination of the audits; and (3) verifying government receipts against company payments including widespread dissemination of such payment information in a manner that does not create competitive disadvantage or disclose proprietary information.

(2) Not later than 180 days after the enactment of this Act, the Secretary of the Treasury shall submit a report to the Committees on Appropriations describing, for each international financial institution, the amount and type of assistance provided, by country, for the extraction and export of oil, gas, coal, timber, or other national resource since September 30, 2004.

UZBEKISTAN

SEC. 577. Funds appropriated by this Act may be made available for assistance for the central Government of Uzbekistan only if the Secretary of State determines and reports to the Committees on Appropriations that the Government of Uzbekistan is making substantial and continuing progress in meeting its commitments under the "Declaration on the Strategic Partnership and Cooperation Framework Between the Republic of Uzbekistan and the United States of America", including respect for human rights, establishing a genuine multi-party system, and ensuring free and fair elections, freedom of expression, and the independence of the media.

CENTRAL ASIA

SEC. 578. (a) Funds appropriated by this Act may be made available for assistance for the Government of Kazakhstan only if

the Secretary of State determines and reports to the Committees on Appropriations that the Government of Kazakhstan has made significant improvements in the protection of human rights during the preceding 6 month period.

(b) The Secretary of State may waive subsection (a) if he determines and reports to the Committees on Appropriations that such a waiver is in the national security interest of the United States.

(c) Not later than October 1, 2005, the Secretary of State shall submit a report to the Committees on Appropriations and the Committee on Foreign Relations of the Senate and the Committee on International Relations of the House of Representatives describing the following:

(1) The defense articles, defense services, and financial assistance provided by the United States to the countries of Central Asia during the 6-month period ending 30 days prior to submission of such report.

(2) The use during such period of defense articles, defense services, and financial assistance provided by the United States by units of the armed forces, border guards, or other security forces of such countries.

(d) For purposes of this section, the term "countries of Central Asia" means Uzbekistan, Kazakhstan, Kyrgyz Republic, Tajikistan, and Turkmenistan.

DISABILITY PROGRAMS

SEC. 579. (a) Of the funds appropriated by this Act under the heading "Economic Support Fund", not less than $2,500,000 shall be made available for programs and activities to address the needs and protect the rights of people with disabilities in developing countries: Provided, That such funds shall be administered by the United States Agency for International Development ("USAID") and the Department of State, and shall be available for grants to nongovernmental organizations that work on behalf of people with disabilities in such countries.

(b) The Secretary of State and the USAID Administrator shall designate within their respective agencies an individual to serve as Disability "Advisor" or "Coordinator", whose function it shall be to ensure that disability rights are addressed, where appropriate, in United States policies and programs.

(c) Funds made available under subsection (a) may be made available for an international conference on the needs of people with disabilities, including disability rights, advocacy and access.

(d) The Secretary of State, the Secretary of the Treasury, and the USAID Administrator shall seek to ensure that the needs of people with disabilities are addressed, where appropriate, in democracy, human rights, and rule of law programs, projects and activities supported by the Department of State, Department of the Treasury, and USAID.

(e) The USAID Administrator shall seek to ensure that programs, projects and activities administered by USAID comply fully with USAID's "Policy Paper: Disability" issued on September 12, 1997: Provided, That not later than 90 days after enactment of this Act, USAID shall implement procedures to require that prospective grantees seeking funding from USAID specify, when relevant, how the proposed program, project or activity for which funding is being

requested will include protecting the rights and addressing the needs of persons with disabilities.

ZIMBABWE

SEC. 580. The Secretary of the Treasury shall instruct the United States executive director to each international financial institution to vote against any extension by the respective institution of any loans to the Government of Zimbabwe, except to meet basic human needs or to promote democracy, unless the Secretary of State determines and certifies to the Committees on Appropriations that the rule of law has been restored in Zimbabwe, including respect for ownership and title to property, freedom of speech and association.

TIBET

SEC. 581. (a) The Secretary of the Treasury should instruct the United States executive director to each international financial institution to use the voice and vote of the United States to support projects in Tibet if such projects do not provide incentives for the migration and settlement of non-Tibetans into Tibet or facilitate the transfer of ownership of Tibetan land and natural resources to non-Tibetans; are based on a thorough needs-assessment; foster self-sufficiency of the Tibetan people and respect Tibetan culture and traditions; and are subject to effective monitoring.

(b) Notwithstanding any other provision of law, not less than $4,000,000 of the funds appropriated by this Act under the heading "Economic Support Fund" should be made available to nongovernmental organizations to support activities which preserve cultural traditions and promote sustainable development and environmental conservation in Tibetan communities in the Tibetan Autonomous Region and in other Tibetan communities in China, and not less than $250,000 should be made available to the National Endowment for Democracy for human rights and democracy programs relating to Tibet.

NIGERIA

SEC. 582. The President shall submit a report to the Committees on Appropriations describing the involvement of the Nigerian Armed Forces in the incident in Benue State, the measures that are being taken to bring such individuals to justice, and whether any Nigerian Armed Forces units involved with the incident in Benue State are receiving United States assistance.

DISCRIMINATION AGAINST MINORITY RELIGIOUS FAITHS IN THE RUSSIAN FEDERATION

SEC. 583. None of the funds appropriated under this Act may be made available for the Government of the Russian Federation, after 180 days from the date of the enactment of this Act, unless the President determines and certifies in writing to the Committees on Appropriations that the Government of the Russian Federation has implemented no statute, executive order, regulation or similar government action that would discriminate, or which has as its principal effect discrimination, against religious groups or religious communities in the Russian Federation in violation of accepted

international agreements on human rights and religious freedoms to which the Russian Federation is a party.

CENTRAL AMERICA

SEC. 584. (a) Of the funds appropriated by this Act under the headings "Child Survival and Health Programs Fund" and "Development Assistance", not less than the amount of funds initially allocated pursuant to section 653(a) of the Foreign Assistance Act of 1961 for fiscal year 2004 should be made available for El Salvador, Guatemala, Nicaragua and Honduras.

(b) Not to exceed $3,227,000 in prior year "Military Assistance Program" funds that are available for Guatemala may be made available for non-lethal defense items for Guatemala if the Secretary of State certifies to the Committees on Appropriations and the Committee on Foreign Relations of the Senate and the Committee on International Relations of the House that—

(1) the role of the Guatemalan military has been limited, in doctrine and in practice, to substantially those activities in defense of Guatemala's sovereignty and territorial integrity that are permitted by the 1996 Peace Accords, and the Government of Guatemala is taking steps to pass a new governing law of the Army (Ley Constitutiva del Ejército);

(2) the Guatemalan military is cooperating with civilian judicial authorities, including providing full cooperation on access to witnesses, documents and classified intelligence files, in investigations and prosecutions of military personnel who have been implicated in human rights violations and other criminal activity;

(3) the Government of Guatemala is working with the United Nations to resolve legal impediments to the establishment of the Commission for the Investigation of Illegal Groups and Clandestine Security Organizations (CICIACS), so that CICIACS can effectively accomplish its mission of investigating and bringing to justice illegal groups and members of clandestine security organizations;

(4) the Government of Guatemala is continuing its efforts to make the military budget process transparent and accessible to civilian authorities and to the public, for both present and past expenditures;

(5) the Government of Guatemala is working to facilitate the prompt establishment of an office in Guatemala of the United Nations High Commissioner for Human Rights with the unimpeded authority to investigate and report on human rights in Guatemala; and

(6) the Government of Guatemala is taking steps to increase its efforts to combat narcotics trafficking and organized crime.

(c) Section 527 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (22 U.S.C. 2370(a)) is amended by adding at the end the following new subsection:

"(i) CERTAIN CLAIMS FOR EXPROPRIATION BY THE GOVERNMENT OF NICARAGUA.—

"(1) Any action of the types set forth in subparagraphs (A), (B), and (C) of subsection (a)(1) that was taken by the Government of Nicaragua during the period beginning on January 1, 1956, and ending on January 9, 2002, shall not be considered

in implementing the prohibition under subsection (a) unless the action has been presented in accordance with the procedure set forth in paragraph (2).

"(2) An action shall be deemed presented for purposes of paragraph (1) if it is—

"(A) in writing; and

"(B) received by the United States Department of State on or before 120 days after the date specified in paragraph (3) at—

"(i) the headquarters of the United States Department of State in Washington, D.C.; or,

"(ii) the Embassy of the United States of America to Nicaragua.

"(3) The date to which paragraph (2) refers is a date after enactment of this subsection that is specified by the Secretary of State, in the Secretary's discretion, in a notice published in the Federal Register.".

WAR CRIMES IN AFRICA

SEC. 585. (a) The Congress recognizes the important contribution that the democratically elected Government of Nigeria has played in fostering stability in West Africa.

(b) The Congress reaffirms its support for the efforts of the International Criminal Tribunal for Rwanda (ICTR) and the Special Court for Sierra Leone (SCSL) to bring to justice individuals responsible for war crimes and crimes against humanity in a timely manner.

(c) Funds appropriated by this Act, including funds for debt restructuring, may be made available for assistance to the central government of a country in which individuals indicted by ICTR and SCSL are credibly alleged to be living, if the Secretary of State determines and reports to the Committees on Appropriations that such government is cooperating with ICTR and SCSL, including the surrender and transfer of indictees in a timely manner: Provided, That this subsection shall not apply to assistance provided under section 551 of the Foreign Assistance Act of 1961 or to project assistance under title II of this Act: Provided further, That the United States shall use its voice and vote in the United Nations Security Council to fully support efforts by ICTR and SCSL to bring to justice individuals indicted by such tribunals in a timely manner.

(d) The prohibition in subsection (c) may be waived on a country by country basis if the President determines that doing so is in the national security interest of the United States: Provided, That prior to exercising such waiver authority, the President shall submit a report to the Committees on Appropriations, in classified form if necessary, on (1) the steps being taken to obtain the cooperation of the government in surrendering the indictee in question to SCSL or ICTR; (2) a strategy for bringing the indictee before ICTR or SCSL; and (3) the justification for exercising the waiver authority.

ADMISSION OF REFUGEES

SEC. 586. (a) The Secretary of State shall utilize private voluntary organizations with expertise in the protection needs of refugees in the processing of refugees overseas for admission and reset-

tlement to the United States, and shall utilize such agencies in addition to the United Nations High Commissioner for Refugees in the identification and referral of refugees.

(b) The Secretary of State should maintain a system for accepting referrals of appropriate candidates for resettlement from local private, voluntary organizations and work to ensure that particularly vulnerable refugee groups receive special consideration for admission into the United States, including—

(1) long-stayers in countries of first asylum;

(2) unaccompanied refugee minors;

(3) refugees outside traditional camp settings; and

(4) refugees in woman-headed households.

(c) The Secretary of State shall give special consideration to—

(1) refugees of all nationalities who have close family ties to citizens and residents of the United States; and

(2) other groups of refugees who are of special concern to the United States.

CODE OF CONDUCT

SEC. 587. (a) None of the funds made available by title II under the heading "Migration and Refugee Assistance" or "Transition Initiatives" to provide assistance to refugees or internally displaced persons may be provided to an organization that has failed to adopt a code of conduct consistent with the Inter-Agency Standing Committee Task Force on Protection From Sexual Exploitation and Abuse in Humanitarian Crises six core principles for the protection of beneficiaries of humanitarian assistance.

(b) In administering the amounts made available for the accounts described in subsection (a), the Secretary of State and Administrator of the United States Agency for International Development shall incorporate specific policies and programs for the purpose of identifying specific needs of, and particular threats to, women and children at the various stages of humanitarian emergencies, especially at the onset of such emergency.

UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT HIRING AUTHORITY

SEC. 588. (a) AUTHORITY.—Up to $37,500,000 of the funds made available in this Act to carry out the provisions of part I of the Foreign Assistance Act of 1961, including funds appropriated under the heading "Assistance for Eastern Europe and the Baltic States", may be used by the United States Agency for International Development (USAID) to hire and employ individuals in the United States and overseas on a limited appointment basis pursuant to the authority of sections 308 and 309 of the Foreign Service Act of 1980.

(b) RESTRICTIONS.—

(1) The number of individuals hired in any fiscal year pursuant to the authority contained in subsection (a) may not exceed 175, of which not more than 75 may be hired for employment in the United States.

(2) The authority to hire individuals contained in subsection (a) shall expire on September 30, 2007.

(c) CONDITIONS.—The authority of this section may only be used—

(1) to the extent that an equivalent number of positions that are filled by personal services contractors or other nondirect-hire employees of USAID, who are compensated with funds appropriated to carry out part I of the Foreign Assistance Act of 1961, including funds appropriated under the heading "Assistance for Eastern Europe and the Baltic States", are eliminated; and

(2) after consultations between the Committees on Appropriations and the USAID Administrator on the implementation of this section and USAID work force issues more generally.

(d) PRIORITY SECTORS.—In exercising the authority of this section, primary emphasis shall be placed on enabling USAID to meet personnel positions in technical skill areas currently encumbered by contractor or other nondirect-hire personnel.

(e) CONSULTATIONS.—After the initial consultations required by subsection (c)(2), the USAID Administrator shall consult with the Committees on Appropriations at least on a quarterly basis thereafter concerning the implementation of this section.

(f) PROGRAM ACCOUNT CHARGED.—The account charged for the cost of an individual hired and employed under the authority of this section shall be the account to which such individual's responsibilities primarily relate. Funds made available to carry out this section may be transferred to and merged and consolidated with funds appropriated for "Operating Expenses of the United States Agency for International Development".

(g) RELATION TO PRIOR LAW.—Upon completion of the consultations required by subsection (c)(2), the authority contained in this section shall supersede the authority contained in section 525 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2004.

(h) DISASTER SURGE CAPACITY.—Funds appropriated by this Act to carry out part I of the Foreign Assistance Act of 1961, including funds appropriated under the heading "Assistance for Eastern Europe and the Baltic States", may be used, in addition to funds otherwise available for such purposes, for the cost (including the support costs) of individuals detailed to or employed by the United States Agency for International Development whose primary responsibility is to carry out programs in response to natural disasters.

OVERSEAS PRIVATE INVESTMENT CORPORATION AND EXPORT-IMPORT BANK RESTRICTIONS

SEC. 589. (a) LIMITATION ON USE OF FUNDS BY OPIC.—None of the funds made available in this Act may be used by the Overseas Private Investment Corporation to insure, reinsure, guarantee, or finance any investment in connection with a project involving the mining, polishing or other processing, or sale of diamonds in a country that fails to meet the requirements of subsection (c).

(b) LIMITATION ON USE OF FUNDS BY THE EXPORT-IMPORT BANK.—None of the funds made available in this Act may be used by the Export-Import Bank of the United States to guarantee, insure, extend credit, or participate in an extension of credit in connection with the export of any goods to a country for use in an enterprise involving the mining, polishing or other processing, or sale of diamonds in a country that fails to meet the requirements of subsection (c).

(c) REQUIREMENTS.—The requirements referred to in subsections (a) and (b) are that the country concerned is implementing the recommendations, obligations and requirements developed by the Kimberley Process on conflict diamonds.

SECURITY IN ASIA

SEC. 590. (a) INDONESIA.—Funds made available for assistance for Indonesia under the heading "Foreign Military Financing Program" may be made available for assistance for the Indonesian navy notwithstanding section 572 of this Act if the Secretary of State reports to the Committees on Appropriations that the Indonesian navy is not violating human rights and is cooperating with civilian judicial authorities on cases involving human rights violations: Provided, That such funds may only be made available for assistance for the Indonesian navy for the purposes of enhancing maritime security: Provided further, That such funds shall be made available subject to the regular notification procedures of the Committees on Appropriations.

(b) CAMBODIA.—Funds made available for assistance for Cambodia under the heading "Foreign Military Financing Program" may be made available notwithstanding section 554 of this Act: Provided, That such funds shall only be made available subject to the regular notification procedures of the Committees on Appropriations.

(c) NEPAL.—

(1) The Congress deplores and condemns the Maoist insurgency in Nepal which has engaged in widespread atrocities against civilians and Nepalese security forces, and calls on other nations to denounce these vicious acts.

(2) Funds appropriated under the heading "Foreign Military Financing Program" may be made available for assistance for Nepal if the Secretary of State reports to the Committees on Appropriations that the Government of Nepal:

(A) has determined the number of and is making substantial progress in complying with habeas corpus orders issued by the Supreme Court of Nepal, including all outstanding orders;

(B) is cooperating with the National Human Rights Commission of Nepal to identify and resolve all security related cases involving individuals in government custody;

(C) is granting the National Human Rights Commission of Nepal unimpeded access to all places of detention; and

(D) is taking effective steps to end torture by security forces and to prosecute members of such forces who are responsible for gross violations of human rights.

(3) The Secretary of State may waive the requirements of paragraph (2) if he determines and reports to the Committees on Appropriations that to do so is in the national security interests of the United States.

HIPC DEBT REDUCTION AND TRUST FUND

SEC. 591. (a) Section 801(b)(1) of Public Law 106–429 is amended—

(1) by inserting "(i)" after "appropriated"; and

(2) by inserting before the period "; and (ii) for fiscal years 2004–2006, not more than $150,000,000, for purposes of additional United States contributions to the HIPC Trust Fund administered by the Bank, which are authorized to remain available until expended".

(b) Section 501(i) of Public Law 106–113 is amended by deleting "2003–2004" and inserting in lieu thereof "2000–2006".

COMPLIANCE WITH THE ALGIERS AGREEMENTS

SEC. 592. None of the funds appropriated by this Act may be made available for assistance for the central Governments of Ethiopia or Eritrea unless the Secretary of State certifies and reports to the Committees on Appropriations that such government is taking steps to comply with the terms of the Algiers Agreements: Provided, That this section shall not apply to democracy, rule of law, peacekeeping programs and activities, child survival and health, basic education, and agriculture programs: Provided further, That the Secretary may waive the requirements of this section if he determines that to do so is in the national security interests of the United States.

ADMINISTRATIVE PROVISIONS RELATED TO MULTILATERAL DEVELOPMENT BANKS

SEC. 593. (a) Section 1307 of the International Financial Institutions Act (22 U.S.C. 262m–7) is amended—

(1) by striking subsection (a) and inserting the following:

"(a) ASSESSMENT REQUIRED BEFORE FAVORABLE VOTE ON PROPOSAL.—The Secretary of the Treasury shall instruct the United States Executive Director of each multilateral development bank not to vote in favor of any proposed action (including but not limited to any loan, credit, grant, or guarantee) which would result or be likely to result in significant impact on the environment, unless the Secretary, after consultation with the Secretary of State and the Administrators of the United States Agency for International Development and the Environmental Protection Agency, determines that for at least 120 days before the date of the vote—

"(1) an assessment analyzing the environmental impacts of the proposed action, including associated and cumulative impacts, and of alternatives to the proposed action, has been completed by the borrower or the bank and has been made available to the board of directors of the bank; and

"(2) such assessment or a comprehensive summary of the assessment (with proprietary information redacted) has been made available to affected groups and local nongovernmental organizations and notice of its availability in the country and at the bank has been posted on the bank's website."; and

(2) by striking subsection (g) and inserting the following:

"(g) MULTILATERAL DEVELOPMENT BANK DEFINED—In this title, the term 'multilateral development bank' means the International Bank for Reconstruction and Development, the European Bank for Reconstruction and Development, the International Development Association, the International Finance Corporation, the Multilateral Investment Guarantee Agency, the African Development Bank, the African Development Fund, the Asian Development Bank, the Inter-American Development Bank, the Inter-American Investment Cor-

poration, any other institution (other than the International Monetary Fund) specified in section 1701(c)(2), and any subsidiary of any institution."

(b) Section 1303(b) of the International Financial Institutions Act (22 U.S.C. 262m–2(b)) is amended—

(1) by inserting "(1)" after "(b)" and replacing "International Bank for Reconstruction and Development, the Inter-American Development Bank, the Asian Development Bank of the African Development Bank" with the phrase "multilateral development banks as defined in section 1307(g)"; and

(2) by inserting at the end of subsection (b) the following text:

"(2) The Secretary of the Treasury shall instruct such Executive Directors to work with other countries' Executive Directors and multilateral development bank management to:

"(A) improve the procedures of each multilateral development bank for providing its board of directors with a complete and accurate record regarding public consultation before they vote on proposed projects with significant environmental implications; and

"(B) revise bank procedures to consistently require public consultation on operational policy proposals or revisions that have significant environmental or social implications.

"(3) Progress under this subsection shall be incorporated into Treasury's required annual report to Congress on the environmental performance of the multilateral development banks.".

VIETNAMESE REFUGEES

SEC. 594. (a) ELIGIBILITY FOR IN-COUNTRY REFUGEE PROCESSING IN VIETNAM.—For purposes of eligibility for in-country refugee processing for nationals of Vietnam during fiscal years 2004 and 2005, an alien described in subsection (b) shall be considered to be a refugee of special humanitarian concern to the United States (within the meaning of section 207 of the Immigration and Nationality Act (8 U.S.C. 1157)) and shall be admitted to the United States for resettlement if the alien would be admissible as an immigrant under the Immigration and Nationality Act (except as provided in section 207(c)(3) of that Act).

(b) ALIENS COVERED.—An alien described in this subsection is an alien who—

(1) is the son or daughter of a qualified national;

(2) is 21 years of age or older; and

(3) was unmarried as of the date of acceptance of the alien's parent for resettlement under the Orderly Departure Program or through the United States Consulate General in Ho Chi Minh City.

(c) QUALIFIED NATIONAL.—The term "qualified national" in subsection (b)(1) means a national of Vietnam who—

(1)(A) was formerly interned in a re-education camp in Vietnam by the Government of the Socialist Republic of Vietnam; or

(B) is the widow or widower of an individual described in subparagraph (A);

(2)(A) qualified for refugee processing under the Orderly Departure Program re-education subprogram; and

(B) is or was accepted under the Orderly Departure Program or through the United States Consulate General in Ho Chi Minh City—

(i) for resettlement as a refugee; or

(ii) for admission to the United States as an immediate relative immigrant; and

(3)(A) is presently maintaining a residence in the United States or whose surviving spouse is presently maintaining such a residence; or

(B) was approved for refugee resettlement or immigrant visa processing and is awaiting departure formalities from Vietnam or whose surviving spouse is awaiting such departure formalities.

JOINT EXPLANATORY STATEMENT

SEC. 595. (a) Funds provided in this Act for the following accounts shall be made available for programs and countries in the amounts contained in the respective tables included in the joint explanatory statement of managers accompanying this Act:

"Economic Support Fund";

"Assistance for Eastern Europe and the Baltic States";

"Assistance for the Independent States of the Former Soviet Union";

"Andean Counterdrug Initiative";

"Nonproliferation, Anti-Terrorism, Demining and Related Programs";

"Foreign Military Financing Program"; and

"International Organizations and Programs".

(b) Any proposed increases or decreases to the amounts contained in such tables in the joint explanatory statement of managers shall be subject to the regular notification procedures of the Committees on Appropriations and section 634A of the Foreign Assistance Act of 1961.

This division may be cited as the "Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2005".

DIVISION E—DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS ACT, 2005

TITLE I—DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT

MANAGEMENT OF LANDS AND RESOURCES

For necessary expenses for protection, use, improvement, development, disposal, cadastral surveying, classification, acquisition of easements and other interests in lands, and performance of other functions, including maintenance of facilities, as authorized by law, in the management of lands and their resources under the jurisdiction of the Bureau of Land Management, including the general administration of the Bureau, and assessment of mineral potential of public lands pursuant to Public Law 96–487 (16 U.S.C. 3150(a)), $848,939,000, to remain available until expended, of which $1,000,000 is for high priority projects, to be carried out by the Youth Conservation Corps; $4,000,000 is for assessment of the mineral potential of public lands in Alaska pursuant to section 1010 of Public Law 96–487; (16 U.S.C. 3150); and of which not to exceed $1,000,000 shall be derived from the special receipt account established by the Land and Water Conservation Act of 1965, as amended (16 U.S.C. 460l–6a(i)); and of which $3,500,000 shall be available in fiscal year 2005 subject to a match by at least an equal amount by the National Fish and Wildlife Foundation for cost-shared projects supporting conservation of Bureau lands; and such funds shall be advanced to the Foundation as a lump sum grant without regard to when expenses are incurred.

In addition, $32,696,000 is for Mining Law Administration program operations, including the cost of administering the mining claim fee program; to remain available until expended, to be reduced by amounts collected by the Bureau and credited to this appropriation from annual mining claim fees so as to result in a final appropriation estimated at not more than $848,939,000, and $2,000,000, to remain available until expended, from communication site rental fees established by the Bureau for the cost of administering communication site activities.

WILDLAND FIRE MANAGEMENT

For necessary expenses for fire preparedness, suppression operations, fire science and research, emergency rehabilitation, hazardous fuels reduction, and rural fire assistance by the Department of the Interior, $743,099,000, to remain available until expended, of which not to exceed $12,374,000 shall be for the renovation or construction of fire facilities: Provided, That such funds are also available for repayment of advances to other appropriation accounts from which funds were previously transferred for such purposes: Provided further, That persons hired pursuant to 43 U.S.C. 1469 may be furnished subsistence and lodging without cost from funds available from this appropriation: Provided further, That notwithstanding 42 U.S.C. 1856d, sums received by a bureau or office of the Department of the Interior for fire protection rendered pursuant to 42 U.S.C. 1856 et seq., protection of United States property, may be credited to the appropriation from which funds were expended to

provide that protection, and are available without fiscal year limitation: Provided further, That using the amounts designated under this title of this Act, the Secretary of the Interior may enter into procurement contracts, grants, or cooperative agreements, for hazardous fuels reduction activities, and for training and monitoring associated with such hazardous fuels reduction activities, on Federal land, or on adjacent non-Federal land for activities that benefit resources on Federal land: Provided further, That the costs of implementing any cooperative agreement between the Federal Government and any non-Federal entity may be shared, as mutually agreed on by the affected parties: Provided further, That notwithstanding requirements of the Competition in Contracting Act, the Secretary, for purposes of hazardous fuels reduction activities, may obtain maximum practicable competition among: (A) local private, nonprofit, or cooperative entities; (B) Youth Conservation Corps crews or related partnerships with state, local, or non-profit youth groups; (C) small or micro-businesses; or (D) other entities that will hire or train locally a significant percentage, defined as 50 percent or more, of the project workforce to complete such contracts: Provided further, That in implementing this section, the Secretary shall develop written guidance to field units to ensure accountability and consistent application of the authorities provided herein: Provided further, That funds appropriated under this head may be used to reimburse the United States Fish and Wildlife Service and the National Marine Fisheries Service for the costs of carrying out their responsibilities under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) to consult and conference, as required by section 7 of such Act, in connection with wildland fire management activities: Provided further, That the Secretary of the Interior may use wildland fire appropriations to enter into non-competitive sole source leases of real property with local governments, at or below fair market value, to construct capitalized improvements for fire facilities on such leased properties, including but not limited to fire guard stations, retardant stations, and other initial attack and fire support facilities, and to make advance payments for any such lease or for construction activity associated with the lease: Provided further, That the Secretary of the Interior and the Secretary of Agriculture may authorize the transfer of funds appropriated for wildland fire management, in an aggregate amount not to exceed $12,000,000, between the Departments when such transfers would facilitate and expedite jointly funded wildland fire management programs and projects: Provided further, That funds provided for wildfire suppression shall be available for support of Federal emergency response actions.

CENTRAL HAZARDOUS MATERIALS FUND

For necessary expenses of the Department of the Interior and any of its component offices and bureaus for the remedial action, including associated activities, of hazardous waste substances, pollutants, or contaminants pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act, as amended (42 U.S.C. 9601 et seq.), $9,855,000, to remain available until expended: Provided, That notwithstanding 31 U.S.C. 3302, sums recovered from or paid by a party in advance of or as reimbursement for remedial action or response activities conducted by the Department pursuant to section 107 or 113(f) of such Act, shall be credited to

this account, to be available until expended without further appropriation: Provided further, That such sums recovered from or paid by any party are not limited to monetary payments and may include stocks, bonds or other personal or real property, which may be retained, liquidated, or otherwise disposed of by the Secretary and which shall be credited to this account.

CONSTRUCTION

For construction of buildings, recreation facilities, roads, trails, and appurtenant facilities, $11,500,000, to remain available until expended.

LAND ACQUISITION

For expenses necessary to carry out sections 205, 206, and 318(d) of Public Law 94–579, including administrative expenses and acquisition of lands or waters, or interests therein, $11,350,000, to be derived from the Land and Water Conservation Fund and to remain available until expended.

OREGON AND CALIFORNIA GRANT LANDS

For expenses necessary for management, protection, and development of resources and for construction, operation, and maintenance of access roads, reforestation, and other improvements on the revested Oregon and California Railroad grant lands, on other Federal lands in the Oregon and California land-grant counties of Oregon, and on adjacent rights-of-way; and acquisition of lands or interests therein, including existing connecting roads on or adjacent to such grant lands; $109,057,000, to remain available until expended: Provided, That 25 percent of the aggregate of all receipts during the current fiscal year from the revested Oregon and California Railroad grant lands is hereby made a charge against the Oregon and California land-grant fund and shall be transferred to the General Fund in the Treasury in accordance with the second paragraph of subsection (b) of title II of the Act of August 28, 1937 (50 Stat. 876).

FOREST ECOSYSTEM HEALTH AND RECOVERY FUND

(REVOLVING FUND, SPECIAL ACCOUNT)

In addition to the purposes authorized in Public Law 102–381, funds made available in the Forest Ecosystem Health and Recovery Fund can be used for the purpose of planning, preparing, implementing and monitoring salvage timber sales and forest ecosystem health and recovery activities, such as release from competing vegetation and density control treatments. The Federal share of receipts (defined as the portion of salvage timber receipts not paid to the counties under 43 U.S.C. 1181f and 43 U.S.C. 1181f–1 et seq., and Public Law 106–393) derived from treatments funded by this account shall be deposited into the Forest Ecosystem Health and Recovery Fund.

RANGE IMPROVEMENTS

For rehabilitation, protection, and acquisition of lands and interests therein, and improvement of Federal rangelands pursuant to

section 401 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701), notwithstanding any other Act, sums equal to 50 percent of all moneys received during the prior fiscal year under sections 3 and 15 of the Taylor Grazing Act (43 U.S.C. 315 et seq.) and the amount designated for range improvements from grazing fees and mineral leasing receipts from Bankhead-Jones lands transferred to the Department of the Interior pursuant to law, but not less than $10,000,000, to remain available until expended: Provided, That not to exceed $600,000 shall be available for administrative expenses.

SERVICE CHARGES, DEPOSITS, AND FORFEITURES

For administrative expenses and other costs related to processing application documents and other authorizations for use and disposal of public lands and resources, for costs of providing copies of official public land documents, for monitoring construction, operation, and termination of facilities in conjunction with use authorizations, and for rehabilitation of damaged property, such amounts as may be collected under Public Law 94–579, as amended, and Public Law 93–153, to remain available until expended: Provided, That notwithstanding any provision to the contrary of section 305(a) of Public Law 94–579 (43 U.S.C. 1735(a)), any moneys that have been or will be received pursuant to that section, whether as a result of forfeiture, compromise, or settlement, if not appropriate for refund pursuant to section 305(c) of that Act (43 U.S.C. 1735(c)), shall be available and may be expended under the authority of this Act by the Secretary to improve, protect, or rehabilitate any public lands administered through the Bureau of Land Management which have been damaged by the action of a resource developer, purchaser, permittee, or any unauthorized person, without regard to whether all moneys collected from each such action are used on the exact lands damaged which led to the action: Provided further, That any such moneys that are in excess of amounts needed to repair damage to the exact land for which funds were collected may be used to repair other damaged public lands.

MISCELLANEOUS TRUST FUNDS

In addition to amounts authorized to be expended under existing laws, there is hereby appropriated such amounts as may be contributed under section 307 of the Act of October 21, 1976 (43 U.S.C. 1701), and such amounts as may be advanced for administrative costs, surveys, appraisals, and costs of making conveyances of omitted lands under section 211(b) of that Act, to remain available until expended.

ADMINISTRATIVE PROVISIONS

Appropriations for the Bureau of Land Management shall be available for purchase, erection, and dismantlement of temporary structures, and alteration and maintenance of necessary buildings and appurtenant facilities to which the United States has title; up to $100,000 for payments, at the discretion of the Secretary, for information or evidence concerning violations of laws administered by the Bureau; miscellaneous and emergency expenses of enforcement activities authorized or approved by the Secretary and to be ac-

counted for solely on her certificate, not to exceed $10,000: Provided, That notwithstanding 44 U.S.C. 501, the Bureau may, under cooperative cost-sharing and partnership arrangements authorized by law, procure printing services from cooperators in connection with jointly produced publications for which the cooperators share the cost of printing either in cash or in services, and the Bureau determines the cooperator is capable of meeting accepted quality standards.

UNITED STATES FISH AND WILDLIFE SERVICE

RESOURCE MANAGEMENT

For necessary expenses of the United States Fish and Wildlife Service, as authorized by law, and for scientific and economic studies, maintenance of the herd of long-horned cattle on the Wichita Mountains Wildlife Refuge, general administration, and for the performance of other authorized functions related to such resources by direct expenditure, contracts, grants, cooperative agreements and reimbursable agreements with public and private entities, $977,205,000, to remain available until September 30, 2006, except as otherwise provided herein: Provided, That not less than $1,000,000 shall be provided to local governments in southern California for planning associated with the Natural Communities Conservation Planning (NCCP) program and shall remain available until expended: Provided further, That $2,000,000 is for high priority projects, which shall be carried out by the Youth Conservation Corps: Provided further, That not to exceed $16,175,000 shall be used for implementing subsections (a), (b), (c), and (e) of section 4 of the Endangered Species Act, as amended, for species that are indigenous to the United States (except for processing petitions, developing and issuing proposed and final regulations, and taking any other steps to implement actions described in subsection (c)(2)(A), (c)(2)(B)(i), or (c)(2)(B)(ii)), of which not to exceed $11,400,000 shall be used for any activity regarding the designation of critical habitat, pursuant to subsection (a)(3), excluding litigation support, for species listed pursuant to subsection (a)(1) prior to October 1, 2004: Provided further, That of the amount available for law enforcement, up to $400,000, to remain available until expended, may at the discretion of the Secretary be used for payment for information, rewards, or evidence concerning violations of laws administered by the Service, and miscellaneous and emergency expenses of enforcement activity, authorized or approved by the Secretary and to be accounted for solely on her certificate: Provided further, That of the amount provided for environmental contaminants, up to $1,000,000 may remain available until expended for contaminant sample analyses.

CONSTRUCTION

For construction, improvement, acquisition, or removal of buildings and other facilities required in the conservation, management, investigation, protection, and utilization of fishery and wildlife resources, and the acquisition of lands and interests therein; $53,400,000, to remain available until expended: Provided, That notwithstanding any other provision of law, a single procurement for the construction project at the Clark R. Bavin Forensics Labora-

tory in Oregon may be issued which includes the full scope of the project: Provided further, That the solicitation and the contract shall contain the clause "availability of funds" found at 48 CFR 52.232.18.

LAND ACQUISITION

For expenses necessary to carry out the Land and Water Conservation Fund Act of 1965, as amended (16 U.S.C. 460l–4 through 11), including administrative expenses, and for acquisition of land or waters, or interest therein, in accordance with statutory authority applicable to the United States Fish and Wildlife Service, $37,526,000, to be derived from the Land and Water Conservation Fund and to remain available until expended, of which $750,000 is for support of acquisition of lands for waterfowl habitat in the Yukon Flats National Wildlife Refuge, and the related conveyance of Federal lands and interests in lands to Doyon, Limited, an Alaska Native Corporation organized pursuant to the Alaska Native Claims Settlement Act: Provided, That the Secretary is authorized to, and shall, execute all necessary acquisitions and exchange agreement documents in furtherance of this acquisition and exchange as soon as possible: Provided further, That notwithstanding any other law, all revenues, fees and royalties received by the Federal Government from oil and/or gas production from the lands, and interests in land, acquired by Doyon, Limited, pursuant to the exchange of lands located within Yukon Flats National Wildlife Refuge shall be deposited in a special account in the Treasury of the United States to be called the Alaska National Wildlife Refuge Land Acquisition and Facility Account ("Acquisition Account"): Provided further, That all amounts deposited in the acquisition account shall be available until expended without further act of appropriation to the Director of the U.S. Fish and Wildlife Service for only the following purposes: (1) To acquire lands from Doyon, Limited, located within Yukon Flats National Wildlife Refuge in accordance with the Exchange Agreement; (2) To acquire lands from other willing sellers in the Yukon Flats National Wildlife Refuge, or from other willing sellers in other units of the National Wildlife Refuge System located within the State of Alaska; and, (3) To construct facilities and infrastructure for Alaska refuges: Provided further, That none of the funds appropriated for specific land acquisition projects, other than the appropriations for the Yukon Flats National Wildlife Refuge exchange and acquisition provided for under this heading, can be used to pay for any administrative overhead, planning or other management costs: Provided further, That none of the funds in this or any other Act may be used for the acquisition of land for inclusion in the Deep Fork National Wildlife Refuge.

LANDOWNER INCENTIVE PROGRAM

For expenses necessary to carry out the Land and Water Conservation Fund Act of 1965, as amended (16 U.S.C. 460l–4 through 11), including administrative expenses, and for private conservation efforts to be carried out on private lands, $22,000,000, to be derived from the Land and Water Conservation Fund, and to remain available until expended: Provided, That the amount provided herein is for a Landowner Incentive Program established by the Secretary that provides matching, competitively awarded grants to States, the

District of Columbia, federally recognized Indian tribes, Puerto Rico, Guam, the United States Virgin Islands, the Northern Mariana Islands, and American Samoa, to establish or supplement existing landowner incentive programs that provide technical and financial assistance, including habitat protection and restoration, to private landowners for the protection and management of habitat to benefit federally listed, proposed, candidate, or other at-risk species on private lands.

PRIVATE STEWARDSHIP GRANTS

For expenses necessary to carry out the Land and Water Conservation Fund Act of 1965, as amended (16 U.S.C. 460l–4 through 11), including administrative expenses, and for private conservation efforts to be carried out on private lands, $7,000,000, to be derived from the Land and Water Conservation Fund, and to remain available until expended: Provided, That the amount provided herein is for the Private Stewardship Grants Program established by the Secretary to provide grants and other assistance to individuals and groups engaged in private conservation efforts that benefit federally listed, proposed, candidate, or other at-risk species: Provided further, That balances from amounts previously appropriated under the heading "Stewardship Grants" shall be transferred to and merged with this appropriation and shall remain available until expended.

COOPERATIVE ENDANGERED SPECIES CONSERVATION FUND

For expenses necessary to carry out section 6 of the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.), as amended, $81,596,000, of which $32,212,000 is to be derived from the Cooperative Endangered Species Conservation Fund and $49,384,000 is to be derived from the Land and Water Conservation Fund and to remain available until expended.

NATIONAL WILDLIFE REFUGE FUND

For expenses necessary to implement the Act of October 17, 1978 (16 U.S.C. 715s), $14,414,000.

NORTH AMERICAN WETLANDS CONSERVATION FUND

For expenses necessary to carry out the provisions of the North American Wetlands Conservation Act, Public Law 101–233, as amended, $38,000,000, to remain available until expended.

NEOTROPICAL MIGRATORY BIRD CONSERVATION

For financial assistance for projects to promote the conservation of neotropical migratory birds in accordance with the Neotropical Migratory Bird Conservation Act, Public Law 106–247 (16 U.S.C. 6101–6109), $4,000,000, to remain available until expended.

MULTINATIONAL SPECIES CONSERVATION FUND

For expenses necessary to carry out the African Elephant Conservation Act (16 U.S.C. 4201–4203, 4211–4213, 4221–4225, 4241–4245, and 1538), the Asian Elephant Conservation Act of 1997 (Public Law 105–96; 16 U.S.C. 4261–4266), the Rhinoceros and Tiger Conservation Act of 1994 (16 U.S.C. 5301–5306), the Great

Ape Conservation Act of 2000 (16 U.S.C. 6301), and the Marine Turtle Conservation Act of 2004 (Public Law 108–266; 16 U.S.C. 6601), $5,800,000, to remain available until expended.

STATE AND TRIBAL WILDLIFE GRANTS

For wildlife conservation grants to States and to the District of Columbia, Puerto Rico, Guam, the United States Virgin Islands, the Northern Mariana Islands, American Samoa, and federally recognized Indian tribes under the provisions of the Fish and Wildlife Act of 1956 and the Fish and Wildlife Coordination Act, for the development and implementation of programs for the benefit of wildlife and their habitat, including species that are not hunted or fished, $70,000,000, to be derived from the Land and Water Conservation Fund, and to remain available until expended: Provided, That of the amount provided herein, $6,000,000 is for a competitive grant program for Indian tribes not subject to the remaining provisions of this appropriation: Provided further, That the Secretary shall, after deducting said $6,000,000 and administrative expenses, apportion the amount provided herein in the following manner: (A) to the District of Columbia and to the Commonwealth of Puerto Rico, each a sum equal to not more than one-half of 1 percent thereof; and (B) to Guam, American Samoa, the United States Virgin Islands, and the Commonwealth of the Northern Mariana Islands, each a sum equal to not more than one-fourth of 1 percent thereof: Provided further, That the Secretary shall apportion the remaining amount in the following manner: (A) one-third of which is based on the ratio to which the land area of such State bears to the total land area of all such States; and (B) two-thirds of which is based on the ratio to which the population of such State bears to the total population of all such States: Provided further, That the amounts apportioned under this paragraph shall be adjusted equitably so that no State shall be apportioned a sum which is less than 1 percent of the amount available for apportionment under this paragraph for any fiscal year or more than 5 percent of such amount: Provided further, That the Federal share of planning grants shall not exceed 75 percent of the total costs of such projects and the Federal share of implementation grants shall not exceed 50 percent of the total costs of such projects: Provided further, That the non-Federal share of such projects may not be derived from Federal grant programs: Provided further, That no State, territory, or other jurisdiction shall receive a grant unless it has developed, or committed to develop by October 1, 2005, a comprehensive wildlife conservation plan, consistent with criteria established by the Secretary of the Interior, that considers the broad range of the State, territory, or other jurisdiction's wildlife and associated habitats, with appropriate priority placed on those species with the greatest conservation need and taking into consideration the relative level of funding available for the conservation of those species: Provided further, That any amount apportioned in 2005 to any State, territory, or other jurisdiction that remains unobligated as of September 30, 2006, shall be reapportioned, together with funds appropriated in 2007, in the manner provided herein: Provided further, That balances from amounts previously appropriated under the heading "State Wildlife Grants" shall be transferred to and merged with this appropriation and shall remain available until expended.

ADMINISTRATIVE PROVISIONS

Appropriations and funds available to the United States Fish and Wildlife Service shall be available for purchase of not to exceed 179 passenger motor vehicles, of which 161 are for replacement only (including 44 for police-type use); repair of damage to public roads within and adjacent to reservation areas caused by operations of the Service; options for the purchase of land at not to exceed $1 for each option; facilities incident to such public recreational uses on conservation areas as are consistent with their primary purpose; and the maintenance and improvement of aquaria, buildings, and other facilities under the jurisdiction of the Service and to which the United States has title, and which are used pursuant to law in connection with management, and investigation of fish and wildlife resources: Provided, That notwithstanding 44 U.S.C. 501, the Service may, under cooperative cost sharing and partnership arrangements authorized by law, procure printing services from cooperators in connection with jointly produced publications for which the cooperators share at least one-half the cost of printing either in cash or services and the Service determines the cooperator is capable of meeting accepted quality standards: Provided further, That notwithstanding any other provision of law, the Service may use up to $2,000,000 from funds provided for contracts for employment-related legal services: Provided further, That the Service may accept donated aircraft as replacements for existing aircraft: Provided further, That notwithstanding any other provision of law, the Secretary of the Interior may not spend any of the funds appropriated in this Act for the purchase of lands or interests in lands to be used in the establishment of any new unit of the National Wildlife Refuge System unless the purchase is approved in advance by the House and Senate Committees on Appropriations in compliance with the reprogramming procedures contained in House Report 108–330.

NATIONAL PARK SERVICE

OPERATION OF THE NATIONAL PARK SYSTEM

For expenses necessary for the management, operation, and maintenance of areas and facilities administered by the National Park Service (including special road maintenance service to trucking permittees on a reimbursable basis), and for the general administration of the National Park Service, $1,707,282,000, of which $10,708,000 is for planning and interagency coordination in support of Everglades restoration and shall remain available until expended; of which $96,440,000 is for maintenance, repair or rehabilitation projects for constructed assets, operation of the National Park Service automated facility management software system, and comprehensive facility condition assessments; and of which $2,000,000 is for the Youth Conservation Corps for high priority projects: Provided, That the only funds in this account which may be made available to support United States Park Police are those funds approved for emergency law and order incidents pursuant to established National Park Service procedures, those funds needed to maintain and repair United States Park Police administrative facilities, and those funds necessary to reimburse the United States Park Police account for the unbudgeted overtime and travel costs as-

sociated with special events for an amount not to exceed $10,000 per event subject to the review and concurrence of the Washington headquarters office.

UNITED STATES PARK POLICE

For expenses necessary to carry out the programs of the United States Park Police, $81,204,000.

NATIONAL RECREATION AND PRESERVATION

For expenses necessary to carry out recreation programs, natural programs, cultural programs, heritage partnership programs, environmental compliance and review, international park affairs, statutory or contractual aid for other activities, and grant administration, not otherwise provided for, $61,832,000: Provided, That $700,000 from the Statutory and Contractual Aid Account shall be provided to the City of Tacoma, Washington for the purpose of conducting a feasibility study for the Train to the Mountain project: Provided further, That none of the funds in this Act for the River, Trails and Conservation Assistance program may be used for cash agreements, or for cooperative agreements that are inconsistent with the program's final strategic plan: Provided further, That notwithstanding section 8(b) of Public Law 102–543 (16 U.S.C. 410yy–8(b)), amounts made available under this heading to the Keweenaw National Historical Park shall be matched on not less than a 1-to-1 basis by non-Federal funds.

HISTORIC PRESERVATION FUND

For expenses necessary in carrying out the Historic Preservation Act of 1966, as amended (16 U.S.C. 470), and the Omnibus Parks and Public Lands Management Act of 1996 (Public Law 104–333), $72,750,000, to be derived from the Historic Preservation Fund, to remain available until September 30, 2006, of which $30,000,000 shall be for Save America's Treasures for preservation of nationally significant sites, structures, and artifacts: Provided, That any individual Save America's Treasures grant shall be matched by non-Federal funds: Provided further, That individual projects shall only be eligible for one grant: Provided further, That all projects to be funded shall be approved by the Secretary of the Interior in consultation with the House and Senate Committees on Appropriations and the President's Committee on the Arts and Humanities prior to the commitment of Save America's Treasures grant funds: Provided further, That Save America's Treasures funds allocated for Federal projects, following approval, shall be available by transfer to appropriate accounts of individual agencies: Provided further, That hereinafter and notwithstanding 20 U.S.C. 951 et seq. the National Endowment for the Arts may award Save America's Treasures grants based upon the recommendations of the Save America's Treasures grant selection panel convened by the President's Committee on the Arts and the Humanities and the National Park Service.

CONSTRUCTION

For construction, improvements, repair or replacement of physical facilities, including the modifications authorized by section 104 of the Everglades National Park Protection and Expansion Act of

1989, $307,362,000, to remain available until expended, of which $500,000 for the L.Q.C. Lamar House National Historic Landmark shall be derived from the Historic Preservation Fund pursuant to 16 U.S.C. 470a: Provided, That none of the funds available to the National Park Service may be used to plan, design, or construct any partnership project with a total value in excess of $5,000,000, without advance approval of the House and Senate Committees on Appropriations: Provided further, That, notwithstanding any other provision of law, the National Park Service may not accept donations or services associated with the planning, design, or construction of such new facilities without advance approval of the House and Senate Committees on Appropriations: Provided further, That these restrictions do not apply to the Flight 93 Memorial: Provided further, That funds provided under this heading for implementation of modified water deliveries to Everglades National Park shall be expended consistent with the requirements of the fifth proviso under this heading in Public Law 108–108: Provided further, That none of the funds provided in this or any other Act may be used for planning, design, or construction of any underground security screening or visitor contact facility at the Washington Monument until such facility has been approved in writing by the House and Senate Committees on Appropriations: Provided further, That the National Park Service may use funds provided herein to construct a parking lot and connecting trail on leased, non-Federal land in order to accommodate visitor use of the Old Rag Mountain Trail at Shenandoah National Park, and may for the duration of such lease use any funds available to the Service for the maintenance of the parking lot and connecting trail.

LAND AND WATER CONSERVATION FUND

(RESCISSION)

The contract authority provided for fiscal year 2005 by 16 U.S.C. 460l–10a are rescinded.

LAND ACQUISITION AND STATE ASSISTANCE

(INCLUDING TRANSFER OF FUNDS)

For expenses necessary to carry out the Land and Water Conservation Act of 1965, as amended (16 U.S.C. 460l–4 through 11), including administrative expenses, and for acquisition of lands or waters, or interest therein, in accordance with the statutory authority applicable to the National Park Service, $148,411,000, to be derived from the Land and Water Conservation Fund and to remain available until expended, of which $92,500,000 is for the State assistance program including $1,500,000 to administer this program: Provided, That none of the funds provided for the State assistance program may be used to establish a contingency fund: Provided further, That in lieu of State assistance program indirect costs (as described in OMB Circular A–87), not to exceed 5 percent of apportionments under the State assistance program may be used by States, the District of Columbia, and insular areas to support program administrative costs: Provided further, That $250,000 of the amount provided under this heading for civil war battlefield protec-

tion shall be available for transfer to the "National Recreation and Preservation" account.

ADMINISTRATIVE PROVISIONS

Appropriations for the National Park Service shall be available for the purchase of not to exceed 249 passenger motor vehicles, of which 202 shall be for replacement only, including not to exceed 193 for police-type use, 10 buses, and 8 ambulances: Provided, That none of the funds appropriated to the National Park Service may be used to process any grant or contract documents which do not include the text of 18 U.S.C. 1913: Provided further, That none of the funds appropriated to the National Park Service may be used to implement an agreement for the redevelopment of the southern end of Ellis Island until such agreement has been submitted to the Congress and shall not be implemented prior to the expiration of 30 calendar days (not including any day in which either House of Congress is not in session because of adjournment of more than 3 calendar days to a day certain) from the receipt by the Speaker of the House of Representatives and the President of the Senate of a full and comprehensive report on the development of the southern end of Ellis Island, including the facts and circumstances relied upon in support of the proposed project: Provided further, That appropriations available to the National Park Service may be used to maintain the following areas in Washington, District of Columbia: Jackson Place, Madison Place, and Pennsylvania Avenue between 15th and 17th Streets, Northwest.

None of the funds in this Act may be spent by the National Park Service for activities taken in direct response to the United Nations Biodiversity Convention.

The National Park Service may distribute to operating units based on the safety record of each unit the costs of programs designed to improve workplace and employee safety, and to encourage employees receiving workers' compensation benefits pursuant to chapter 81 of title 5, United States Code, to return to appropriate positions for which they are medically able.

Notwithstanding any other provision of law, in fiscal year 2005, with respect to the administration of the National Park Service park pass program by the National Park Foundation, the Secretary may pay to the Foundation administrative funds expected to be received in that fiscal year before the revenues are collected, so long as total payments in the administrative account do not exceed total revenue collected and deposited in that account by the end of the fiscal year.

If the Secretary of the Interior considers the decision of any value determination proceeding conducted under a National Park Service concession contract issued prior to November 13, 1998, to misinterpret or misapply relevant contractual requirements or their underlying legal authority, the Secretary may seek, within 180 days of any such decision, the de novo review of the value determination by the United States Court of Federal Claims, and that court may make an order affirming, vacating, modifying or correcting the determination.

In addition to other uses set forth in section 407(d) of Public Law 105–391, franchise fees credited to a sub-account shall be available for expenditure by the Secretary, without further appropriation, for use at any unit within the National Park System to ex-

tinguish or reduce liability for Possessory Interest or leasehold surrender interest. Such funds may only be used for this purpose to the extent that the benefiting unit anticipated franchise fee receipts over the term of the contract at that unit exceed the amount of funds used to extinguish or reduce liability. Franchise fees at the benefiting unit shall be credited to the sub-account of the originating unit over a period not to exceed the term of a single contract at the benefiting unit, in the amount of funds so expended to extinguish or reduce liability.

UNITED STATES GEOLOGICAL SURVEY

SURVEYS, INVESTIGATIONS, AND RESEARCH

For expenses necessary for the United States Geological Survey to perform surveys, investigations, and research covering topography, geology, hydrology, biology, and the mineral and water resources of the United States, its territories and possessions, and other areas as authorized by 43 U.S.C. 31, 1332, and 1340; classify lands as to their mineral and water resources; give engineering supervision to power permittees and Federal Energy Regulatory Commission licensees; administer the minerals exploration program (30 U.S.C. 641); and publish and disseminate data relative to the foregoing activities; and to conduct inquiries into the economic conditions affecting mining and materials processing industries (30 U.S.C. 3, 21a, and 1603; 50 U.S.C. 98g(1)) and related purposes as authorized by law and to publish and disseminate data; $948,921,000, of which $63,262,000 shall be available only for cooperation with States or municipalities for water resources investigations; and of which $7,901,000 shall remain available until expended for satellite operations; and of which $21,971,000 shall be available until September 30, 2006, for the operation and maintenance of facilities and deferred maintenance; and of which $1,600,000 shall be available until expended for deferred maintenance and capital improvement projects that exceed $100,000 in cost; and of which $174,219,000 shall be available until September 30, 2006, for the biological research activity and the operation of the Cooperative Research Units: Provided, That none of the funds provided for the biological research activity shall be used to conduct new surveys on private property, unless specifically authorized in writing by the property owner: Provided further, That no part of this appropriation shall be used to pay more than one-half the cost of topographic mapping or water resources data collection and investigations carried on in cooperation with States and municipalities.

ADMINISTRATIVE PROVISIONS

The amount appropriated for the United States Geological Survey shall be available for the purchase and replacement of passenger motor vehicles; reimbursement to the General Services Administration for security guard services; contracting for the furnishing of topographic maps and for the making of geophysical or other specialized surveys when it is administratively determined that such procedures are in the public interest; construction and maintenance of necessary buildings and appurtenant facilities; acquisition of lands for gauging stations and observation wells; ex-

penses of the United States National Committee on Geology; and payment of compensation and expenses of persons on the rolls of the Survey duly appointed to represent the United States in the negotiation and administration of interstate compacts: Provided, That activities funded by appropriations herein made may be accomplished through the use of contracts, grants, or cooperative agreements as defined in 31 U.S.C. 6302 et seq.: Provided further, That the United States Geological Survey may enter into contracts or cooperative agreements directly with individuals or indirectly with institutions or nonprofit organizations, without regard to 41 U.S.C. 5, for the temporary or intermittent services of students or recent graduates, who shall be considered employees for the purpose of chapters 57 and 81 of title 5, United States Code, relating to compensation for travel and work injuries, and chapter 171 of title 28, United States Code, relating to tort claims, but shall not be considered to be Federal employees for any other purposes.

MINERALS MANAGEMENT SERVICE

ROYALTY AND OFFSHORE MINERALS MANAGEMENT

For expenses necessary for minerals leasing and environmental studies, regulation of industry operations, and collection of royalties, as authorized by law; for enforcing laws and regulations applicable to oil, gas, and other minerals leases, permits, licenses and operating contracts; and for matching grants or cooperative agreements; including the purchase of not to exceed eight passenger motor vehicles for replacement only, $169,175,000, of which $76,106,000 shall be available for royalty management activities; and an amount not to exceed $103,730,000, to be credited to this appropriation and to remain available until expended, from additions to receipts resulting from increases to rates in effect on August 5, 1993, from rate increases to fee collections for Outer Continental Shelf administrative activities performed by the Minerals Management Service (MMS) over and above the rates in effect on September 30, 1993, and from additional fees for Outer Continental Shelf administrative activities established after September 30, 1993: Provided, That to the extent $103,730,000 in additions to receipts are not realized from the sources of receipts stated above, the amount needed to reach $103,730,000 shall be credited to this appropriation from receipts resulting from rental rates for Outer Continental Shelf leases in effect before August 5, 1993: Provided further, That $3,000,000 for computer acquisitions shall remain available until September 30, 2006: Provided further, That funds appropriated under this Act shall be available for the payment of interest in accordance with 30 U.S.C. 1721(b) and (d): Provided further, That not to exceed $3,000 shall be available for reasonable expenses related to promoting volunteer beach and marine cleanup activities: Provided further, That notwithstanding any other provision of law, $15,000 under this heading shall be available for refunds of overpayments in connection with certain Indian leases in which the Director of MMS concurred with the claimed refund due, to pay amounts owed to Indian allottees or tribes, or to correct prior unrecoverable erroneous payments: Provided further, That MMS may under the royalty-in-kind program, or under its authority to transfer oil to the Strategic Petroleum Reserve, use a portion of the reve-

nues from royalty-in-kind sales, without regard to fiscal year limitation, to pay for transportation to wholesale market centers or upstream pooling points, to process or otherwise dispose of royalty production taken in kind, and to recover MMS transportation costs, salaries, and other administrative costs directly related to the royalty-in-kind program: Provided further, That MMS shall analyze and document the expected return in advance of any royalty-in-kind sales to assure to the maximum extent practicable that royalty income under the pilot program is equal to or greater than royalty income recognized under a comparable royalty-in-value program: Provided further, That in fiscal year 2005 and thereafter, notwithstanding 30 U.S.C. 191(a) and 43 U.S.C. 1338, the Secretary shall pay amounts owed to States under the provision of 30 U.S.C. 1721(b) from amounts received as current receipts from bonuses, royalties, interest collected from lessees and designees, and rentals of the public lands and the outer continental shelf under provisions of the Mineral Leasing Act (30 U.S.C. 181 et seq.), and the Outer Continental Shelf Lands Act (43 U.S.C. 1331 et seq.), which are not payable to a State or the Reclamation Fund.

OIL SPILL RESEARCH

For necessary expenses to carry out title I, section 1016, title IV, sections 4202 and 4303, title VII, and title VIII, section 8201 of the Oil Pollution Act of 1990, $7,105,000, which shall be derived from the Oil Spill Liability Trust Fund, to remain available until expended.

OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT

REGULATION AND TECHNOLOGY

For necessary expenses to carry out the provisions of the Surface Mining Control and Reclamation Act of 1977, Public Law 95–87, as amended, including the purchase of not to exceed 10 passenger motor vehicles, for replacement only; $109,805,000: Provided, That the Secretary of the Interior, pursuant to regulations, may use directly or through grants to States, moneys collected in fiscal year 2005 for civil penalties assessed under section 518 of the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1268), to reclaim lands adversely affected by coal mining practices after August 3, 1977, to remain available until expended: Provided further, That appropriations for the Office of Surface Mining Reclamation and Enforcement may provide for the travel and per diem expenses of State and tribal personnel attending Office of Surface Mining Reclamation and Enforcement sponsored training.

ABANDONED MINE RECLAMATION FUND

For necessary expenses to carry out title IV of the Surface Mining Control and Reclamation Act of 1977, Public Law 95–87, as amended, including the purchase of not more than 10 passenger motor vehicles for replacement only, $190,863,000, to be derived from receipts of the Abandoned Mine Reclamation Fund and to remain available until expended; of which up to $10,000,000, to be derived from the Federal Expenses Share of the Fund, shall be for supplemental grants to States for the reclamation of abandoned sites with acid mine rock drainage from coal mines, and for associ-

ated activities, through the Appalachian Clean Streams Initiative: Provided, That grants to minimum program States will be $1,500,000 per State in fiscal year 2005: Provided further, That pursuant to Public Law 97–365, the Department of the Interior is authorized to use up to 20 percent from the recovery of the delinquent debt owed to the United States Government to pay for contracts to collect these debts: Provided further, That funds made available under title IV of Public Law 95–87 may be used for any required non-Federal share of the cost of projects funded by the Federal Government for the purpose of environmental restoration related to treatment or abatement of acid mine drainage from abandoned mines: Provided further, That such projects must be consistent with the purposes and priorities of the Surface Mining Control and Reclamation Act: Provided further, That the State of Maryland may set aside the greater of $1,000,000 or 10 percent of the total of the grants made available to the State under title IV of the Surface Mining Control and Reclamation Act of 1977, as amended (30 U.S.C. 1231 et seq.), if the amount set aside is deposited in an acid mine drainage abatement and treatment fund established under a State law, pursuant to which law the amount (together with all interest earned on the amount) is expended by the State to undertake acid mine drainage abatement and treatment projects, except that before any amounts greater than 10 percent of its title IV grants are deposited in an acid mine drainage abatement and treatment fund, the State of Maryland must first complete all Surface Mining Control and Reclamation Act priority one projects: Provided further, That amounts provided under this heading may be used for the travel and per diem expenses of State and tribal personnel attending Office of Surface Mining Reclamation and Enforcement sponsored training.

ADMINISTRATIVE PROVISION

With funds available for the Technical Innovation and Professional Services program in this Act, the Secretary may transfer title for computer hardware, software and other technical equipment to State and Tribal regulatory and reclamation programs.

BUREAU OF INDIAN AFFAIRS

OPERATION OF INDIAN PROGRAMS

For expenses necessary for the operation of Indian programs, as authorized by law, including the Snyder Act of November 2, 1921 (25 U.S.C. 13), the Indian Self-Determination and Education Assistance Act of 1975 (25 U.S.C. 450 et seq.), as amended, the Education Amendments of 1978 (25 U.S.C. 2001–2019), and the Tribally Controlled Schools Act of 1988 (25 U.S.C. 2501 et seq.), as amended, $1,955,047,000, to remain available until September 30, 2006 except as otherwise provided herein, of which not to exceed $87,638,000 shall be for welfare assistance payments and notwithstanding any other provision of law, including but not limited to the Indian Self-Determination Act of 1975, as amended, not to exceed $136,314,000 shall be available for payments to tribes and tribal organizations for contract support costs associated with ongoing contracts, grants, compacts, or annual funding agreements entered into with the Bureau prior to or during fiscal year 2005, as authorized by such Act,

except that tribes and tribal organizations may use their tribal priority allocations for unmet indirect costs of ongoing contracts, grants, or compacts, or annual funding agreements and for unmet welfare assistance costs; and of which not to exceed $456,057,000 for school operations costs of Bureau-funded schools and other education programs shall become available on July 1, 2005, and shall remain available until September 30, 2006; and of which not to exceed $61,801,000 shall remain available until expended for housing improvement, road maintenance, attorney fees, litigation support, the Indian Self-Determination Fund, land records improvement, and the Navajo-Hopi Settlement Program: Provided, That notwithstanding any other provision of law, including but not limited to the Indian Self-Determination Act of 1975, as amended, and 25 U.S.C. 2008, not to exceed $45,348,000 within and only from such amounts made available for school operations shall be available to tribes and tribal organizations for administrative cost grants associated with ongoing grants entered into with the Bureau prior to or during fiscal year 2004 for the operation of Bureau-funded schools, and up to $1,000,000 within and only from such amounts made available for school operations shall be available for the transitional costs of initial administrative cost grants to tribes and tribal organizations that enter into grants for the operation on or after July 1, 2004 of Bureau-operated schools: Provided further, That any forestry funds allocated to a tribe which remain unobligated as of September 30, 2006, may be transferred during fiscal year 2007 to an Indian forest land assistance account established for the benefit of such tribe within the tribe's trust fund account: Provided further, That any such unobligated balances not so transferred shall expire on September 30, 2007.

CONSTRUCTION

For construction, repair, improvement, and maintenance of irrigation and power systems, buildings, utilities, and other facilities, including architectural and engineering services by contract; acquisition of lands, and interests in lands; and preparation of lands for farming, and for construction of the Navajo Indian Irrigation Project pursuant to Public Law 87–483, $323,626,000, to remain available until expended: Provided, That such amounts as may be available for the construction of the Navajo Indian Irrigation Project may be transferred to the Bureau of Reclamation: Provided further, That not to exceed 6 percent of contract authority available to the Bureau of Indian Affairs from the Federal Highway Trust Fund may be used to cover the road program management costs of the Bureau: Provided further, That any funds provided for the Safety of Dams program pursuant to 25 U.S.C. 13 shall be made available on a nonreimbursable basis: Provided further, That for fiscal year 2005, in implementing new construction or facilities improvement and repair project grants in excess of $100,000 that are provided to tribally controlled grant schools under Public Law 100–297, as amended, the Secretary of the Interior shall use the Administrative and Audit Requirements and Cost Principles for Assistance Programs contained in 43 CFR part 12 as the regulatory requirements: Provided further, That such grants shall not be subject to section 12.61 of 43 CFR; the Secretary and the grantee shall negotiate and determine a schedule of payments for the work to be per-

formed: Provided further, That in considering applications, the Secretary shall consider whether the Indian tribe or tribal organization would be deficient in assuring that the construction projects conform to applicable building standards and codes and Federal, tribal, or State health and safety standards as required by 25 U.S.C. 2005(b), with respect to organizational and financial management capabilities: Provided further, That if the Secretary declines an application, the Secretary shall follow the requirements contained in 25 U.S.C. 2504(f): Provided further, That any disputes between the Secretary and any grantee concerning a grant shall be subject to the disputes provision in 25 U.S.C. 2507(e): Provided further, That in order to ensure timely completion of replacement school construction projects, the Secretary may assume control of a project and all funds related to the project, if, within eighteen months of the date of enactment of this Act, any tribe or tribal organization receiving funds appropriated in this Act or in any prior Act, has not completed the planning and design phase of the project and commenced construction of the replacement school: Provided further, That, of the funds provided for the tribal school demonstration program, notwithstanding the provisions of paragraph (b)(1) of section 122 of division F of Public Law 108–7, as amended by section 136 of Public Law 108–108, $4,500,000 is for the Eastern Band of Cherokee education campus at the Ravensford tract, $4,000,000 is for the Sac and Fox Meskwaki Settlement school, and $4,000,000 is for the Twin Buttes elementary school on the Fort Berthold Reservation: Provided further, That this Appropriation may be reimbursed from the Office of the Special Trustee for American Indians Appropriation for the appropriate share of construction costs for space expansion needed in agency offices to meet trust reform implementation.

INDIAN LAND AND WATER CLAIM SETTLEMENTS AND MISCELLANEOUS PAYMENTS TO INDIANS

For miscellaneous payments to Indian tribes and individuals and for necessary administrative expenses, $44,771,000, to remain available until expended, for implementation of Indian land and water claim settlements pursuant to Public Laws 99–264, 100–580, 101–618, 106–554, 107–331, and 108–34, and for implementation of other land and water rights settlements, of which $10,032,000 shall be available for payment to the Quinault Indian Nation pursuant to the terms of the North Boundary Settlement Agreement dated July 14, 2000, providing for the acquisition of perpetual conservation easements from the Nation.

INDIAN GUARANTEED LOAN PROGRAM ACCOUNT

For the cost of guaranteed and insured loans, $6,421,000, of which $695,000 is for administrative expenses, as authorized by the Indian Financing Act of 1974, as amended: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That these funds are available to subsidize total loan principal, any part of which is to be guaranteed, not to exceed $84,699,000.

ADMINISTRATIVE PROVISIONS

The Bureau of Indian Affairs may carry out the operation of Indian programs by direct expenditure, contracts, cooperative agreements, compacts and grants, either directly or in cooperation with States and other organizations.

Notwithstanding 25 U.S.C. 15, the Bureau of Indian Affairs may contract for services in support of the management, operation, and maintenance of the Power Division of the San Carlos Irrigation Project.

Appropriations for the Bureau of Indian Affairs (except the revolving fund for loans, the Indian loan guarantee and insurance fund, and the Indian Guaranteed Loan Program account) shall be available for expenses of exhibits, and purchase of not to exceed 229 passenger motor vehicles, of which not to exceed 187 shall be for replacement only.

Notwithstanding any other provision of law, no funds available to the Bureau of Indian Affairs for central office operations or pooled overhead general administration (except facilities operations and maintenance) shall be available for tribal contracts, grants, compacts, or cooperative agreements with the Bureau of Indian Affairs under the provisions of the Indian Self-Determination Act or the Tribal Self-Governance Act of 1994 (Public Law 103–413).

In the event any tribe returns appropriations made available by this Act to the Bureau of Indian Affairs for distribution to other tribes, this action shall not diminish the Federal Government's trust responsibility to that tribe, or the government-to-government relationship between the United States and that tribe, or that tribe's ability to access future appropriations.

Notwithstanding any other provision of law, no funds available to the Bureau, other than the amounts provided herein for assistance to public schools under 25 U.S.C. 452 et seq., shall be available to support the operation of any elementary or secondary school in the State of Alaska.

Appropriations made available in this or any other Act for schools funded by the Bureau shall be available only to the schools in the Bureau school system as of September 1, 1996. No funds available to the Bureau shall be used to support expanded grades for any school or dormitory beyond the grade structure in place or approved by the Secretary of the Interior at each school in the Bureau school system as of October 1, 1995. Funds made available under this Act may not be used to establish a charter school at a Bureau-funded school (as that term is defined in section 1146 of the Education Amendments of 1978 (25 U.S.C. 2026)), except that a charter school that is in existence on the date of the enactment of this Act and that has operated at a Bureau-funded school before September 1, 1999, may continue to operate during that period, but only if the charter school pays to the Bureau a pro rata share of funds to reimburse the Bureau for the use of the real and personal property (including buses and vans), the funds of the charter school are kept separate and apart from Bureau funds, and the Bureau does not assume any obligation for charter school programs of the State in which the school is located if the charter school loses such funding. Employees of Bureau-funded schools sharing a campus with a charter school and performing functions related to the char-

ter school's operation and employees of a charter school shall not be treated as Federal employees for purposes of chapter 171 of title 28, United States Code.

Notwithstanding any other provision of law, including sec. 113 of Title I of Appendix C of Public Law 106–113, if a Tribe or tribal organization in fiscal year 2003 or 2004 received indirect and administrative costs pursuant to a distribution formula based on sec. 5(f) of Public Law 101–301, the Secretary shall continue to distribute indirect and administrative cost funds to such Tribe or tribal organization using the sec. 5(f) distribution formula.

DEPARTMENTAL OFFICES

INSULAR AFFAIRS

ASSISTANCE TO TERRITORIES

For expenses necessary for assistance to territories under the jurisdiction of the Department of the Interior, $76,255,000, of which: (1) $69,682,000 shall be available until expended for technical assistance, including maintenance assistance, disaster assistance, insular management controls, coral reef initiative activities, and brown tree snake control and research; grants to the judiciary in American Samoa for compensation and expenses, as authorized by law (48 U.S.C. 1661(c)); grants to the Government of American Samoa, in addition to current local revenues, for construction and support of governmental functions; grants to the Government of the Virgin Islands as authorized by law; grants to the Government of Guam, as authorized by law; and grants to the Government of the Northern Mariana Islands as authorized by law (Public Law 94-241; 90 Stat. 272); and (2) $6,563,000 shall be available for salaries and expenses of the Office of Insular Affairs: Provided, That all financial transactions of the territorial and local governments herein provided for, including such transactions of all agencies or instrumentalities established or used by such governments, may be audited by the Government Accountability Office, at its discretion, in accordance with chapter 35 of title 31, United States Code: Provided further, That Northern Mariana Islands Covenant grant funding shall be provided according to those terms of the Agreement of the Special Representatives on Future United States Financial Assistance for the Northern Mariana Islands approved by Public Law 104–134: Provided further, That of the amounts provided for technical assistance, sufficient funds shall be made available for a grant to the Pacific Basin Development Council: Provided further, That of the amounts provided for technical assistance, sufficient funding shall be made available for a grant to the Close Up Foundation: Provided further, That the funds for the program of operations and maintenance improvement are appropriated to institutionalize routine operations and maintenance improvement of capital infrastructure with territorial participation and cost sharing to be determined by the Secretary based on the grantee's commitment to timely maintenance of its capital assets: Provided further, That any appropriation for disaster assistance under this heading in this Act or previous appropriations Acts may be used as non-Federal matching funds for the purpose of hazard mitigation grants pro-

vided pursuant to section 404 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170c).

COMPACT OF FREE ASSOCIATION

For grants and necessary expenses, $5,499,000, as provided for in sections 221(a)(2), 221(b), and 233 of the Compact of Free Association for the Republic of Palau as authorized by Public Law 99–658; Public Law 108–188; and section 221(a)(2) of the Compacts of Free Association and their related agreements between the Government of the United States and the Government of the Republic of the Marshall Islands, and the Government of the United States of the Federated States of Micronesia, respectively, as amended.

DEPARTMENTAL MANAGEMENT

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses for management of the Department of the Interior, $90,855,000, of which not to exceed $8,500 may be for official reception and representation expenses, of which up to $1,000,000 shall be available for workers compensation payments and unemployment compensation payments associated with the orderly closure of the United States Bureau of Mines, and of which $14,250,000 shall remain available until expended for a departmental financial and business management system: Provided, That of the funds provided for a departmental financial and business management system, $13,500,000 shall be derived by transfer from unobligated balances in the "Central Hazardous Materials Fund": Provided further, That none of the funds in this or previous appropriations Acts may be used to establish any additional reserves in the Working Capital Fund account other than the two authorized reserves without prior approval of the House and Senate Committees on Appropriations: Provided further, That amounts otherwise appropriated by this Act for motor vehicle lease, purchase or service costs at the Department of the Interior are reduced by $3,000,000 and, not later than 30 days after the date of the enactment of this Act, the Director of the Office of Management and Budget shall submit to the Committees on Appropriations of the House of Representatives and the Senate a listing of the amounts by account of the reductions made pursuant to this proviso.

PAYMENTS IN LIEU OF TAXES

For expenses necessary to implement the Act of October 20, 1976, as amended (31 U.S.C. 6901–6907), $230,000,000, of which not to exceed $400,000 shall be available for administrative expenses: Provided, That no payment shall be made to otherwise eligible units of local government if the computed amount of the payment is less than $100.

OFFICE OF THE SOLICITOR

SALARIES AND EXPENSES

For necessary expenses of the Office of the Solicitor, $52,384,000.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

For necessary expenses of the Office of Inspector General, $37,800,000.

OFFICE OF SPECIAL TRUSTEE FOR AMERICAN INDIANS

FEDERAL TRUST PROGRAMS

For the operation of trust programs for Indians by direct expenditure, contracts, cooperative agreements, compacts, and grants, $196,267,000, to remain available until expended, of which not to exceed $58,000,000 shall be available for historical accounting: Provided, That funds for trust management improvements and litigation support may, as needed, be transferred to or merged with the Bureau of Indian Affairs, "Operation of Indian Programs" account; the Office of the Solicitor, "Salaries and Expenses" account; and the Departmental Management, "Salaries and Expenses" account: Provided further, That funds made available to Tribes and Tribal organizations through contracts or grants obligated during fiscal year 2005, as authorized by the Indian Self-Determination Act of 1975 (25 U.S.C. 450 et seq.), shall remain available until expended by the contractor or grantee: Provided further, That notwithstanding any other provision of law, the statute of limitations shall not commence to run on any claim, including any claim in litigation pending on the date of the enactment of this Act, concerning losses to or mismanagement of trust funds, until the affected tribe or individual Indian has been furnished with an accounting of such funds from which the beneficiary can determine whether there has been a loss: Provided further, That notwithstanding any other provision of law, the Secretary shall not be required to provide a quarterly statement of performance for any Indian trust account that has not had activity for at least 18 months and has a balance of $1.00 or less: Provided further, That the Secretary shall issue an annual account statement and maintain a record of any such accounts and shall permit the balance in each such account to be withdrawn upon the express written request of the account holder: Provided further, That not to exceed $50,000 is available for the Secretary to make payments to correct administrative errors of either disbursements from or deposits to Individual Indian Money or Tribal accounts after September 30, 2002: Provided further, That erroneous payments that are recovered shall be credited to and remain available in this account for this purpose.

INDIAN LAND CONSOLIDATION

For consolidation of fractional interests in Indian lands and expenses associated with redetermining and redistributing escheated interests in allotted lands, and for necessary expenses to carry out the Indian Land Consolidation Act of 1983, as amended, by direct expenditure or cooperative agreement, $35,000,000, to remain available until expended, and which may be transferred to the Bureau of Indian Affairs and Departmental Management accounts: Provided, That funds provided under this heading may be expended pursuant to the authorities contained in the provisos under the heading "Office of Special Trustee for American Indians, Indian

Land Consolidation" of the Interior and Related Agencies Appropriations Act, 2001 (Public Law 106–291).

NATURAL RESOURCE DAMAGE ASSESSMENT AND RESTORATION

NATURAL RESOURCE DAMAGE ASSESSMENT FUND

To conduct natural resource damage assessment and restoration activities by the Department of the Interior necessary to carry out the provisions of the Comprehensive Environmental Response, Compensation, and Liability Act, as amended (42 U.S.C. 9601 et seq.), Federal Water Pollution Control Act, as amended (33 U.S.C. 1251 et seq.), the Oil Pollution Act of 1990 (Public Law 101–380) (33 U.S.C. 2701 et seq.), and Public Law 101–337, as amended (16 U.S.C. 19jj et seq.), $5,818,000, to remain available until expended.

ADMINISTRATIVE PROVISIONS

There is hereby authorized for acquisition from available resources within the Working Capital Fund, 15 aircraft, 10 of which shall be for replacement and which may be obtained by donation, purchase or through available excess surplus property: Provided, That existing aircraft being replaced may be sold, with proceeds derived or trade-in value used to offset the purchase price for the replacement aircraft: Provided further, That no programs funded with appropriated funds in the "Departmental Management", "Office of the Solicitor", and "Office of Inspector General" may be augmented through the Working Capital Fund: Provided further, That the annual budget justification for Departmental Management shall describe estimated Working Capital Fund charges to bureaus and offices, including the methodology on which charges are based: Provided further, That departures from the Working Capital Fund estimates contained in the Departmental Management budget justification shall be presented to the Committees on Appropriations for approval: Provided further, That the Secretary shall provide a semiannual report to the Committees on Appropriations on reimbursable support agreements between the Office of the Secretary and the National Business Center and the bureaus and offices of the Department, including the amounts billed pursuant to such agreements.

GENERAL PROVISIONS, DEPARTMENT OF THE INTERIOR

SEC. 101. Appropriations made in this title shall be available for expenditure or transfer (within each bureau or office), with the approval of the Secretary, for the emergency reconstruction, replacement, or repair of aircraft, buildings, utilities, or other facilities or equipment damaged or destroyed by fire, flood, storm, or other unavoidable causes: Provided, That no funds shall be made available under this authority until funds specifically made available to the Department of the Interior for emergencies shall have been exhausted: Provided further, That all funds used pursuant to this section are hereby designated as an emergency requirement pursuant to section 402 of S. Con. Res. 95 (108th Congress), as made applicable to the House of Representatives by H. Res. 649 (108th Congress) and applicable to the Senate by section 14007 of Public Law 108–287, and must be replenished by a supplemental appropriation which must be requested as promptly as possible.

SEC. 102. The Secretary may authorize the expenditure or transfer of any no year appropriation in this title, in addition to the amounts included in the budget programs of the several agencies, for the suppression or emergency prevention of wildland fires on or threatening lands under the jurisdiction of the Department of the Interior; for the emergency rehabilitation of burned-over lands under its jurisdiction; for emergency actions related to potential or actual earthquakes, floods, volcanoes, storms, or other unavoidable causes; for contingency planning subsequent to actual oil spills; for response and natural resource damage assessment activities related to actual oil spills; for the prevention, suppression, and control of actual or potential grasshopper and Mormon cricket outbreaks on lands under the jurisdiction of the Secretary, pursuant to the authority in section 1773(b) of Public Law 99–198 (99 Stat. 1658); for emergency reclamation projects under section 410 of Public Law 95–87; and shall transfer, from any no year funds available to the Office of Surface Mining Reclamation and Enforcement, such funds as may be necessary to permit assumption of regulatory authority in the event a primacy State is not carrying out the regulatory provisions of the Surface Mining Act: Provided, That appropriations made in this title for wildland fire operations shall be available for the payment of obligations incurred during the preceding fiscal year, and for reimbursement to other Federal agencies for destruction of vehicles, aircraft, or other equipment in connection with their use for wildland fire operations, such reimbursement to be credited to appropriations currently available at the time of receipt thereof: Provided further, That for wildland fire operations, no funds shall be made available under this authority until the Secretary determines that funds appropriated for "wildland fire operations" shall be exhausted within 30 days: Provided further, That all funds used pursuant to this section are hereby designated as an emergency requirement pursuant to section 402 of S. Con. Res. 95 (108th Congress), as made applicable to the House of Representatives by H. Res. 649 (108th Congress) and applicable to the Senate by section 14007 of Public Law 108–287, and must be replenished by a supplemental appropriation which must be requested as promptly as possible: Provided further, That such replenishment funds shall be used to reimburse, on a pro rata basis, accounts from which emergency funds were transferred.

SEC. 103. Appropriations made to the Department of the Interior shall hereafter be available for operation of warehouses, garages, shops, and similar facilities, wherever consolidation of activities will contribute to efficiency or economy, and said appropriations shall be reimbursed for services rendered to any other activity in the same manner as authorized by sections 1535 and 1536 of title 31, United States Code: Provided, That reimbursements for costs and supplies, materials, equipment, and for services rendered may be credited to the appropriation current at the time such reimbursements are received.

SEC. 104. Appropriations made to the Department of the Interior in this title shall be available for services as authorized by 5 U.S.C. 3109, when authorized by the Secretary, in total amount not to exceed $500,000; hire, maintenance, and operation of aircraft; hire of passenger motor vehicles; purchase of reprints; payment for telephone service in private residences in the field, when authorized

under regulations approved by the Secretary; and the payment of dues, when authorized by the Secretary, for library membership in societies or associations which issue publications to members only or at a price to members lower than to subscribers who are not members.

SEC. 105. Appropriations available to the Department of the Interior for salaries and expenses shall hereafter be available for uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901–5902 and D.C. Code 4–204).

SEC. 106. Annual appropriations made to the Department of the Interior shall hereafter be available for obligation in connection with contracts issued for services or rentals for periods not in excess of 12 months beginning at any time during the fiscal year.

SEC. 107. No funds provided in this title may be expended by the Department of the Interior for the conduct of offshore preleasing, leasing and related activities placed under restriction in the President's moratorium statement of June 12, 1998, in the areas of northern, central, and southern California; the North Atlantic; Washington and Oregon; and the eastern Gulf of Mexico south of 26 degrees north latitude and east of 86 degrees west longitude.

SEC. 108. No funds provided in this title may be expended by the Department of the Interior to conduct offshore oil and natural gas preleasing, leasing and related activities in the eastern Gulf of Mexico planning area for any lands located outside Sale 181, as identified in the final Outer Continental Shelf 5-Year Oil and Gas Leasing Program, 1997–2002.

SEC. 109. No funds provided in this title may be expended by the Department of the Interior to conduct oil and natural gas preleasing, leasing and related activities in the Mid-Atlantic and South Atlantic planning areas.

SEC. 110. Notwithstanding any other provisions of law, the National Park Service shall not develop or implement a reduced entrance fee program to accommodate non-local travel through a unit. The Secretary may provide for and regulate local non-recreational passage through units of the National Park System, allowing each unit to develop guidelines and permits for such activity appropriate to that unit.

SEC. 111. Advance payments made by the Department of the Interior to Indian tribes, tribal organizations, and tribal consortia pursuant to the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450 et seq.) or the Tribally Controlled Schools Act of 1988 (25 U.S.C. 2501 et seq.) may hereafter be invested by the Indian tribe, tribal organization, or consortium before such funds are expended for the purposes of the grant, compact, or annual funding agreement so long as such funds are—

(1) invested by the Indian tribe, tribal organization, or consortium only in obligations of the United States, or in obligations or securities that are guaranteed or insured by the United States, or mutual (or other) funds registered with the Securities and Exchange Commission and which only invest in obligations of the United States or securities that are guaranteed or insured by the United States; or

(2) deposited only into accounts that are insured by an agency or instrumentality of the United States, or are fully

collateralized to ensure protection of the funds, even in the event of a bank failure.

SEC. 112. Appropriations made in this Act under the headings Bureau of Indian Affairs and Office of Special Trustee for American Indians and any unobligated balances from prior appropriations Acts made under the same headings shall be available for expenditure or transfer for Indian trust management and reform activities, except that total funding for historical accounting activities shall not exceed amounts specifically designated in this Act for such purpose.

SEC. 113. Notwithstanding any other provision of law, for the purpose of reducing the backlog of Indian probate cases in the Department of the Interior, the hearing requirements of chapter 10 of title 25, United States Code, are deemed satisfied by a proceeding conducted by an Indian probate judge, appointed by the Secretary without regard to the provisions of title 5, United States Code, governing the appointments in the competitive service, for such period of time as the Secretary determines necessary: Provided, That the basic pay of an Indian probate judge so appointed may be fixed by the Secretary without regard to the provisions of chapter 51, and subchapter III of chapter 53 of title 5, United States Code, governing the classification and pay of General Schedule employees, except that no such Indian probate judge may be paid at a level which exceeds the maximum rate payable for the highest grade of the General Schedule, including locality pay.

SEC. 114. Notwithstanding any other provision of law, the Secretary of the Interior is authorized to redistribute any Tribal Priority Allocation funds, including tribal base funds, to alleviate tribal funding inequities by transferring funds to address identified, unmet needs, dual enrollment, overlapping service areas or inaccurate distribution methodologies. No tribe shall receive a reduction in Tribal Priority Allocation funds of more than 10 percent in fiscal year 2005. Under circumstances of dual enrollment, overlapping service areas or inaccurate distribution methodologies, the 10 percent limitation does not apply.

SEC. 115. Funds appropriated for the Bureau of Indian Affairs for postsecondary schools for fiscal year 2005 shall be allocated among the schools proportionate to the unmet need of the schools as determined by the Postsecondary Funding Formula adopted by the Office of Indian Education Programs.

SEC. 116. (a) The Secretary of the Interior shall hereafter take such action as may be necessary to ensure that the lands comprising the Huron Cemetery in Kansas City, Kansas (as described in section 123 of Public Law 106–291) are used only in accordance with this section.

(b) The lands of the Huron Cemetery shall be used only: (1) for religious and cultural uses that are compatible with the use of the lands as a cemetery; and (2) as a burial ground.

SEC. 117. Notwithstanding any other provision of law, in conveying the Twin Cities Research Center under the authority provided by Public Law 104–134, as amended by Public Law 104–208, the Secretary may accept and retain land and other forms of reimbursement: Provided, That the Secretary may retain and use any such reimbursement until expended and without further appropriation: (1) for the benefit of the National Wildlife Refuge System with-

in the State of Minnesota; and (2) for all activities authorized by Public Law 100–696; 16 U.S.C. 460zz.

SEC. 118. Notwithstanding 31 U.S.C. 3302(b), sums received by the Bureau of Land Management for the sale of seeds or seedlings, may hereafter be credited to the appropriation from which funds were expended to acquire or grow the seeds or seedlings and are available without fiscal year limitation.

SEC. 119. The Secretary of the Interior may use or contract for the use of helicopters or motor vehicles on the Sheldon and Hart National Wildlife Refuges for the purpose of capturing and transporting horses and burros. The provisions of subsection (a) of the Act of September 8, 1959 (18 U.S.C. 47(a)) shall not be applicable to such use. Such use shall be in accordance with humane procedures prescribed by the Secretary.

SEC. 120. (a) LIMITATION ON INCREASES IN CLAIMS MAINTENANCE AND LOCATION FEES.—The fees established in 30 U.S.C. 28f and 28g shall be equal to the fees in effect immediately prior to the rule of July 1, 2004 (69 Fed. Reg. 40,294) until the Department of the Interior has complied with the obligations established in subsections (b) and (c).

(b) ESTABLISHMENT OF PERMIT TRACKING SYSTEM.—The Department of the Interior shall establish a nationwide tracking system to determine and address the length of time from submission of a plan of operations to mine on public lands to final approval of such submission.

(c) REPORT.—Within one year of enactment, the Department shall file a detailed report with the House and Senate Committees on Appropriations and the Committee on Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate providing detailed information on the length of time it takes the Department to approve proposed mining plans of operations and recommending steps to reduce current delays.

SEC. 121. Funds provided in this Act for Federal land acquisition by the National Park Service for Shenandoah Valley Battlefields National Historic District and Ice Age National Scenic Trail may be used for a grant to a State, a local government, or any other land management entity for the acquisition of lands without regard to any restriction on the use of Federal land acquisition funds provided through the Land and Water Conservation Fund Act of 1965 as amended.

SEC. 122. None of the funds made available by this Act may be obligated or expended by the National Park Service to enter into or implement a concession contract which permits or requires the removal of the underground lunchroom at the Carlsbad Caverns National Park.

SEC. 123. None of the funds made available in this Act may be used: (1) to demolish the bridge between Jersey City, New Jersey, and Ellis Island; or (2) to prevent pedestrian use of such bridge, when such pedestrian use is consistent with generally accepted safety standards.

SEC. 124. None of the funds in this or any other Act can be used to compensate the Special Master and the Special Master-Monitor, and all variations thereto, appointed by the United States District Court for the District of Columbia in the Cobell v. Norton litigation at an annual rate that exceeds 200 percent of the highest Senior Ex-

ecutive Service rate of pay for the Washington-Baltimore locality pay area.

SEC. 125. The Secretary of the Interior may use discretionary funds to pay private attorneys fees and costs for employees and former employees of the Department of the Interior reasonably incurred in connection with Cobell v. Norton to the extent that such fees and costs are not paid by the Department of Justice or by private insurance. In no case shall the Secretary make payments under this section that would result in payment of hourly fees in excess of the highest hourly rate approved by the District Court for the District of Columbia for counsel in Cobell v. Norton.

SEC. 126. The United States Fish and Wildlife Service shall, in carrying out its responsibilities to protect threatened and endangered species of salmon, implement a system of mass marking of salmonid stocks, intended for harvest, that are released from Federally operated or Federally financed hatcheries including but not limited to fish releases of coho, chinook, and steelhead species. Marked fish must have a visible mark that can be readily identified by commercial and recreational fishers.

SEC. 127. Such sums as may be necessary from "Departmental Management, Salaries and Expenses", may be transferred to "United States Fish and Wildlife Service, Resource Management" for operational needs at the Midway Atoll National Wildlife Refuge airport.

SEC. 128. (a) IN GENERAL.—Nothing in section 134 of the Department of the Interior and Related Agencies Appropriations Act, 2002 (115 Stat. 443) affects the decision of the United States Court of Appeals for the 10th Circuit in Sac and Fox Nation v. Norton, 240 F.3d 1250 (2001).

(b) USE OF CERTAIN INDIAN LAND.—Nothing in this section permits the conduct of gaming under the Indian Gaming Regulatory Act (25 U.S.C. 2701 et seq.) on land described in section 123 of the Department of the Interior and Related Agencies Appropriations Act, 2001 (114 Stat. 944), or land that is contiguous to that land, regardless of whether the land or contiguous land has been taken into trust by the Secretary of the Interior.

SEC. 129. No funds appropriated for the Department of the Interior by this Act or any other Act shall be used to study or implement any plan to drain Lake Powell or to reduce the water level of the lake below the range of water levels required for the operation of the Glen Canyon Dam.

SEC. 130. Notwithstanding the limitation in subparagraph (2)(B) of section 18(a) of the Indian Gaming Regulatory Act (25 U.S.C. 2717(a)), the total amount of all fees imposed by the National Indian Gaming Commission for fiscal year 2006 shall not exceed $12,000,000.

SEC. 131. Notwithstanding any implementation of the Department of the Interior's trust reorganization or reengineering plans, or the implementation of the "To Be" Model, funds appropriated for fiscal year 2005 shall be available to the tribes within the California Tribal Trust Reform Consortium and to the Salt River Pima-Maricopa Indian Community, the Confederated Salish and Kootenai Tribes of the Flathead Reservation and the Chippewa Cree Tribe of the Rocky Boys Reservation through the same methodology as funds were distributed in fiscal year 2003. This Demonstration Project

shall continue to operate separate and apart from the Department of the Interior's trust reform and reorganization and the Department shall not impose its trust management infrastructure upon or alter the existing trust resource management systems of the above referenced tribes having a self-governance compact and operating in accordance with the Tribal Self-Governance Program set forth in 25 U.S.C. Sections 458aa–458hh: Provided, That the California Trust Reform Consortium and any other participating tribe agree to carry out their responsibilities under the same written and implemented fiduciary standards as those being carried by the Secretary of the Interior: Provided further, That they demonstrate to the satisfaction of the Secretary that they have the capability to do so: Provided further, That the Department shall provide funds to the tribes in an amount equal to that required by 25 U.S.C. Section 458cc(g)(3), including funds specifically or functionally related to the provision of trust services to the tribes or their members.

SEC. 132. Notwithstanding any provision of law, including 42 U.S.C. 4321 et. seq., nonrenewable grazing permits authorized in the Jarbidge Field Office, Bureau of Land Management within the past 8 years, shall be renewed. The Animal Unit Months contained in the most recently expired nonrenewable grazing permit, authorized between March 1, 1997, and February 28, 2003, shall continue in effect under the renewed permit. Nothing in this section shall be deemed to extend the nonrenewable permits beyond the standard 1-year term.

SEC. 133. Pursuant to section 10101f(d)(3) of the Omnibus Budget Reconciliation Act of 1993 (30 U.S.C. 28f(d)(3)), the following claims shall be given notice of defect and the opportunity to cure: AKFF061472, AKFF085155–AKFF085156, AKFF061632–AKFF061633, AKFF061636–AKFF061637, and AKFF084718.

SEC. 134. Section 702(b)(2) of Public Law 107–282 (116 Stat. 2013) is amended by striking "that if the land" and all that follows through "conveyed by the Foundation." and inserting the following: "that provides that (except in a case in which the proceeds of a lease are provided to the Foundation to carry out the purposes for which the Foundation was established), if the land described in paragraph (3) is sold, leased, or otherwise conveyed by the Foundation—".

SEC. 135. AMENDMENT OF THE SURFACE MINING CONTROL AND RECLAMATION ACT OF 1977. (a) Section 402(b) of the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1232(b)) is amended by striking "September 30, 2004" and inserting "June 30, 2005".

(b) Section 125 of Public Law 108–309 is hereby repealed.

SEC. 136. Notwithstanding any other provision of law, the Secretary of the Interior is authorized to acquire lands, waters, or interests therein including the use of all or part of any pier, dock, or landing within the State of New York and the State of New Jersey, for the purpose of operating and maintaining facilities in the support of transportation and accommodation of visitors to Ellis, Governors, and Liberty Islands, and of other program and administrative activities, by donation or with appropriated funds, including franchise fees (and other monetary consideration), or by exchange; and the Secretary is authorized to negotiate and enter into leases, subleases, concession contracts or other agreements for the use of

such facilities on such terms and conditions as the Secretary may determine reasonable.

SEC. 137. ERNEST F. HOLLINGS ACE BASIN NATIONAL WILDLIFE REFUGE. (a) REDESIGNATION.—The ACE Basin National Wildlife Refuge in the State of South Carolina shall be known and designated as the "Ernest F. Hollings ACE Basin National Wildlife Refuge".

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the refuge referred to in subsection (a) shall be deemed to be a reference to the Ernest F. Hollings ACE Basin National Wildlife Refuge.

SEC. 138. FINANCIAL ASSISTANCE; FLOOD INSURANCE. The limitations on Federal expenditures or financial assistance in section 5 of the Coastal Barrier Resources Act (16 U.S.C. 3504) and the limitations on flood insurance coverage in section 1321(a) of the National Flood Insurance Act of 1968 (42 U.S.C. 4028(a)) shall not apply to lots 15, 16, 25, and 29 within the Jeremy Cay Subdivision on Edisto Island, South Carolina, depicted on the reference map entitled "John H. Chafee Coastal Barrier Resources System Edisto Complex M09/M09P" dated January 24, 2003.

SEC. 139. (a) There is hereby released, without consideration, all right, title, and interest of the United States in and to the surface portion of that portion of the existing building located at 615 North Burnett Road in Tipton, California, which encroaches upon land that, subject to a reversionary interest, was conveyed by the United States pursuant to the Act of July 27, 1866 (14 Stat. 292). The United States retains any subsurface mineral rights held by the United States as of the date of the enactment of this Act associated with that property. The Secretary of the Interior shall execute and file in the appropriate office a deed of release, amended deed, or other appropriate instrument effectuating the release of interests made by this subsection.

(b) Section 314 of the National Parks and Recreation Act of 1978 (Public Law 95–625; 92 Stat. 3480) is amended—

(1) in subsection (c)(2), by striking "Such rights of use and occupancy shall be for not more than twenty-five years or for a term ending at the death of the owner or his or her spouse, whichever is later."; and

(2) in subsection (d)(2)(B), by inserting "and to their heirs, successors, and assigns" after "those persons who were lessees or permittees of record on the date of enactment of this Act".

(c)(1) The first section of Public Law 99–338 is amended by striking "one renewal" and inserting "3 renewals".

(2) Section 3 of Public Law 99–338 is amended to read as follows:

"SEC. 3. The permit shall contain the following provisions:

"(1) A prohibition on expansion of the Kaweah Project in Sequoia National Park.

"(2) A requirement that an independent safety assessment of the Kaweah Project be conducted, and that any deficiencies identified as a result of the assessment would be corrected.

"(3) A requirement that the Secretary prepare and submit to Congress an update of the July 1983 report on the impact of the operations of the Kaweah No. 3 facility on Sequoia National Park.

"(4) A requirement that the permittee pay the park compensation as determined by the Secretary in consultation with the permittee.

"(5) Any other reasonable terms and conditions that the Secretary of the Interior deems necessary and proper for the management and care of Sequoia National Park and the purposes for which it was established.".

(3) Public Law 99–338 is further amended by adding at the end the following new section:

"SEC. 4. The proceeds from any fees imposed pursuant to a permit issued under this Act shall be retained by Sequoia National Park and Kings Canyon National Park and shall be available, without further appropriation, for resources protection, maintenance, and other park operational needs.".

SEC. 140. (a) SHORT TITLE. This section may be cited as the "Gaylord A. Nelson Apostle Islands National Lakeshore Wilderness Act".

(b) DEFINITIONS.—In this section:

(1) MAP.—The term "map" means the map entitled "Apostle Islands Lakeshore Wilderness", numbered 633/80,058 and dated September 17, 2004.

(2) SECRETARY.—The term "Secretary" means the Secretary of the Interior.

(3) HIGH-WATER MARK.—The term "high-water mark" means the point on the bank or shore up to which the water, by its presence and action or flow, leaves a distinct mark indicated by erosion, destruction of or change in vegetation or other easily recognizable characteristic.

(c) DESIGNATION OF APOSTLE ISLANDS NATIONAL LAKESHORE WILDERNESS.—

(1) DESIGNATION.—Certain lands comprising approximately 33,500 acres within the Apostle Islands National Lakeshore, as generally depicted on the map referred to in subsection (b), are hereby designated as wilderness in accordance with section 3(c) of the Wilderness Act (16 U.S.C. 1132), and therefore as components of the National Wilderness Preservation System.

(2) MAP AND DESCRIPTION.—

(A) The map referred to in subsection (b) shall be on file and available for public inspection in the appropriate offices of the National Park Service.

(B) As soon as practical after enactment of this section, the Secretary shall submit a description of the boundary of the wilderness areas to the Committee on Energy and Natural Resources of the Senate and the Committee on Resources of the United States House of Representatives.

(C) The map and description shall have the same force and effect as if included in this section, except that the Secretary may correct clerical and typographical errors in the description and maps.

(3) BOUNDARY OF THE WILDERNESS.—Any portion of wilderness designated in paragraph (c)(1) that is bordered by Lake Superior shall use as its boundary the high-water mark.

(4) NAMING.—The wilderness area designated by this section shall be known as the Gaylord A. Nelson National Wilderness.

(d) ADMINISTRATION.—

(1) MANAGEMENT.—Subject to valid existing rights, the lands designated as wilderness by this section shall be administered by the Secretary in accordance with the applicable provisions of the Wilderness Act (16 U.S.C. 1131), except that—

(A) any reference in that Act to the effective date shall be considered to be a reference to the date of enactment of this section; and

(B) where appropriate, any reference to the Secretary of Agriculture shall be considered to be a reference to the Secretary on the Interior with respect to lands administered by the Secretary.

(2) SAVINGS PROVISIONS.—Nothing in this section shall—

(A) modify, alter, or in any way affect any treaty rights;

(B) alter the management of the waters of Lake Superior within the boundary of the Apostle Islands National Lakeshore in existence on the date of enactment of this section; or

(C) be construed to modify, limit, or in any way affect the use of motors on the lake waters, including snowmobiles and the beaching of motorboats adjacent to wilderness areas below the high water mark, and the maintenance and expansion of any docks existing at the time of the enactment of this section.

SEC. 141. Upon the request of the permittee for the Clark Mountain Allotment lands adjacent to the Mojave National Preserve, the Secretary shall also issue a special use permit for that portion of the grazing allotment located within the Preserve. The special use permit shall be issued with the same terms and conditions as the most recently-issued permit for that allotment and the Secretary shall consider the permit to be one transferred in accordance with section 325 of Public Law 108–108.

SEC. 142. SALE OF WILD FREE-ROAMING HORSES AND BURROS. (a) IN GENERAL.—Section 3 of Public Law 92–195 (16 U.S.C. 1333) is amended—

(1) in subsection (d)(5), by striking "this section" and all that follows through the period at the end and inserting "this section."; and

(2) by adding at the end the following:

"(e) SALE OF EXCESS ANIMALS.—

"(1) IN GENERAL.—Any excess animal or the remains of an excess animal shall be sold if—

"(A) the excess animal is more than 10 years of age; or

"(B) the excess animal has been offered unsuccessfully for adoption at least 3 times.

"(2) METHOD OF SALE.—An excess animal that meets either of the criteria in paragraph (1) shall be made available for sale without limitation, including through auction to the highest bidder, at local sale yards or other convenient livestock selling facilities, until such time as—

"(A) all excess animals offered for sale are sold; or

"(B) the appropriate management level, as determined by the Secretary, is attained in all areas occupied by wild free-roaming horses and burros.

"(3) DISPOSITION OF FUNDS.—Funds generated from the sale of excess animals under this subsection shall be—

"(A) credited as an offsetting collection to the Management of Lands and Resources appropriation for the Bureau of Land Management; and

"(B) used for the costs relating to the adoption of wild free-roaming horses and burros, including the costs of marketing such adoption.

"(4) EFFECT OF SALE.—Any excess animal sold under this provision shall no longer be considered to be a wild free-roaming horse or burro for purposes of this Act.".

(b) CRIMINAL PROVISIONS.—Section 8(a)(4) of Public Law 92–195 (16 U.S.C. 1338(a)(4)) is amended by inserting "except as provided in section 3(e)," before "processes".

SEC. 143. (a) SHORT TITLE.—This section may be cited as the "Migratory Bird Treaty Reform Act of 2004".

(b) EXCLUSION OF NON-NATIVE SPECIES FROM APPLICATION OF CERTAIN PROHIBITIONS UNDER MIGRATORY BIRD TREATY ACT.—Section 2 of the Migratory Bird Treaty Act (16 U.S.C. 703) is amended—

(1) in the first sentence by striking "That unless and except as permitted" and inserting the following: "(a) IN GENERAL.—Unless and except as permitted"; and

(2) by adding at the end the following:

"(b) LIMITATION ON APPLICATION TO INTRODUCED SPECIES.—

"(1) IN GENERAL.—This Act applies only to migratory bird species that are native to the United States or its territories.

"(2) NATIVE TO THE UNITED STATES DEFINED.—

"(A) IN GENERAL.—Subject to subparagraph (B), in this subsection the term "native to the United States or its territories" means occurring in the United States or its territories as the result of natural biological or ecological processes.

"(B) TREATMENT OF INTRODUCED SPECIES.—For purposes of paragraph (1), a migratory bird species that occurs in the United States or its territories solely as a result of intentional or unintentional human-assisted introduction shall not be considered native to the United States or it territories unless—

"(i) it was native to the United States or its territories and extant in 1918;

"(ii) it was extirpated after 1918 throughout its range in the United States and its territories; and

"(iii) after such extirpation, it was reintroduced in the United States or its territories as a part of a program carried out by a Federal agency.".

(c) PUBLICATION OF LIST.—

(1) IN GENERAL.—Not later than 90 days after the date of enactment of this section, the Secretary of the Interior shall publish in the Federal Register a list of all nonnative, human-introduced bird species to which the Migratory Bird Treaty Act (16 U.S.C. 703 et seq.) does not apply. As necessary, the Secretary may update and publish the list of species exempted from protection of the Migratory Bird Treaty Act.

(2) PUBLIC COMMENT.—Before publishing the list under paragraph (1), the Secretary shall provide adequate time for public comment.

(3) EFFECT OF SECTION.—Nothing in this subsection shall delay implementation of other provisions of this section or amendments made by this section that exclude nonnative, human-introduced bird species from the application of the Migratory Bird Treaty Act (16 U.S.C. 703 et seq.).

(d) RELATIONSHIP TO TREATIES.—It is the sense of Congress that the language of this section is consistent with the intent and language of the 4 bilateral treaties implemented by this section.

SEC. 144. (a) SHORT TITLE.—This section may be cited as the "Foundation for Nevada's Veterans Land Transfer Act of 2004".

(b) TRANSFER OF ADMINISTRATIVE JURISDICTION, BUREAU OF LAND MANAGEMENT LAND, CLARK COUNTY, NEVADA.—

(1) IN GENERAL.—Administrative jurisdiction over the land described in paragraph (2) is transferred from the Secretary of the Interior to the Secretary of Veterans Affairs.

(2) DESCRIPTION OF LAND.—The parcel of land referred to in paragraph (1) is the approximately 150 acres of Bureau of Land Management land in Clark County, Nevada, as generally depicted on the map entitled "Veterans Administration Conveyance" and dated September 24, 2004.

(3) USE OF LAND.—The parcel of land described in paragraph (2) shall be used by the Secretary of Veterans Affairs for the construction and operation of medical and related facilities, as determined to be appropriate by the Secretary of Veterans Affairs.

SEC. 145. CUMBERLAND ISLAND WILDERNESS BOUNDARY ADJUSTMENT. (a) IN GENERAL.—Public Law 97–250 (96 Stat. 709) is amended by striking section 2 and inserting the following:

"SEC. 2. CUMBERLAND ISLAND WILDERNESS.

"(a) DEFINITIONS.—In this section:

"(1) MAP.—The term 'map' means the map entitled 'Cumberland Island Wilderness', numbered 640/20,038I, and dated September 2004.

"(2) SECRETARY.—The term 'Secretary' means the Secretary of the Interior.

"(3) WILDERNESS.—The term 'Wilderness' means the Cumberland Island Wilderness established by subsection (b).

"(4) POTENTIAL WILDERNESS.—The term 'Potential Wilderness' means the 10,500 acres of potential wilderness described in subsection (c)(2), but does not include the area at the north end of Cumberland Island known as the 'High Point Half-Moon Bluff Historic District'.

"(b) ESTABLISHMENT.—

"(1) IN GENERAL.—Approximately 9,886 acres of land in the Cumberland Island National Seashore depicted on the map as 'Wilderness' is designated as a component of the National Wilderness Preservation System and shall be known as the 'Cumberland Island Wilderness'.

"(2) EXCLUSIONS.—The 25-foot wide roadways depicted on the map as the 'Main Road', 'Plum Orchard', and the 'North Cut Road' shall not be included in the Wilderness and shall be maintained by the Secretary for continued vehicle use.

"(c) ADDITIONAL LAND.—In addition to the land designated under subsection (b), the Secretary shall—

"(1) on acquisition of the approximately 231 acres of land identified on the map as 'Areas Become Designated Wilderness upon Acquisition by the NPS'; and

"(2) on publication in the Federal Register of a notice that all uses of the approximately 10,500 acres of land depicted on the map as 'Potential Wilderness' that are prohibited under the Wilderness Act (16 U.S.C. 1131 et seq.) have ceased, adjust the boundary of the Wilderness to include the land.

"(d) AVAILABILITY OF MAP.—The map shall be on file and available for public inspection in the appropriate offices of the National Park Service.

"(e) ADMINISTRATION.—Subject to valid existing rights, the Wilderness shall be administered by the Secretary, in accordance with the applicable provisions of the Wilderness Act (16 U.S.C. 1131 et seq.) governing areas designated by that Act as wilderness areas, except that—

"(1) any reference in such provisions to the effective date of that Act shall be deemed to be a reference to the effective date of this Act; and

"(2) where appropriate, any reference in that Act to the Secretary of Agriculture shall be deemed to be a reference to the Secretary.

"(f) EFFECT.—Any person with a right to utility service on Cumberland Island on the date of enactment of this subsection shall continue to have the right to utility service in the Wilderness after the date of enactment of this subsection.

"(g) MANAGEMENT PLAN FOR ACCESS TO MAIN ROAD AND NORTH CUT ROAD.—Not later than one year after the date of the enactment of the Cumberland Island Wilderness Boundary Adjustment Act of 2004, the Secretary shall complete a management plan to ensure that not more than 8 and not less than 5 round trips are made available daily on the Main Road north of the Plum Orchard Spur and the North Cut Road by the National Park Service or a concessionaire for the purpose of transporting visitors to and from the historic sites located adjacent to Wilderness.".

(b) TOURS OF CUMBERLAND ISLAND NATIONAL SEASHORE.—Section 6 of Public Law 92–536 (86 Stat. 1066) is amended—

(1) in subsection (b), by inserting ", except as provided in subsection (c)," before "no development of the project"; and

(2) by adding at the end the following:

"(c) TOURS OF THE SEASHORE.—Notwithstanding subsection (b), the Secretary may enter into not more than 3 concession contracts, as the Secretary determines appropriate, for the provision of tours for visitors to the seashore that are consistent with—

"(1) this Act;

"(2) the Wilderness Act (16 U.S.C. 1131 et seq.); and

"(3) Public Law 97–250 (96 Stat. 709).".

(c) SHORT TITLE.—This section may be cited as the "Cumberland Island Wilderness Boundary Adjustment Act of 2004".

SEC. 146. Notwithstanding any other provision of law, the National Park Service final winter use rules published in Part VII of the Federal Register for November 10, 2004, 69 Fed. Reg. 65348, et

seq., shall be in force and effect for the winter use season of 2004–2005 that commences on or about December 15, 2004.

TITLE II—RELATED AGENCIES

DEPARTMENT OF AGRICULTURE

FOREST SERVICE

FOREST AND RANGELAND RESEARCH

For necessary expenses of forest and rangeland research as authorized by law, $280,278,000, to remain available until expended: Provided, That of the funds provided, $56,714,000 is for the forest inventory and analysis program.

STATE AND PRIVATE FORESTRY

For necessary expenses of cooperating with and providing technical and financial assistance to States, territories, possessions, and others, and for forest health management, including treatments of pests, pathogens, and invasive or noxious plants and for restoring and rehabilitating forests damaged by pests or invasive plants, cooperative forestry, and education and land conservation activities and conducting an international program as authorized, $296,626,000, to remain available until expended, as authorized by law of which $57,939,000 is to be derived from the Land and Water Conservation Fund: Provided, That none of the funds provided under this heading for the acquisition of lands or interests in lands shall be available until the Forest Service notifies the House Committee on Appropriations and the Senate Committee on Appropriations, in writing, of specific contractual and grant details including the non-Federal cost share: Provided further, That notwithstanding any other provision of law, of the funds provided under this heading, $2,000,000 shall be made available to Kake Tribal Corporation as an advance direct lump sum payment to implement the Kake Tribal Corporation Land Transfer Act (Public Law 106–283), and $1,500,000 shall be made available to Canton, NC, as an advance direct lump sum payment for wood products waste water treatment repairs.

NATIONAL FOREST SYSTEM

For necessary expenses of the Forest Service, not otherwise provided for, for management, protection, improvement, and utilization of the National Forest System, $1,400,260,000, to remain available until expended, which shall include 50 percent of all moneys received during prior fiscal years as fees collected under the Land and Water Conservation Fund Act of 1965, as amended, in accordance with section 4 of the Act (16 U.S.C. 460l–6a(i)): Provided, That unobligated balances under this heading available at the start of fiscal year 2005 shall be displayed by budget line item in the fiscal year 2006 budget justification: Provided further, That, through fiscal year 2009, the Secretary may authorize the expenditure or transfer of such sums as necessary to the Department of the Interior, Bureau of Land Management, for removal, preparation, and adoption of excess wild horses and burros from National Forest System lands, and for the performance of cadastral surveys to designate the

boundaries of such lands: Provided further, That of the funds provided under this heading for Forest Products, $5,000,000 shall be allocated to the Alaska Region, in addition to its normal allocation for the purposes of preparing additional timber for sale, to establish a 3-year timber supply and such funds may be transferred to other appropriations accounts as necessary to maximize accomplishment: Provided further, That within funds available for the purpose of implementing the Valles Caldera Preservation Act, notwithstanding the limitations of section 107(e)(2) of the Valles Caldera Preservation Act (Public Law 106–248), for fiscal year 2005, the Chair of the Board of Trustees of the Valles Caldera Trust may receive, upon request, compensation for each day (including travel time) that the Chair is engaged in the performance of the functions of the Board, except that compensation shall not exceed the daily equivalent of the annual rate in effect for members of the Senior Executive Service at the ES–1 level, and shall be in addition to any reimbursement for travel, subsistence and other necessary expenses incurred by the Chair in the performance of the Chair's duties.

WILDLAND FIRE MANAGEMENT

For necessary expenses for forest fire presuppression activities on National Forest System lands, for emergency fire suppression on or adjacent to such lands or other lands under fire protection agreement, hazardous fuels reduction on or adjacent to such lands, and for emergency rehabilitation of burned-over National Forest System lands and water, $1,727,008,000, to remain available until expended: Provided, That such funds including unobligated balances under this heading, are available for repayment of advances from other appropriations accounts previously transferred for such purposes: Provided further, That such funds shall be available to reimburse State and other cooperating entities for services provided in response to wildfire and other emergencies or disasters to the extent such reimbursements by the Forest Service for non-fire emergencies are fully repaid by the responsible emergency management agency: Provided further, That not less than 50 percent of any unobligated balances remaining (exclusive of amounts for hazardous fuels reduction) at the end of fiscal year 2004 shall be transferred, as repayment for past advances that have not been repaid, to the fund established pursuant to section 3 of Public Law 71–319 (16 U.S.C. 576 et seq.): Provided further, That notwithstanding any other provision of law, $8,000,000 of funds appropriated under this appropriation shall be used for Fire Science Research in support of the Joint Fire Science Program: Provided further, That all authorities for the use of funds, including the use of contracts, grants, and cooperative agreements, available to execute the Forest and Rangeland Research appropriation, are also available in the utilization of these funds for Fire Science Research: Provided further, That funds provided shall be available for emergency rehabilitation and restoration, hazardous fuels reduction activities in the urban-wildland interface, support to Federal emergency response, and wildfire suppression activities of the Forest Service: Provided further, That of the funds provided, $266,238,000 is for hazardous fuels reduction activities, $13,000,000 is for rehabilitation and restoration, $22,025,000 is for research activities and to make competitive research grants pursuant to the Forest and Rangeland Renewable Resources Research

Act, as amended (16 U.S.C. 1641 et seq.), $40,745,000 is for State fire assistance, $8,000,000 is for volunteer fire assistance, $15,000,000 is for forest health activities on Federal lands and $10,000,000 is for forest health activities on State and private lands: Provided further, That amounts in this paragraph may be transferred to the "State and Private Forestry", "National Forest System", and "Forest and Rangeland Research" accounts to fund State fire assistance, volunteer fire assistance, forest health management, forest and rangeland research, vegetation and watershed management, heritage site rehabilitation, and wildlife and fish habitat management and restoration: Provided further, That transfers of any amounts in excess of those authorized in this paragraph, shall require approval of the House and Senate Committees on Appropriations in compliance with reprogramming procedures contained in House Report 108–330: Provided further, That the costs of implementing any cooperative agreement between the Federal Government and any non-Federal entity may be shared, as mutually agreed on by the affected parties: Provided further, That in addition to funds provided for State Fire Assistance programs, and subject to all authorities available to the Forest Service under the State and Private Forestry Appropriations, up to $15,000,000 may be used on adjacent non-Federal lands for the purpose of protecting communities when hazard reduction activities are planned on national forest lands that have the potential to place such communities at risk: Provided further, That included in funding for hazardous fuel reduction is $5,000,000 for implementing the Community Forest Restoration Act, Public Law 106–393, title VI, and any portion of such funds shall be available for use on non-Federal lands in accordance with authorities available to the Forest Service under the State and Private Forestry Appropriation: Provided further, That the Secretary of the Interior and the Secretary of Agriculture may authorize the transfer of funds appropriated for wildland fire management, in an aggregate amount not to exceed $12,000,000, between the Departments when such transfers would facilitate and expedite jointly funded wildland fire management programs and projects: Provided further, That of the funds provided for hazardous fuels reduction, not to exceed $5,000,000, may be used to make grants, using any authorities available to the Forest Service under the State and Private Forestry appropriation, for the purpose of creating incentives for increased use of biomass from national forest lands.

CAPITAL IMPROVEMENT AND MAINTENANCE

For necessary expenses of the Forest Service, not otherwise provided for, $521,952,000, to remain available until expended for construction, reconstruction, maintenance and acquisition of buildings and other facilities, and for construction, reconstruction, repair, decommissioning, and maintenance of forest roads and trails by the Forest Service as authorized by 16 U.S.C. 532–538 and 23 U.S.C. 101 and 205: Provided, That up to $15,000,000 of the funds provided herein for road maintenance shall be available for the decommissioning of roads, including unauthorized roads not part of the transportation system, which are no longer needed: Provided further, That no funds shall be expended to decommission any system road until notice and an opportunity for public comment has been provided on each decommissioning project: Provided further, That

subject to all the authorities available to the Forest Service under the State and Private Forestry appropriation, up to $1,000,000 may be used on non-federal lands adjacent to the Chugach National Forest for the purpose of expanding recreational opportunities.

LAND ACQUISITION

For expenses necessary to carry out the provisions of the Land and Water Conservation Fund Act of 1965, as amended (16 U.S.C. 460l–4 through 11), including administrative expenses, and for acquisition of land or waters, or interest therein, in accordance with statutory authority applicable to the Forest Service, $61,866,000, to be derived from the Land and Water Conservation Fund and to remain available until expended.

ACQUISITION OF LANDS FOR NATIONAL FORESTS SPECIAL ACTS

For acquisition of lands within the exterior boundaries of the Cache, Uinta, and Wasatch National Forests, Utah; the Toiyabe National Forest, Nevada; and the Angeles, San Bernardino, Sequoia, and Cleveland National Forests, California, as authorized by law, $1,069,000, to be derived from forest receipts.

ACQUISITION OF LANDS TO COMPLETE LAND EXCHANGES

For acquisition of lands, such sums, to be derived from funds deposited by State, county, or municipal governments, public school districts, or other public school authorities, and for authorized expenditures from funds deposited by non-Federal parties pursuant to Land Sale and Exchange Acts, pursuant to the Act of December 4, 1967, as amended (16 U.S.C. 484a), to remain available until expended.

RANGE BETTERMENT FUND

For necessary expenses of range rehabilitation, protection, and improvement, 50 percent of all moneys received during the prior fiscal year, as fees for grazing domestic livestock on lands in National Forests in the 16 Western States, pursuant to section 401(b)(1) of Public Law 94–579, as amended, to remain available until expended, of which not to exceed 6 percent shall be available for administrative expenses associated with on-the-ground range rehabilitation, protection, and improvements.

GIFTS, DONATIONS AND BEQUESTS FOR FOREST AND RANGELAND RESEARCH

For expenses authorized by 16 U.S.C. 1643(b), $65,000, to remain available until expended, to be derived from the fund established pursuant to the above Act.

MANAGEMENT OF NATIONAL FOREST LANDS FOR SUBSISTENCE USES

For necessary expenses of the Forest Service to manage Federal lands in Alaska for subsistence uses under title VIII of the Alaska National Interest Lands Conservation Act (Public Law 96–487), $5,962,000, to remain available until expended.

ADMINISTRATIVE PROVISIONS, FOREST SERVICE

Appropriations to the Forest Service for the current fiscal year shall be available for: (1) purchase of not to exceed 124 passenger motor vehicles of which 21 will be used primarily for law enforcement purposes and of which 124 shall be for replacement; acquisition of 25 passenger motor vehicles from excess sources, and hire of such vehicles; purchase, lease, operation, maintenance, and acquisition of aircraft from excess sources to maintain the operable fleet at 195 aircraft for use in Forest Service wildland fire programs and other Forest Service programs; notwithstanding other provisions of law, existing aircraft being replaced may be sold, with proceeds derived or trade-in value used to offset the purchase price for the replacement aircraft; (2) services pursuant to 7 U.S.C. 2225, and not to exceed $100,000 for employment under 5 U.S.C. 3109; (3) purchase, erection, and alteration of buildings and other public improvements (7 U.S.C. 2250); (4) acquisition of land, waters, and interests therein pursuant to 7 U.S.C. 428a; (5) for expenses pursuant to the Volunteers in the National Forest Act of 1972 (16 U.S.C. 558a, 558d, and 558a note); (6) the cost of uniforms as authorized by 5 U.S.C. 5901–5902; and (7) for debt collection contracts in accordance with 31 U.S.C. 3718(c).

None of the funds made available under this Act shall be obligated or expended to abolish any region, to move or close any regional office for National Forest System administration of the Forest Service, Department of Agriculture without the consent of the House and Senate Committees on Appropriations.

Any appropriations or funds available to the Forest Service may be transferred to the Wildland Fire Management appropriation for forest firefighting, emergency rehabilitation of burned-over or damaged lands or waters under its jurisdiction, and fire preparedness due to severe burning conditions upon notification of the House and Senate Committees on Appropriations and if and only if all previously appropriated emergency contingent funds under the heading "Wildland Fire Management" have been released by the President and apportioned and all wildfire suppression funds under the heading "Wildland Fire Management" are obligated.

The first transfer of funds into the Wildland Fire Management account shall include unobligated funds, if available, from the Land Acquisition account and the Forest Legacy program within the State and Private Forestry account.

Funds appropriated to the Forest Service shall be available for assistance to or through the Agency for International Development and the Foreign Agricultural Service in connection with forest and rangeland research, technical information, and assistance in foreign countries, and shall be available to support forestry and related natural resource activities outside the United States and its territories and possessions, including technical assistance, education and training, and cooperation with United States and international organizations.

None of the funds made available to the Forest Service under this Act shall be subject to transfer under the provisions of section 702(b) of the Department of Agriculture Organic Act of 1944 (7 U.S.C. 2257) or 7 U.S.C. 147b.

Not less than $20,000,000 of funds under section 8002 of the Farm Security and Rural Investment Act of 2002 is hereby canceled.

None of the funds available to the Forest Service may be reprogrammed without the advance approval of the House and Senate Committees on Appropriations in accordance with the reprogramming procedures contained in House Report 108–330.

Not more than $72,467,000 of the funds available to the Forest Service shall be transferred to the Working Capital Fund of the Department of Agriculture.

Funds available to the Forest Service shall be available to conduct a program of not less than $2,000,000 for high priority projects within the scope of the approved budget which shall be carried out by the Youth Conservation Corps.

Of the funds available to the Forest Service, $2,500 is available to the Chief of the Forest Service for official reception and representation expenses.

Pursuant to sections 405(b) and 410(b) of Public Law 101–593, of the funds available to the Forest Service, $3,300,000 may be advanced in a lump sum to the National Forest Foundation to aid conservation partnership projects in support of the Forest Service mission, without regard to when the Foundation incurs expenses, for administrative expenses or projects on or benefitting National Forest System lands or related to Forest Service programs: Provided, That of the Federal funds made available to the Foundation, $300,000 may be used for Forest Service Centennial activities and, of the total available to the Foundation, no more than $350,000 shall be available for administrative expenses: Provided further, That the Foundation shall obtain, by the end of the period of Federal financial assistance, private contributions to match on at least one-for-one basis funds made available by the Forest Service: Provided further, That the Foundation may transfer Federal funds to a non-Federal recipient for a project at the same rate that the recipient has obtained the non-Federal matching funds: Provided further, That authorized investments of Federal funds held by the Foundation may be made only in interest-bearing obligations of the United States or in obligations guaranteed as to both principal and interest by the United States.

Pursuant to section 2(b)(2) of Public Law 98–244, $2,650,000 of the funds available to the Forest Service shall be available for matching funds to the National Fish and Wildlife Foundation, as authorized by 16 U.S.C. 3701–3709, and may be advanced in a lump sum to aid conservation partnership projects in support of the Forest Service mission, without regard to when expenses are incurred, for projects on or benefitting National Forest System lands or related to Forest Service programs: Provided, That the Foundation shall obtain, by the end of the period of Federal financial assistance, private contributions to match on at least one-for-one basis funds advanced by the Forest Service: Provided further, That the Foundation may transfer Federal funds to a non-Federal recipient for a project at the same rate that the recipient has obtained the non-Federal matching funds.

Funds appropriated to the Forest Service shall be available for interactions with and providing technical assistance to rural communities for sustainable rural development purposes.

Funds appropriated to the Forest Service shall be available for payments to counties within the Columbia River Gorge National Scenic Area, pursuant to sections 14(c)(1) and (2), and section 16(a)(2) of Public Law 99–663.

Notwithstanding any other provision of law, any appropriations or funds available to the Forest Service not to exceed $500,000 may be used to reimburse the Office of the General Counsel (OGC), Department of Agriculture, for travel and related expenses incurred as a result of OGC assistance or participation requested by the Forest Service at meetings, training sessions, management reviews, land purchase negotiations and similar non-litigation related matters. Future budget justifications for both the Forest Service and the Department of Agriculture should clearly display the sums previously transferred and the requested funding transfers.

Any appropriations or funds available to the Forest Service may be used for necessary expenses in the event of law enforcement emergencies as necessary to protect natural resources and public or employee safety: Provided, That such amounts shall not exceed $1,000,000.

For fiscal years 2005 and 2006, the Secretary of Agriculture may authorize the sale of excess buildings, facilities, and other properties owned by the Forest Service and located on the Green Mountain National Forest, the revenues of which shall be retained by the Forest Service and available to the Secretary without further appropriation and until expended for maintenance and rehabilitation activities on the Green Mountain National Forest.

For each fiscal year through 2009, the Secretary of Agriculture may transfer or reimburse funds available to the Forest Service, not to exceed $15,000,000, to the Secretary of the Interior or the Secretary of Commerce to expedite conferencing and consultations as required under section 7 of the Endangered Species Act, 16 U.S.C. 1536. The amount of the transfer or reimbursement shall be as mutually agreed by the Secretary of Agriculture and the Secretary of the Interior or Secretary of Commerce, as applicable, or their designees. The amount shall in no case exceed the actual costs of consultation and conferencing.

Beginning on June 30, 2001 and concluding on December 31, 2005, an eligible individual who is employed in any project funded under title V of the Older American Act of 1965 (42 U.S.C. 3056 et seq.) and administered by the Forest Service shall be considered to be a Federal employee for purposes of chapter 171 of title 28, United States Code.

Any funds appropriated to the Forest Service may be used to meet the non-Federal share requirement in section 502(c) of the Older American Act of 1965 (42 U.S.C. 3056(c)(2)).

Funds available to the Forest Service in this Act may be used for the purpose of expenses associated with primary and secondary schooling for dependents of agency personnel stationed in Puerto Rico prior to the date of enactment of this Act, who are subject to transfer and reassignment to other locations in the United States, at a cost not in excess of those authorized for the Department of Defense for the same area, when it is determined by the Chief of the Forest Service that public schools available in the locality are unable to provide adequately for the education of such dependents.

For fiscal years 2005 and 2006, the Secretary of Agriculture may authorize the sale of excess buildings, facilities, and other properties owned by the Forest Service and located on the Wasatch-Cache National Forest, the revenues of which shall be retained by the Forest Service and available to the Secretary without further appropriation and until expended for acquisition and construction of administrative sites on the Wasatch-Cache National Forest.

DEPARTMENT OF ENERGY

CLEAN COAL TECHNOLOGY

(DEFERRAL)

Of the funds made available under this heading for obligation in prior years, $257,000,000 shall not be available until October 1, 2005: Provided, That funds made available in previous appropriations Acts shall be available for any ongoing project regardless of the separate request for proposal under which the project was selected.

FOSSIL ENERGY RESEARCH AND DEVELOPMENT

For necessary expenses in carrying out fossil energy research and development activities, under the authority of the Department of Energy Organization Act (Public Law 95–91), including the acquisition of interest, including defeasible and equitable interests in any real property or any facility or for plant or facility acquisition or expansion, and for conducting inquiries, technological investigations and research concerning the extraction, processing, use, and disposal of mineral substances without objectionable social and environmental costs (30 U.S.C. 3, 1602, and 1603), $579,911,000, to remain available until expended, of which $4,000,000 is to continue a multi-year project for construction, renovation, furnishing, and demolition or removal of buildings at National Energy Technology Laboratory facilities in Morgantown, West Virginia and Pittsburgh, Pennsylvania: Provided, That of the amounts provided, $18,000,000 is to continue a multi-year project coordinated with the private sector for FutureGen, without regard to the terms and conditions applicable to clean coal technology projects: Provided further, That the initial planning and research stages of the FutureGen project shall include a matching requirement from non-Federal sources of at least 20 percent of the costs: Provided further, That any demonstration component of such project shall require a matching requirement from non-Federal sources of at least 50 percent of the costs of the component: Provided further, That of the amounts provided, $50,000,000 is available, after coordination with the private sector, for a request for proposals for a Clean Coal Power Initiative providing for competitively-awarded research, development, and demonstration projects to reduce the barriers to continued and expanded coal use: Provided further, That no project may be selected for which sufficient funding is not available to provide for the total project: Provided further, That funds shall be expended in accordance with the provisions governing the use of funds contained under the heading "Clean Coal Technology" in 42 U.S.C. 5903d: Provided further, That the Department may include provisions for repayment of Government contributions to individual projects in an amount up

to the Government contribution to the project on terms and conditions that are acceptable to the Department including repayments from sale and licensing of technologies from both domestic and foreign transactions: Provided further, That such repayments shall be retained by the Department for future coal-related research, development and demonstration projects: Provided further, That any technology selected under this program shall be considered a Clean Coal Technology, and any project selected under this program shall be considered a Clean Coal Technology Project, for the purposes of 42 U.S.C. 7651n, and Chapters 51, 52, and 60 of title 40 of the Code of Federal Regulations: Provided further, That funds shall be expended in accordance with the provisions governing the use of funds contained under the heading "Clean Coal Technology" in prior appropriations: Provided further, That no part of the sum herein made available shall be used for the field testing of nuclear explosives in the recovery of oil and gas: Provided further, That up to 4 percent of program direction funds available to the National Energy Technology Laboratory may be used to support Department of Energy activities not included in this account.

NAVAL PETROLEUM AND OIL SHALE RESERVES

For expenses necessary to carry out naval petroleum and oil shale reserve activities, $18,000,000, to remain available until expended: Provided, That, notwithstanding any other provision of law, unobligated funds remaining from prior years shall be available for all naval petroleum and oil shale reserve activities.

ELK HILLS SCHOOL LANDS FUND

For necessary expenses in fulfilling installment payments under the Settlement Agreement entered into by the United States and the State of California on October 11, 1996, as authorized by section 3415 of Public Law 104–106, $36,000,000, to become available on October 1, 2005 for payment to the State of California for the State Teachers' Retirement Fund from the Elk Hills School Lands Fund.

ENERGY CONSERVATION

For necessary expenses in carrying out energy conservation activities, $649,092,000, to remain available until expended: Provided, That $44,798,000 is for State energy program grants pursuant to 42 U.S.C. 6323, notwithstanding section 3003(d)(2) of Public Law 99–509.

STRATEGIC PETROLEUM RESERVE

For necessary expenses for Strategic Petroleum Reserve facility development and operations and program management activities pursuant to the Energy Policy and Conservation Act of 1975, as amended (42 U.S.C. 6201 et seq.), $172,100,000, to remain available until expended.

NORTHEAST HOME HEATING OIL RESERVE

For necessary expenses for Northeast Home Heating Oil Reserve storage, operations, and management activities pursuant to the Energy Policy and Conservation Act of 2000, $5,000,000, to remain available until expended.

ENERGY INFORMATION ADMINISTRATION

For necessary expenses in carrying out the activities of the Energy Information Administration, $85,000,000, to remain available until expended.

ADMINISTRATIVE PROVISIONS, DEPARTMENT OF ENERGY

Appropriations under this Act for the current fiscal year shall be available for hire of passenger motor vehicles; hire, maintenance, and operation of aircraft; purchase, repair, and cleaning of uniforms; and reimbursement to the General Services Administration for security guard services.

From appropriations under this Act, transfers of sums may be made to other agencies of the Government for the performance of work for which the appropriation is made.

None of the funds made available to the Department of Energy under this Act shall be used to implement or finance authorized price support or loan guarantee programs unless specific provision is made for such programs in an appropriations Act.

The Secretary is authorized to accept lands, buildings, equipment, and other contributions from public and private sources and to prosecute projects in cooperation with other agencies, Federal, State, private or foreign: Provided, That revenues and other moneys received by or for the account of the Department of Energy or otherwise generated by sale of products in connection with projects of the Department appropriated under this Act may be retained by the Secretary of Energy, to be available until expended, and used only for plant construction, operation, costs, and payments to cost-sharing entities as provided in appropriate cost-sharing contracts or agreements: Provided further, That the remainder of revenues after the making of such payments shall be covered, into the Treasury as miscellaneous receipts: Provided further, That any contract, agreement, or provision thereof entered into by the Secretary pursuant to this authority shall not be executed prior to the expiration of 30 calendar days (not including any day in which either House of Congress is not in session because of adjournment of more than 3 calendar days to a day certain) from the receipt by the Speaker of the House of Representatives and the President of the Senate of a full comprehensive report on such project, including the facts and circumstances relied upon in support of the proposed project.

No funds provided in this Act may be expended by the Department of Energy to prepare, issue, or process procurement documents for programs or projects for which appropriations have not been made.

In addition to other authorities set forth in this Act, the Secretary may accept fees and contributions from public and private sources, to be deposited in a contributed funds account, and prosecute projects using such fees and contributions in cooperation with other Federal, State or private agencies or concerns.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

INDIAN HEALTH SERVICE

INDIAN HEALTH SERVICES

For expenses necessary to carry out the Act of August 5, 1954 (68 Stat. 674), the Indian Self-Determination Act, the Indian Health Care Improvement Act, and titles II and III of the Public Health Service Act with respect to the Indian Health Service, $2,633,072,000, together with payments received during the fiscal year pursuant to 42 U.S.C. 238(b) for services furnished by the Indian Health Service: Provided, That funds made available to tribes and tribal organizations through contracts, grant agreements, or any other agreements or compacts authorized by the Indian Self-Determination and Education Assistance Act of 1975 (25 U.S.C. 450), shall be deemed to be obligated at the time of the grant or contract award and thereafter shall remain available to the tribe or tribal organization without fiscal year limitation: Provided further, That up to $18,000,000 shall remain available until expended, for the Indian Catastrophic Health Emergency Fund: Provided further, That $487,085,000 for contract medical care shall remain available for obligation until September 30, 2006: Provided further, That of the funds provided, up to $27,000,000 to remain available until expended, shall be used to carry out the loan repayment program under section 108 of the Indian Health Care Improvement Act: Provided further, That funds provided in this Act may be used for one-year contracts and grants which are to be performed in two fiscal years, so long as the total obligation is recorded in the year for which the funds are appropriated: Provided further, That the amounts collected by the Secretary of Health and Human Services under the authority of title IV of the Indian Health Care Improvement Act shall remain available until expended for the purpose of achieving compliance with the applicable conditions and requirements of titles XVIII and XIX of the Social Security Act (exclusive of planning, design, or construction of new facilities): Provided further, That funding contained herein, and in any earlier appropriations Acts for scholarship programs under the Indian Health Care Improvement Act (25 U.S.C. 1613) shall remain available until expended: Provided further, That amounts received by tribes and tribal organizations under title IV of the Indian Health Care Improvement Act shall be reported and accounted for and available to the receiving tribes and tribal organizations until expended: Provided further, That, notwithstanding any other provision of law, of the amounts provided herein, not to exceed $267,398,000 shall be for payments to tribes and tribal organizations for contract or grant support costs associated with contracts, grants, self-governance compacts or annual funding agreements between the Indian Health Service and a tribe or tribal organization pursuant to the Indian Self-Determination Act of 1975, as amended, prior to or during fiscal year 2005, of which not to exceed $2,500,000 may be used for contract support costs associated with new or expanded self-determination contracts, grants, self-governance compacts or annual funding agreements: Provided further, That funds available for the Indian Health Care Improvement Fund may be used, as needed, to carry out activities typically funded under the Indian Health Facili-

ties account: Provided further, That of the amounts provided to the Indian Health Service, $15,000,000 is provided for alcohol control, enforcement, prevention, treatment, sobriety and wellness, and education in Alaska: Provided further, That none of the funds may be used for tribal courts or tribal ordinance programs or any program that is not directly related to alcohol control, enforcement, prevention, treatment, or sobriety: Provided further, That no more than 15 percent may be used by any entity receiving funding for administrative overhead including indirect costs.

INDIAN HEALTH FACILITIES

For construction, repair, maintenance, improvement, and equipment of health and related auxiliary facilities, including quarters for personnel; preparation of plans, specifications, and drawings; acquisition of sites, purchase and erection of modular buildings, and purchases of trailers; and for provision of domestic and community sanitation facilities for Indians, as authorized by section 7 of the Act of August 5, 1954 (42 U.S.C. 2004a), the Indian Self-Determination Act, and the Indian Health Care Improvement Act, and for expenses necessary to carry out such Acts and titles II and III of the Public Health Service Act with respect to environmental health and facilities support activities of the Indian Health Service, $394,048,000, to remain available until expended: Provided, That notwithstanding any other provision of law, funds appropriated for the planning, design, construction or renovation of health facilities for the benefit of an Indian tribe or tribes may be used to purchase land for sites to construct, improve, or enlarge health or related facilities: Provided further, That not to exceed $500,000 shall be used by the Indian Health Service to purchase TRANSAM equipment from the Department of Defense for distribution to the Indian Health Service and tribal facilities: Provided further, That none of the funds appropriated to the Indian Health Service may be used for sanitation facilities construction for new homes funded with grants by the housing programs of the United States Department of Housing and Urban Development: Provided further, That not to exceed $1,000,000 from this account and the "Indian Health Services" account shall be used by the Indian Health Service to obtain ambulances for the Indian Health Service and tribal facilities in conjunction with an existing interagency agreement between the Indian Health Service and the General Services Administration: Provided further, That notwithstanding any other provision of law, funds appropriated for the planning, design, and construction of the replacement health care facility in Barrow, Alaska, may be used to purchase land up to approximately 8 hectares for a site upon which to construct the new health care facility: Provided further, That not to exceed $500,000 shall be placed in a Demolition Fund, available until expended, to be used by the Indian Health Service for demolition of Federal buildings: Provided further, That up to $2,700,000 from unobligated balances may be used for the purchase of land at two sites for the construction of the northern and southern California Youth Regional Treatment Centers subject to advance approval from the House and Senate Committees on Appropriations.

ADMINISTRATIVE PROVISIONS, INDIAN HEALTH SERVICE

Appropriations in this Act to the Indian Health Service shall be available for services as authorized by 5 U.S.C. 3109 but at rates not to exceed the per diem rate equivalent to the maximum rate payable for senior-level positions under 5 U.S.C. 5376; hire of passenger motor vehicles and aircraft; purchase of medical equipment; purchase of reprints; purchase, renovation and erection of modular buildings and renovation of existing facilities; payments for telephone service in private residences in the field, when authorized under regulations approved by the Secretary; and for uniforms or allowances therefor as authorized by 5 U.S.C. 5901–5902; and for expenses of attendance at meetings which are concerned with the functions or activities for which the appropriation is made or which will contribute to improved conduct, supervision, or management of those functions or activities.

In accordance with the provisions of the Indian Health Care Improvement Act, non-Indian patients may be extended health care at all tribally administered or Indian Health Service facilities, subject to charges, and the proceeds along with funds recovered under the Federal Medical Care Recovery Act (42 U.S.C. 2651–2653) shall be credited to the account of the facility providing the service and shall be available without fiscal year limitation. Notwithstanding any other law or regulation, funds transferred from the Department of Housing and Urban Development to the Indian Health Service shall be administered under Public Law 86–121 (the Indian Sanitation Facilities Act) and Public Law 93–638, as amended.

Funds appropriated to the Indian Health Service in this Act, except those used for administrative and program direction purposes, shall not be subject to limitations directed at curtailing Federal travel and transportation.

None of the funds made available to the Indian Health Service in this Act shall be used for any assessments or charges by the Department of Health and Human Services unless identified in the budget justification and provided in this Act, or approved by the House and Senate Committees on Appropriations through the reprogramming process. Personnel ceilings may not be imposed on the Indian Health Service nor may any action be taken to reduce the full time equivalent level of the Indian Health Service below the level in fiscal year 2002 adjusted upward for the staffing of new and expanded facilities, funding provided for staffing at the Lawton, Oklahoma hospital in fiscal years 2003 and 2004, critical positions not filled in fiscal year 2002, and staffing necessary to carry out the intent of Congress with regard to program increases.

Notwithstanding any other provision of law, funds previously or herein made available to a tribe or tribal organization through a contract, grant, or agreement authorized by title I or title V of the Indian Self-Determination and Education Assistance Act of 1975 (25 U.S.C. 450), may be deobligated and reobligated to a self-determination contract under title I, or a self-governance agreement under title V of such Act and thereafter shall remain available to the tribe or tribal organization without fiscal year limitation.

None of the funds made available to the Indian Health Service in this Act shall be used to implement the final rule published in the Federal Register on September 16, 1987, by the Department of

Health and Human Services, relating to the eligibility for the health care services of the Indian Health Service until the Indian Health Service has submitted a budget request reflecting the increased costs associated with the proposed final rule, and such request has been included in an appropriations Act and enacted into law.

With respect to functions transferred by the Indian Health Service to tribes or tribal organizations, the Indian Health Service is authorized to provide goods and services to those entities, on a reimbursable basis, including payment in advance with subsequent adjustment. The reimbursements received therefrom, along with the funds received from those entities pursuant to the Indian Self-Determination Act, may be credited to the same or subsequent appropriation account which provided the funding. Such amounts shall remain available until expended.

Reimbursements for training, technical assistance, or services provided by the Indian Health Service will contain total costs, including direct, administrative, and overhead associated with the provision of goods, services, or technical assistance.

The Indian Health Service may purchase 8.5 acres of land for expansion of parking facilities at the W.W. Hastings hospital in Tahlequah, Oklahoma using third party collections subject to advance approval from the House and Senate Committees on Appropriations.

Notwithstanding any other provision of law, the Tulsa and Oklahoma City Clinic demonstration projects shall be permanent programs under the direct care program of the Indian Health Service; shall be treated as service units and operating units in the allocation of resources and coordination of care; shall continue to meet the requirements applicable to an Urban Indian organization under this title; and shall not be subject to the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450 et seq.).

The appropriation structure for the Indian Health Service may not be altered without advance approval of the House and Senate Committees on Appropriations.

OTHER RELATED AGENCIES

OFFICE OF NAVAJO AND HOPI INDIAN RELOCATION

SALARIES AND EXPENSES

For necessary expenses of the Office of Navajo and Hopi Indian Relocation as authorized by Public Law 93–531, $5,000,000, to remain available until expended: Provided, That funds provided in this or any other appropriations Act are to be used to relocate eligible individuals and groups including evictees from District 6, Hopi-partitioned lands residents, those in significantly substandard housing, and all others certified as eligible and not included in the preceding categories: Provided further, That none of the funds contained in this or any other Act may be used by the Office of Navajo and Hopi Indian Relocation to evict any single Navajo or Navajo family who, as of November 30, 1985, was physically domiciled on the lands partitioned to the Hopi Tribe unless a new or replacement home is provided for such household: Provided further, That no relocatee will be provided with more than one new or replacement home: Provided further, That the Office shall relocate any certified

eligible relocatees who have selected and received an approved homesite on the Navajo reservation or selected a replacement residence off the Navajo reservation or on the land acquired pursuant to 25 U.S.C. 640d–10.

INSTITUTE OF AMERICAN INDIAN AND ALASKA NATIVE CULTURE AND ARTS DEVELOPMENT

PAYMENT TO THE INSTITUTE

For payment to the Institute of American Indian and Alaska Native Culture and Arts Development, as authorized by title XV of Public Law 99–498, as amended (20 U.S.C. 56 part A), $6,000,000, of which up to $1,000,000 may remain available until expended to assist with the Institute's efforts to develop a Continuing Education Lifelong Learning Center.

SMITHSONIAN INSTITUTION

SALARIES AND EXPENSES

For necessary expenses of the Smithsonian Institution, as authorized by law, including research in the fields of art, science, and history; development, preservation, and documentation of the National Collections; presentation of public exhibits and performances; collection, preparation, dissemination, and exchange of information and publications; conduct of education, training, and museum assistance programs; maintenance, alteration, operation, lease (for terms not to exceed 30 years), and protection of buildings, facilities, and approaches; not to exceed $100,000 for services as authorized by 5 U.S.C. 3109; up to five replacement passenger vehicles; purchase, rental, repair, and cleaning of uniforms for employees, $495,925,000, of which not to exceed $10,108,000 for the instrumentation program, collections acquisition, exhibition reinstallation, the National Museum of African American History and Culture, and the repatriation of skeletal remains program shall remain available until expended; and of which $1,620,000 for fellowships and scholarly awards shall remain available until September 30, 2006; and including such funds as may be necessary to support American overseas research centers and a total of $125,000 for the Council of American Overseas Research Centers: Provided, That funds appropriated herein are available for advance payments to independent contractors performing research services or participating in official Smithsonian presentations: Provided further, That the Smithsonian Institution may expend Federal appropriations designated in this Act for lease or rent payments for long term and swing space, as rent payable to the Smithsonian Institution, and such rent payments may be deposited into the general trust funds of the Institution to the extent that federally supported activities are housed in the 900 H Street, N.W. building in the District of Columbia: Provided further, That this use of Federal appropriations shall not be construed as debt service, a Federal guarantee of, a transfer of risk to, or an obligation of, the Federal Government: Provided further, That no appropriated funds may be used to service debt which is incurred to finance the costs of acquiring the 900 H Street building or of planning, designing, and constructing improvements to such building.

FACILITIES CAPITAL

For necessary expenses of repair, revitalization, and alteration of facilities owned or occupied by the Smithsonian Institution, by contract or otherwise, as authorized by section 2 of the Act of August 22, 1949 (63 Stat. 623), and for construction, including necessary personnel, $127,900,000, to remain available until expended, of which not to exceed $10,000 is for services as authorized by 5 U.S.C. 3109: Provided, That contracts awarded for environmental systems, protection systems, and repair or restoration of facilities of the Smithsonian Institution may be negotiated with selected contractors and awarded on the basis of contractor qualifications as well as price.

ADMINISTRATIVE PROVISIONS, SMITHSONIAN INSTITUTION

None of the funds in this or any other Act may be used to make any changes to the existing Smithsonian science programs including closure of facilities, relocation of staff or redirection of functions and programs without the advance approval of the House and Senate Committees on Appropriations.

None of the funds in this or any other Act may be used to initiate the design for any proposed expansion of current space or new facility without consultation with the House and Senate Appropriations Committees.

None of the funds in this or any other Act may be used for the Holt House located at the National Zoological Park in Washington, D.C., unless identified as repairs to minimize water damage, monitor structure movement, or provide interim structural support.

None of the funds available to the Smithsonian may be reprogrammed without the advance written approval of the House and Senate Committees on Appropriations in accordance with the reprogramming procedures contained in the statement of the managers accompanying this Act.

None of the funds in this or any other Act may be used to purchase any additional buildings without prior consultation with the House and Senate Committees on Appropriations.

NATIONAL GALLERY OF ART

SALARIES AND EXPENSES

For the upkeep and operations of the National Gallery of Art, the protection and care of the works of art therein, and administrative expenses incident thereto, as authorized by the Act of March 24, 1937 (50 Stat. 51), as amended by the public resolution of April 13, 1939 (Public Resolution 9, Seventy-sixth Congress), including services as authorized by 5 U.S.C. 3109; payment in advance when authorized by the treasurer of the Gallery for membership in library, museum, and art associations or societies whose publications or services are available to members only, or to members at a price lower than to the general public; purchase, repair, and cleaning of uniforms for guards, and uniforms, or allowances therefor, for other employees as authorized by law (5 U.S.C. 5901–5902); purchase or rental of devices and services for protecting buildings and contents thereof, and maintenance, alteration, improvement, and repair of buildings, approaches, and grounds; and purchase of services for

restoration and repair of works of art for the National Gallery of Art by contracts made, without advertising, with individuals, firms, or organizations at such rates or prices and under such terms and conditions as the Gallery may deem proper, $93,000,000, of which not to exceed $3,026,000 for the special exhibition program shall remain available until expended.

REPAIR, RESTORATION AND RENOVATION OF BUILDINGS

For necessary expenses of repair, restoration and renovation of buildings, grounds and facilities owned or occupied by the National Gallery of Art, by contract or otherwise, as authorized, $11,100,000, to remain available until expended: Provided, That contracts awarded for environmental systems, protection systems, and exterior repair or renovation of buildings of the National Gallery of Art may be negotiated with selected contractors and awarded on the basis of contractor qualifications as well as price.

JOHN F. KENNEDY CENTER FOR THE PERFORMING ARTS

OPERATIONS AND MAINTENANCE

For necessary expenses for the operation, maintenance and security of the John F. Kennedy Center for the Performing Arts, $17,152,000.

CONSTRUCTION

For necessary expenses for capital repair and restoration of the existing features of the building and site of the John F. Kennedy Center for the Performing Arts, $16,334,000, to remain available until expended.

WOODROW WILSON INTERNATIONAL CENTER FOR SCHOLARS

SALARIES AND EXPENSES

For expenses necessary in carrying out the provisions of the Woodrow Wilson Memorial Act of 1968 (82 Stat. 1356) including hire of passenger vehicles and services as authorized by 5 U.S.C. 3109, $8,987,000.

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

NATIONAL ENDOWMENT FOR THE ARTS

GRANTS AND ADMINISTRATION

For necessary expenses to carry out the National Foundation on the Arts and the Humanities Act of 1965, as amended, $122,972,000, shall be available to the National Endowment for the Arts for the support of projects and productions in the arts through assistance to organizations and individuals pursuant to sections 5(c) and 5(g) of the Act, including $21,729,000 for support of arts education and public outreach activities through the Challenge America program, for program support, and for administering the functions of the Act, to remain available until expended: Provided, That funds previously appropriated to the National Endowment for the Arts "Matching Grants" account and "Challenge America" account may be transferred to and merged with this account.

NATIONAL ENDOWMENT FOR THE HUMANITIES

GRANTS AND ADMINISTRATION

For necessary expenses to carry out the National Foundation on the Arts and the Humanities Act of 1965, as amended, $123,877,000, shall be available to the National Endowment for the Humanities for support of activities in the humanities, pursuant to section 7(c) of the Act, and for administering the functions of the Act, to remain available until expended.

MATCHING GRANTS

To carry out the provisions of section 10(a)(2) of the National Foundation on the Arts and the Humanities Act of 1965, as amended, $16,122,000, to remain available until expended, of which $10,436,000 shall be available to the National Endowment for the Humanities for the purposes of section 7(h): Provided, That this appropriation shall be available for obligation only in such amounts as may be equal to the total amounts of gifts, bequests, and devises of money, and other property accepted by the chairman or by grantees of the Endowment under the provisions of subsections 11(a)(2)(B) and 11(a)(3)(B) during the current and preceding fiscal years for which equal amounts have not previously been appropriated.

ADMINISTRATIVE PROVISIONS

None of the funds appropriated to the National Foundation on the Arts and the Humanities may be used to process any grant or contract documents which do not include the text of 18 U.S.C. 1913: Provided, That none of the funds appropriated to the National Foundation on the Arts and the Humanities may be used for official reception and representation expenses: Provided further, That funds from nonappropriated sources may be used as necessary for official reception and representation expenses: Provided further, That the Chairperson of the National Endowment for the Arts may approve grants up to $10,000, if in the aggregate this amount does not exceed 5 percent of the sums appropriated for grant-making purposes per year: Provided further, That such small grant actions are taken pursuant to the terms of an expressed and direct delegation of authority from the National Council on the Arts to the Chairperson.

COMMISSION OF FINE ARTS

SALARIES AND EXPENSES

For expenses made necessary by the Act establishing a Commission of Fine Arts (40 U.S.C. 104), $1,793,000: Provided, That the Commission is authorized to charge fees to cover the full costs of its publications, and such fees shall be credited to this account as an offsetting collection, to remain available until expended without further appropriation.

NATIONAL CAPITAL ARTS AND CULTURAL AFFAIRS

For necessary expenses as authorized by Public Law 99–190 (20 U.S.C. 956(a)), as amended, $7,000,000.

ADVISORY COUNCIL ON HISTORIC PRESERVATION

SALARIES AND EXPENSES

For necessary expenses of the Advisory Council on Historic Preservation (Public Law 89–665, as amended), $4,600,000: Provided, That none of these funds shall be available for compensation of level V of the Executive Schedule or higher positions.

NATIONAL CAPITAL PLANNING COMMISSION

SALARIES AND EXPENSES

For necessary expenses, as authorized by the National Capital Planning Act of 1952 (40 U.S.C. 71–71i), including services as authorized by 5 U.S.C. 3109, $8,000,000: Provided, That one-quarter of 1 percent of the funds provided under this heading may be used for official reception and representational expenses to host international visitors engaged in the planning and physical development of world capitals.

UNITED STATES HOLOCAUST MEMORIAL MUSEUM

HOLOCAUST MEMORIAL MUSEUM

For expenses of the Holocaust Memorial Museum, as authorized by Public Law 106–292 (36 U.S.C. 2301–2310), $41,433,000, of which $1,900,000 for the museum's repair and rehabilitation program and $1,264,000 for the museum's exhibitions program shall remain available until expended.

PRESIDIO TRUST

PRESIDIO TRUST FUND

For necessary expenses to carry out title I of the Omnibus Parks and Public Lands Management Act of 1996, $20,000,000 shall be available to the Presidio Trust, to remain available until expended.

TITLE III—GENERAL PROVISIONS

SEC. 301. The expenditure of any appropriation under this Act for any consulting service through procurement contract, pursuant to 5 U.S.C. 3109, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued pursuant to existing law.

SEC. 302. No part of any appropriation contained in this Act shall be available for any activity or the publication or distribution of literature that in any way tends to promote public support or opposition to any legislative proposal on which congressional action is not complete.

SEC. 303. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 304. None of the funds provided in this Act to any department or agency shall be obligated or expended to provide a personal cook, chauffeur, or other personal servants to any officer or employee of such department or agency except as otherwise provided by law.

SEC. 305. No assessments may be levied against any program, budget activity, subactivity, or project funded by this Act unless notice of such assessments and the basis therefor are presented to the Committees on Appropriations and are approved by such committees.

SEC. 306. None of the funds in this Act may be used to plan, prepare, or offer for sale timber from trees classified as giant sequoia (Sequoiadendron giganteum) which are located on National Forest System or Bureau of Land Management lands in a manner different than such sales were conducted in fiscal year 2004.

SEC. 307. (a) LIMITATION OF FUNDS.—None of the funds appropriated or otherwise made available pursuant to this Act shall be obligated or expended to accept or process applications for a patent for any mining or mill site claim located under the general mining laws.

(b) EXCEPTIONS.—The provisions of subsection (a) shall not apply if the Secretary of the Interior determines that, for the claim concerned: (1) a patent application was filed with the Secretary on or before September 30, 1994; and (2) all requirements established under sections 2325 and 2326 of the Revised Statutes (30 U.S.C. 29 and 30) for vein or lode claims and sections 2329, 2330, 2331, and 2333 of the Revised Statutes (30 U.S.C. 35, 36, and 37) for placer claims, and section 2337 of the Revised Statutes (30 U.S.C. 42) for mill site claims, as the case may be, were fully complied with by the applicant by that date.

(c) REPORT.—On September 30, 2005, the Secretary of the Interior shall file with the House and Senate Committees on Appropriations and the Committee on Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report on actions taken by the Department under the plan submitted pursuant to section 314(c) of the Department of the Interior and Related Agencies Appropriations Act, 1997 (Public Law 104–208).

(d) MINERAL EXAMINATIONS.—In order to process patent applications in a timely and responsible manner, upon the request of a patent applicant, the Secretary of the Interior shall allow the applicant to fund a qualified third-party contractor to be selected by the Bureau of Land Management to conduct a mineral examination of the mining claims or mill sites contained in a patent application as set forth in subsection (b). The Bureau of Land Management shall have the sole responsibility to choose and pay the third-party contractor in accordance with the standard procedures employed by the Bureau of Land Management in the retention of third-party contractors.

SEC. 308. Notwithstanding any other provision of law, amounts appropriated to or earmarked in committee reports for the Bureau of Indian Affairs and the Indian Health Service by Public Laws 103–138, 103–332, 104–134, 104–208, 105–83, 105–277, 106–113, 106–291, 107–63, 108–7, and 108–108 for payments to tribes and tribal organizations for contract support costs associated with self-determination or self-governance contracts, grants, compacts, or annual funding agreements with the Bureau of Indian Affairs or the Indian Health Service as funded by such Acts, are the total amounts available for fiscal years 1994 through 2004 for such purposes, except that, for the Bureau of Indian Affairs, tribes and tribal organi-

zations may use their tribal priority allocations for unmet indirect costs of ongoing contracts, grants, self-governance compacts or annual funding agreements.

SEC. 309. Of the funds provided to the National Endowment for the Arts—

(1) The Chairperson shall only award a grant to an individual if such grant is awarded to such individual for a literature fellowship, National Heritage Fellowship, or American Jazz Masters Fellowship.

(2) The Chairperson shall establish procedures to ensure that no funding provided through a grant, except a grant made to a State or local arts agency, or regional group, may be used to make a grant to any other organization or individual to conduct activity independent of the direct grant recipient. Nothing in this subsection shall prohibit payments made in exchange for goods and services.

(3) No grant shall be used for seasonal support to a group, unless the application is specific to the contents of the season, including identified programs and/or projects.

SEC. 310. The National Endowment for the Arts and the National Endowment for the Humanities are authorized to solicit, accept, receive, and invest in the name of the United States, gifts, bequests, or devises of money and other property or services and to use such in furtherance of the functions of the National Endowment for the Arts and the National Endowment for the Humanities. Any proceeds from such gifts, bequests, or devises, after acceptance by the National Endowment for the Arts or the National Endowment for the Humanities, shall be paid by the donor or the representative of the donor to the Chairman. The Chairman shall enter the proceeds in a special interest-bearing account to the credit of the appropriate endowment for the purposes specified in each case.

SEC. 311. (a) In providing services or awarding financial assistance under the National Foundation on the Arts and the Humanities Act of 1965 from funds appropriated under this Act, the Chairperson of the National Endowment for the Arts shall ensure that priority is given to providing services or awarding financial assistance for projects, productions, workshops, or programs that serve underserved populations.

(b) In this section:

(1) The term "underserved population" means a population of individuals, including urban minorities, who have historically been outside the purview of arts and humanities programs due to factors such as a high incidence of income below the poverty line or to geographic isolation.

(2) The term "poverty line" means the poverty line (as defined by the Office of Management and Budget, and revised annually in accordance with section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2)) applicable to a family of the size involved.

(c) In providing services and awarding financial assistance under the National Foundation on the Arts and Humanities Act of 1965 with funds appropriated by this Act, the Chairperson of the National Endowment for the Arts shall ensure that priority is given to providing services or awarding financial assistance for projects,

productions, workshops, or programs that will encourage public knowledge, education, understanding, and appreciation of the arts.

(d) With funds appropriated by this Act to carry out section 5 of the National Foundation on the Arts and Humanities Act of 1965—

(1) the Chairperson shall establish a grant category for projects, productions, workshops, or programs that are of national impact or availability or are able to tour several States;

(2) the Chairperson shall not make grants exceeding 15 percent, in the aggregate, of such funds to any single State, excluding grants made under the authority of paragraph (1);

(3) the Chairperson shall report to the Congress annually and by State, on grants awarded by the Chairperson in each grant category under section 5 of such Act; and

(4) the Chairperson shall encourage the use of grants to improve and support community-based music performance and education.

SEC. 312. No part of any appropriation contained in this Act shall be expended or obligated to complete and issue the 5-year program under the Forest and Rangeland Renewable Resources Planning Act.

SEC. 313. None of the funds in this Act may be used to support Government-wide administrative functions unless such functions are justified in the budget process and funding is approved by the House and Senate Committees on Appropriations.

SEC. 314. Notwithstanding any other provision of law, for fiscal year 2005 the Secretaries of Agriculture and the Interior are authorized to limit competition for watershed restoration project contracts as part of the "Jobs in the Woods" Program established in Region 10 of the Forest Service to individuals and entities in historically timber-dependent areas in the States of Washington, Oregon, northern California, Idaho, Montana, and Alaska that have been affected by reduced timber harvesting on Federal lands. The Secretaries shall consider the benefits to the local economy in evaluating bids and designing procurements which create economic opportunities for local contractors.

SEC. 315. Amounts deposited during fiscal year 2004 in the roads and trails fund provided for in the 14th paragraph under the heading "FOREST SERVICE" of the Act of March 4, 1913 (37 Stat. 843; 16 U.S.C. 501), shall be used by the Secretary of Agriculture, without regard to the State in which the amounts were derived, to repair or reconstruct roads, bridges, and trails on National Forest System lands or to carry out and administer projects to improve forest health conditions, which may include the repair or reconstruction of roads, bridges, and trails on National Forest System lands in the wildland-community interface where there is an abnormally high risk of fire. The projects shall emphasize reducing risks to human safety and public health and property and enhancing ecological functions, long-term forest productivity, and biological integrity. The projects may be completed in a subsequent fiscal year. Funds shall not be expended under this section to replace funds which would otherwise appropriately be expended from the timber salvage sale fund. Nothing in this section shall be construed to exempt any project from any environmental law.

SEC. 316. Other than in emergency situations, none of the funds in this Act may be used to operate telephone answering machines during core business hours unless such answering machines include an option that enables callers to reach promptly an individual on-duty with the agency being contacted.

SEC. 317. No timber sale in Region 10 shall be advertised if the indicated rate is deficit when appraised using a residual value approach that assigns domestic Alaska values for western redcedar. Program accomplishments shall be based on volume sold. Should Region 10 sell, in the current fiscal year, the annual average portion of the decadal allowable sale quantity called for in the current Tongass Land Management Plan in sales which are not deficit when appraised using a residual value approach that assigns domestic Alaska values for western redcedar, all of the western redcedar timber from those sales which is surplus to the needs of domestic processors in Alaska, shall be made available to domestic processors in the contiguous 48 United States at prevailing domestic prices. Should Region 10 sell, in the current fiscal year, less than the annual average portion of the decadal allowable sale quantity called for in the Tongass Land Management Plan in sales which are not deficit when appraised using a residual value approach that assigns domestic Alaska values for western redcedar, the volume of western redcedar timber available to domestic processors at prevailing domestic prices in the contiguous 48 United States shall be that volume: (i) which is surplus to the needs of domestic processors in Alaska; and (ii) is that percent of the surplus western redcedar volume determined by calculating the ratio of the total timber volume which has been sold on the Tongass to the annual average portion of the decadal allowable sale quantity called for in the current Tongass Land Management Plan. The percentage shall be calculated by Region 10 on a rolling basis as each sale is sold (for purposes of this amendment, a "rolling basis" shall mean that the determination of how much western redcedar is eligible for sale to various markets shall be made at the time each sale is awarded). Western redcedar shall be deemed "surplus to the needs of domestic processors in Alaska" when the timber sale holder has presented to the Forest Service documentation of the inability to sell western redcedar logs from a given sale to domestic Alaska processors at a price equal to or greater than the log selling value stated in the contract. All additional western redcedar volume not sold to Alaska or contiguous 48 United States domestic processors may be exported to foreign markets at the election of the timber sale holder. All Alaska yellow cedar may be sold at prevailing export prices at the election of the timber sale holder.

SEC. 318. Section 3 of the Act of June 9, 1930 (commonly known as the Knutson-Vandenberg Act; 16 U.S.C. 576b), is amended—

(1) by striking "The Secretary of Agriculture may, when in his" and inserting "(a) The Secretary of Agriculture may, when in his or her";

"(b) Amounts deposited under subsection (a)";

(2) by striking "may direct:" and all that follows through "That the Secretary of Agriculture" and inserting "may direct. The Secretary of Agriculture"; and

(3) by adding at the end the following new subsection:

"(c) Any portion of the balance at the end of a fiscal year in the special fund established pursuant to this section that the Secretary of Agriculture determines to be in excess of the cost of doing work described in subsection (a) (as well as any portion of the balance in the special fund that the Secretary determined, before October 1, 2004, to be excess of the cost of doing work described in subsection (a), but which has not been transferred by that date) shall be transferred to miscellaneous receipts, National Forest Fund, as a National Forest receipt, but only if the Secretary also determines that—

"(1) the excess amounts will not be needed for emergency wildfire suppression during the fiscal year in which the transfer would be made; and

"(2) the amount to be transferred to miscellaneous receipts, National Forest Fund, exceeds the outstanding balance of unreimbursed funds transferred from the special fund in prior fiscal years for wildfire suppression.".

SEC. 319. A project undertaken by the Forest Service under the Recreation Fee Demonstration Program as authorized by section 315 of the Department of the Interior and Related Agencies Appropriations Act for Fiscal Year 1996, as amended, shall not result in—

(1) displacement of the holder of an authorization to provide commercial recreation services on Federal lands. Prior to initiating any project, the Secretary shall consult with potentially affected holders to determine what impacts the project may have on the holders. Any modifications to the authorization shall be made within the terms and conditions of the authorization and authorities of the impacted agency; and

(2) the return of a commercial recreation service to the Secretary for operation when such services have been provided in the past by a private sector provider, except when—

(A) the private sector provider fails to bid on such opportunities;

(B) the private sector provider terminates its relationship with the agency; or

(C) the agency revokes the permit for non-compliance with the terms and conditions of the authorization.

In such cases, the agency may use the Recreation Fee Demonstration Program to provide for operations until a subsequent operator can be found through the offering of a new prospectus.

SEC. 320. Prior to October 1, 2005, the Secretary of Agriculture shall not be considered to be in violation of subparagraph 6(f)(5)(A) of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1604(f)(5)(A)) solely because more than 15 years have passed without revision of the plan for a unit of the National Forest System. Nothing in this section exempts the Secretary from any other requirement of the Forest and Rangeland Renewable Resources Planning Act (16 U.S.C. 1600 et seq.) or any other law: Provided, That if the Secretary is not acting expeditiously and in good faith, within the funding available, to revise a plan for a unit of the National Forest System, this section shall be void with respect to such plan and a court of proper jurisdiction may order completion of the plan on an accelerated basis.

SEC. 321. No funds provided in this Act may be expended to conduct preleasing, leasing and related activities under either the Mineral Leasing Act (30 U.S.C. 181 et seq.) or the Outer Conti-

nental Shelf Lands Act (43 U.S.C. 1331 et seq.) within the boundaries of a National Monument established pursuant to the Act of June 8, 1906 (16 U.S.C. 431 et seq.) as such boundary existed on January 20, 2001, except where such activities are allowed under the Presidential proclamation establishing such monument.

SEC. 322. EXTENSION OF FOREST SERVICE CONVEYANCES PILOT PROGRAM.—Section 329 of the Department of the Interior and Related Agencies Appropriations Act, 2002 (16 U.S.C. 580d note; Public Law 107–63) is amended—

(1) in subsection (b), by striking "30" and inserting "40";

(2) in subsection (c) by striking "8" and inserting "13"; and

(3) in subsection (d), by striking "2007" and inserting "2008".

SEC. 323. Section 3(c) of the Harriet Tubman Special Resource Study Act (Public Law 106–516; 114 Stat. 2405) is amended by striking "section 8 of section 8" and inserting "section 8."

SEC. 324. In entering into agreements with foreign countries pursuant to the Wildfire Suppression Assistance Act (42 U.S.C. 1856m) the Secretary of Agriculture and the Secretary of the Interior are authorized to enter into reciprocal agreements in which the individuals furnished under said agreements to provide wildfire services are considered, for purposes of tort liability, employees of the country receiving said services when the individuals are engaged in fire suppression: Provided, That the Secretary of Agriculture or the Secretary of the Interior shall not enter into any agreement under this provision unless the foreign country (either directly or through its fire organization) agrees to assume any and all liability for the acts or omissions of American firefighters engaged in firefighting in a foreign country: Provided further, That when an agreement is reached for furnishing fire fighting services, the only remedies for acts or omissions committed while fighting fires shall be those provided under the laws of the host country, and those remedies shall be the exclusive remedies for any claim arising out of fighting fires in a foreign country: Provided further, That neither the sending country nor any legal organization associated with the firefighter shall be subject to any legal action whatsoever pertaining to or arising out of the firefighter's role in fire suppression.

SEC. 325. Notwithstanding any other provision of law or regulation, to promote the more efficient use of the health care funding allocation for fiscal year 2005, the Eagle Butte Service Unit of the Indian Health Service, at the request of the Cheyenne River Sioux Tribe, may pay base salary rates to health professionals up to the highest grade and step available to a physician, pharmacist, or other health professional and may pay a recruitment or retention bonus of up to 25 percent above the base pay rate.

SEC. 326. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriations Act.

SEC. 327. None of the funds in this Act may be used to prepare or issue a permit or lease for oil or gas drilling in the Finger Lakes National Forest, New York, during fiscal year 2005.

SEC. 328. In awarding a Federal Contract with funds made available by this Act, the Secretary of Agriculture and the Secretary

of the Interior (the "Secretaries") may, in evaluating bids and proposals, give consideration to local contractors who are from, and who provide employment and training for, dislocated and displaced workers in an economically disadvantaged rural community, including those historically timber-dependent areas that have been affected by reduced timber harvesting on Federal lands and other forest-dependent rural communities isolated from significant alternative employment opportunities: Provided, That notwithstanding Federal Government procurement and contracting laws the Secretaries may award contracts, grants or cooperative agreements to local non-profit entities, Youth Conservation Corps or related partnerships with State, local or non-profit youth groups, or small or disadvantaged business: Provided further, That the contract, grant, or cooperative agreement is for forest hazardous fuels reduction, watershed or water quality monitoring or restoration, wildlife or fish population monitoring, or habitat restoration or management: Provided further, That the terms "rural community" and "economically disadvantaged" shall have the same meanings as in section 2374 of Public Law 101–624: Provided further, That the Secretaries shall develop guidance to implement this section: Provided further, That nothing in this section shall be construed as relieving the Secretaries of any duty under applicable procurement laws, except as provided in this section.

SEC. 329. No funds appropriated in this Act for the acquisition of lands or interests in lands may be expended for the filing of declarations of taking or complaints in condemnation without the approval of the House and Senate Committees on Appropriations: Provided, That this provision shall not apply to funds appropriated to implement the Everglades National Park Protection and Expansion Act of 1989, or to funds appropriated for Federal assistance to the State of Florida to acquire lands for Everglades restoration purposes.

SEC. 330. Section 338 of Public Law 108–108 is amended by striking "2003" and inserting in lieu thereof "2004".

SEC. 331. Section 315 of the Department of the Interior and Related Agencies Appropriations Act, 1996 (as contained in section 101(c) of Public Law 104–134; 110 Stat. 1321–200; 16 U.S.C. 460l–6a note), is amended—

(1) in subsection (b), by inserting "subject to subsection (g) but" before "notwithstanding" in the matter preceding paragraph (1); and

(2) by adding at the end the following new subsection:

"(g) The Secretary of Agriculture may not charge or collect fees under this section for the following:

"(1) Admission to a unit of the National Forest System (as defined in section 11(a) of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1609(a)).

"(2) The use, either singly or in any combination, of the following:

"(A) undesignated parking along roads;

"(B) overlook sites or scenic pullouts;

"(C) information offices and centers that only provide general area information and limited services or interpretive exhibits; and

"(D) dispersed areas for which expenditures in facilities or services are limited.".

SEC. 332. (a) LIMITATION ON COMPETITIVE SOURCING STUDIES.—

(1) Of the funds made available by this or any other Act to the Department of Energy or the Department of the Interior for fiscal year 2005, not more than the maximum amount specified in paragraph (2) may be used by the Secretary of Energy or the Secretary of the Interior to initiate or continue competitive sourcing studies in fiscal year 2005 for programs, projects, and activities for which funds are appropriated by this Act until such time as the Secretary concerned submits a reprogramming proposal to the Committees on Appropriations of the Senate and the House of Representatives, and such proposal has been processed consistent with the reprogramming guidelines in House Report 108–330.

(2) For the purposes of paragraph (1) the maximum amount—

(A) with respect to the Department of Energy is $500,000; and

(B) with respect to the Department of the Interior is $3,250,000.

(3) Of the funds appropriated by this Act, not more than $2,000,000 may be used in fiscal year 2005 for competitive sourcing studies and related activities by the Forest Service.

(b) COMPETITIVE SOURCING STUDY DEFINED.—In this section, the term "competitive sourcing study" means a study on subjecting work performed by Federal Government employees or private contractors to public-private competition or on converting the Federal Government employees or the work performed by such employees to private contractor performance under the Office of Management and Budget Circular A–76 or any other administrative regulation, directive, or policy.

(c) Section 340(b) of Public Law 108–108 is hereby repealed.

(d) COMPETITIVE SOURCING EXEMPTION FOR FOREST SERVICE STUDIES CONDUCTED PRIOR TO FISCAL YEAR 2005.—Notwithstanding requirements of Office of Management and Budget Circular A–76, Attachment B, the Forest Service is hereby exempted from implementing the Letter of Obligation and post-competition accountability guidelines where a competitive sourcing study involved 65 or fewer full-time equivalents, the performance decision was made in favor of the agency provider; no net savings was achieved by conducting the study, and the study was completed prior to the date of this Act.

(e) In preparing any reports to the Committees on Appropriations on competitive sourcing activities, agencies funded in this Act shall include the incremental cost directly attributable to conducting the competitive sourcing competitions, including costs attributable to paying outside consultants and contractors and, in accordance with full cost accounting principles, all costs attributable to developing, implementing, supporting, managing, monitoring, and reporting on competitive sourcing, including personnel, consultant, travel, and training costs associated with program management.

SEC. 333. Estimated overhead charges, deductions, reserves or holdbacks from programs, projects and activities to support govern-

mentwide, departmental, agency or bureau administrative functions or headquarters, regional or central office operations shall be presented in annual budget justifications. Changes to such estimates shall be presented to the Committees on Appropriations for approval.

SEC. 334. None of the funds in this Act or prior Acts making appropriations for the Department of the Interior and Related Agencies may be provided to the managing partners or their agents for the SAFECOM or Disaster Management projects.

SEC. 335. CONVEYANCE OF A SMALL PARCEL OF PUBLIC DOMAIN LAND IN THE SAN BERNARDINO NATIONAL FOREST IN THE STATE OF CALIFORNIA. (a) FINDINGS.—The Congress finds that—

(1) a select area of the San Bernardino National Forest in California is heavily developed with recreation residences and is immediately adjacent to comparably developed private property;

(2) it is in the public interest to convey the above referenced area to the owners of the recreation residences; and

(3) the Secretary of Agriculture should use the proceeds of such conveyance for critical San Bernardino National Forest infrastructure improvements or to acquire additional lands within the boundaries of the San Bernardino National Forest.

(b) CONVEYANCE REQUIRED.—Subject to valid existing rights and such terms, conditions, and restrictions as the Secretary deems necessary or desirable in the public interest, the Secretary of Agriculture shall convey to the Mill Creek Homeowners Association (hereinafter Association) all right, title, and interest of the United States in and to the Mill Creek parcel of real estate described in subsection (c)(1). In the event the Secretary and the Association for any reason do not complete the sale within two years from the date of enactment of this Act, this authority shall expire.

(c) LEGAL DESCRIPTION AND CORRECTION AUTHORITY.—

(1) DESCRIPTION.—The Mill Creek parcel, approximately 35 acres, as shown on a map, "The Mill Creek Conveyance Parcel—San Bernardino National Forest, dated June 1, 2004" generally located in the northeast quarter of Section 8, T.1S., R.1W., San Bernardino Meridian, of the United States Public Lands Survey System, California. The map shall be on file and available for inspection in the office of the Chief, Forest Service, Washington, DC and in the office of the Forest Supervisor, San Bernardino National Forest until such time as the lands are conveyed.

(2) CORRECTIONS.—The Secretary is authorized to make minor corrections to this map and may modify the description to correct errors or to reconfigure the property in order to facilitate conveyance. In the event of a conflict between the map description and the USPLSS description of the land in paragraph (1), the map will be considered the definitive description of the land.

(d) CONSIDERATION.—Consideration for the conveyance under subsection (b) shall be equal to the appraised fair market value of the parcel of real property to be conveyed. Such appraisal shall be prepared in conformity with the Uniform Appraisal Standards for Federal Land Acquisition.

(e) ACCESS REQUIREMENTS.—Notwithstanding section 1323(a) of the Alaska National Interest Lands Conservation Act (16 U.S.C. 3210(a)) or any other law, the Secretary is not required to provide access over National Forest System lands to the parcel of real estate to be conveyed under subsection (b).

(f) ADMINISTRATIVE COSTS.—All costs incurred by the Secretary of Agriculture and any costs associated with the creation of a subdivided parcel, conducting and recordation of a survey, zoning, planning approval, and similar expenses with respect to the conveyance under subsection (b), shall be borne by the Association.

(g) ASSUMPTION OF LIABILITY.—By acceptance of the conveyance of the parcel of real property referred to in subsection (b), the Association and its successors and assigns will indemnify and hold harmless the United States for any and all liability to any party that is associated with the parcel.

(h) TREATMENT OF RECEIPTS.—All funds received pursuant to the conveyance of the parcel of real property referred to in subsection (b) shall be deposited in the fund established under Public Law 90–171 (16 U.S.C. 484a; commonly known as the Sisk Act), and the funds shall remain available to the Secretary, until expended, for critical San Bernardino National Forest infrastructure improvements or the acquisition of lands, waters, and interests in land for inclusion in the San Bernardino National Forest.

SEC. 336. Section 331 of the Department of the Interior and Related Agencies Appropriations Act, 2001 (Public Law 106–291; 114 Stat. 996), is amended—

(1) in subsection (a), by striking "Until September 30, 2004, the" and inserting "The"; and

(2) by adding at the end the following new subsections:

"(d) INCLUSION OF COLORADO BLM LANDS.—The authority provided by this section shall also be available to the Secretary of the Interior with respect to public lands in the State of Colorado administered by the Secretary through the Bureau of Land Management.

"(e) EXPIRATION OF AUTHORITY.—The authority of the Secretary of Agriculture and the Secretary of the Interior to enter into cooperative agreements and contracts under this section expires September 30, 2009, and the term of any cooperative agreement or contract entered into under this section shall not extend beyond that date.".

SEC. 337. FEDERAL AND STATE COOPERATIVE FOREST, RANGELAND, AND WATERSHED RESTORATION IN UTAH. (a) AUTHORITY.—Until September 30, 2006, the Secretary of Agriculture, via cooperative agreement or contract (including sole source contract) as appropriate, may permit the State Forester of the State of Utah to perform forest, rangeland, and watershed restoration services on National Forest System lands in the State of Utah. Restoration services provided are to be on a project to project basis as planned or made ready for implementation under existing authorities of the Forest Service. The types of restoration services that may be contracted under this authority include treatment of insect infected trees, reduction of hazardous fuels, and other activities to restore or improve forest, rangeland, and watershed health including fish and wildlife habitat.

(b) STATE AS AGENT.—Except as provided in subsection (c), a cooperative agreement or contract under subsection (a) may authorize the State Forester of the State of Utah to serve as agent for the

Forest Service in providing services necessary to facilitate the performance and treatment of insect infested trees, reduction of hazardous fuels, and to restore or improve forest, rangeland, and watershed health including fish and wildlife habitat under subsection (a). The services to be performed by the State Forester of Utah may be conducted with subcontracts utilizing State of Utah contract procedures. Subsections (d) and (g) of section 14 of the National Forest Management Act of 1976 (16 U.S.C. 472a) shall not apply to services performed under a cooperative agreement or contract under subsection (a).

(c) RETENTION OF NEPA RESPONSIBILITIES.—With respect to any treatment activity to restore and improve forest, rangeland, and watershed health including fish and wildlife habitat services on National Forest System lands programmed for treatment by the State Forester of the State of Utah under subsection (a), any decision required to be made under the National Environmental Policy Act of 1969 (42 U.S.C. 4821 et seq.) may not be delegated to any officer or employee of the State of Utah.

SEC. 338. (a) IN GENERAL.—An entity that enters into a contract with the United States to operate the National Recreation Reservation Service (as solicited by the solicitation numbered WO–04–06vm) shall not carry out any duties under the contract using:

(1) a contact center located outside the United States; or

(2) a reservation agent who does not live in the United States.

(b) NO WAIVER.—The Secretary of Agriculture may not waive the requirements of subsection (a).

(c) TELECOMMUTING.—A reservation agent who is carrying out duties under the contract described in subsection (a) may not telecommute from a location outside the United States.

(d) LIMITATIONS.—Nothing in this Act shall be construed to apply to any employee of the entity who is not a reservation agent carrying out the duties under the contract described in subsection (a) or who provides managerial or support services.

SEC. 339. For fiscal years 2005 through 2007, a decision made by the Secretary of Agriculture to authorize grazing on an allotment shall be categorically excluded from documentation in an environmental assessment or an environmental impact statement under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) if: (1) the decision continues current grazing management of the allotment; (2) monitoring indicates that current grazing management is meeting, or satisfactorily moving toward, objectives in the land and resource management plan, as determined by the Secretary; and (3) the decision is consistent with agency policy concerning extraordinary circumstances. The total number of allotments that may be categorically excluded under this section may not exceed 900.

SEC. 340. SALMON RIVER COMMERCIAL OUTFITTER HUNTING CAMPS. Section 3(a)(24) of Public Law 90–542 (16 U.S.C. sec. 1274) is amended to add the following after paragraph (C) and redesignate subsequent paragraphs accordingly:

> *"(D) The established use and occupancy as of June 6, 2003, of lands and maintenance or replacement of facilities and structures for commercial recreation services at Stub Creek located in section 28, T24N, R14E, Boise Principal Meridian, at Arctic Creek located in section 21, T25N,*

R12E, Boise Principal Meridian and at Smith Gulch located in section 27, T25N, R12E, Boise Principal Meridian shall continue to be authorized, subject to such reasonable regulation as the Secretary deems appropriate, including rules that would provide for termination for non-compliance, and if terminated, reoffering the site through a competitive process.".

SEC. 341. (a) IN GENERAL.—

(1) The Secretary of Agriculture and the Secretary of the Interior are authorized to make grants to the Eastern Nevada Landscape Coalition for the study and restoration of rangeland and other lands in Nevada's Great Basin in order to help assure the reduction of hazardous fuels and for related purposes.

(2) Notwithstanding 31 U.S.C. secs. 6301–6308, the Director of the Bureau of Land Management shall enter into a cooperative agreement with the Eastern Nevada Landscape Coalition for the Great Basin Restoration Project, including hazardous fuels and mechanical treatments and related work.

(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as are necessary to carry out this section.

SEC. 342. (a) FINDINGS.—

(1) In 1953, Public Land Order 899 (PLO 899) eliminated approximately 80 acres from the Tongass National Forest, for the Community of Elfin Cove, Alaska. From 1953 until 2001, the USDA Forest Service believed two small islets within the Elfin Cove Harbor (Lots 1 and 2 of U.S. Survey 13150, approximately 0.29 acres) were included as part of PLO 899. However, due to a Bureau of Land Management rule in effect when PLO 899 was issued, ownership of unsurveyed, unmapped islets remained with the original landowner, in this case the United States.

(2) These two islets are needed by the Community of Elfin Cove to resolve public health and safety problems.

(3) The two islets serve no national forest purposes, but the Forest Service has no authority to transfer ownership of them to the Community of Elfin Cove, without receiving fair market value for the land interests.

(4) Neither the Bureau of Land Management nor the Forest Service intended to retain federal ownership of these two islets, and they remained in ownership of the United States only through an inadvertent error.

(5) Conveyance of these two islets from the United States to the Community of Elfin Cove, Alaska, without consideration, is in the public interest.

(b) Based on the findings in subsection (a) and notwithstanding any other provision of law, Congress hereby authorizes and directs the Secretary of Agriculture to convey in fee simple without compensation, Lots 1 and 2 of U.S. Survey 13150, comprising approximately 0.29 acres, to the Community of Elfin Cove, Alaska.

SEC. 343. (a) Notwithstanding any other provision of law, and until October 1, 2007, the Indian Health Service may not disburse funds for the provision of health care services pursuant to Public Law 93–638 (25 U.S.C. 450 et seq.) to any Alaska Native village or

Alaska Native village corporation that is located within the area served by an Alaska Native regional health entity.

(b) Nothing in this section shall be construed to prohibit the disbursal of funds to any Alaska Native village or Alaska Native village corporation under any contract or compact entered into prior to May 1, 2004, or to prohibit the renewal of any such agreement.

(c) For the purpose of this section, Eastern Aleutian Tribes, Inc. shall be treated as an Alaska Native regional health entity to whom funds may be disbursed under this section.

SEC. 344. Notwithstanding any other provision of law and using funds previously appropriated for such purpose under Public Law 106–291 ($1,630,000) and Public Law 108–199 ($2,300,000), the National Park Service shall (1) not later than 60 days after enactment of this section purchase the seven parcels of real property in Seward, Alaska identified by Kenai Peninsula tax identification numbers 14910001, 14910002, 14911033, 14913005, 14913020, 14913007, and 14913008 that have been selected for the administrative complex, visitor facility, plaza and related parking for the Kenai Fjords National Park and Chugach National Forest which shall hereafter be known as the Mary Lowell Center; and (2) transfer to the City of Seward any remaining balance of previously appropriated funds not necessary for property acquisition and design upon the vacation by the City of Seward of Washington Street between 4th Avenue and 5th Avenue and transfer of title of the appropriate portions thereof to the federal government, provided that the City of Seward uses any such funds for the related waterfront planning, pavilions, boardwalks, trails, or related purposes that compliment the new federal facility.

SEC. 345. Section 331, of Public Law 106–113, is amended—

(1) in part (a) by striking "2004" and inserting "2005"; and

(2) in part (b) by striking "2004" and inserting "2005."

SEC. 346. FEDERAL BUILDING, SANDPOINT, IDAHO.

(a) DEFINITIONS.—In this section:

(1) ADMINISTRATOR.—The term "Administrator" means the Administrator of General Services.

(2) MAP.—The term "map" means the map that is—

(A) entitled "Sandpoint Federal Building";

(B) dated September 12, 2002; and

(C) on file in—

(i) the Office of the Chief of the Forest Service; and

(ii) the Office of the Supervisor, Idaho National Forests, Coeur d'Alene, Idaho.

(3) PROPERTY.—The term "property" means the Sandpoint Federal Building and approximately 3.17 acres of land in Sandpoint, Idaho, as depicted on the map.

(4) SECRETARY.—The term "Secretary" means the Secretary of Agriculture, acting through the Chief of the Forest Service.

(b) CONVEYANCE OF PROPERTY.—

(1) IN GENERAL.—Notwithstanding subtitle I of title 40, United States Code, the Administrator may convey to the Secretary, all right, title, and interest of the United States in and to the property.

(2) CONDITIONS.—The conveyance of the property under paragraph (1) shall be on a noncompetitive basis, for consideration, and subject to any other terms and conditions to which

the Administrator and the Secretary may agree, including a purchase period with multiple payments over multiple fiscal years.

(3) SOURCE OF FUNDS.—The Secretary may use amounts made available to the Forest Service for any of fiscal years 2005 through 2010 to acquire the property under paragraph (1).

(c) SALE OR EXCHANGE OF PROPERTY.—

(1) IN GENERAL.—Subject to paragraph (2), the Secretary may use, maintain, lease, sublease, sell, or exchange all or part of the property.

(2) TERMS.—The sale or exchange of the property under paragraph (1) shall be for market value and subject to such terms as the Secretary determines to be in the public interest.

(3) METHOD OF SALE OR EXCHANGE.—The sale or exchange of the property under paragraph (1) may be on a competitive or noncompetitive basis.

(4) CONSIDERATION.—Consideration for the sale or exchange of the property may be in the form of cash, land, or improvements (including improvements to be constructed after the date of the sale or exchange).

(5) DISPOSITION AND USE OF PROCEEDS.—

(A) DISPOSITION OF PROCEEDS.—The Secretary shall deposit the proceeds derived from any lease, sublease, sale, exchange, or any other use or disposition of the property in the fund established by Public Law 90–171 (commonly known as the "Sisk Act") (16 U.S.C. 484a).

(B) USE OF PROCEEDS.—Amounts deposited under subparagraph (A) shall be available to the Secretary, without further appropriation, until expended, for the construction and maintenance of Forest Service offices and related facilities on National Forest System land in the vicinity of Sandpoint, Idaho.

SEC. 347. (a) SHORT TITLE.—This section may be cited as the "Chris Zajicek Memorial Land Exchange Act of 2004".

(b) NATIONAL FOREST SYSTEM LAND EXCHANGE IN THE STATE OF FLORIDA.—

(1) IN GENERAL.—Notwithstanding the effect of the wildfire known as the "Impassable 1 Fire" on the value of the land to be exchanged, the Secretary of Agriculture (acting through the Chief of the Forest Service) may carry out the exchange agreement entered into by the Forest Service and the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida and dated March 5, 2004.

(2) VALUATION.—For purposes of determining the value of the land to be exchanged under paragraph (1), the value of the land shall be considered to be the value of the land determined by the appraisal conducted on August 21, 2003.

SEC. 348. (a) SHORT TITLE.—This section may be cited as the "Grey Towers National Historic Site Act of 2004".

(b) FINDINGS; PURPOSES; DEFINITIONS.—

(1) FINDINGS.—Congress finds the following:

(A) James and Mary Pinchot constructed a home and estate that is known as Grey Towers in Milford, Pennsylvania.

(B) James and Mary Pinchot were also the progenitors of a family of notable accomplishment in the history of the Commonwealth of Pennsylvania and the Nation, in particular, their son, Gifford Pinchot.

(C) Gifford Pinchot was the first Chief of the Forest Service, a major influence in formulating and implementing forest conservation policies in the early 20th Century, and twice Governor of Pennsylvania.

(D) During the early 20th century, James and Gifford Pinchot used Grey Towers and the environs to establish scientific forestry, to develop conservation leaders, and to formulate conservation principles, thus making this site one of the primary birthplaces of the American conservation movement.

(E) In 1963, Gifford Bryce Pinchot, the son of Gifford and Cornelia Pinchot, donated Grey Towers and 102 acres to the Nation.

(F) In 1963, President John F. Kennedy dedicated the Pinchot Institute for Conservation for the greater knowledge of land and its uses at Grey Towers National Historic Landmark, thereby establishing a partnership between the public and private sectors.

(G) Grey Towers today is a place of historical significance where leaders in natural resource conservation meet, study, and share ideas, analyses, values, and philosophies, and is also a place where the public can learn and appreciate our conservation heritage.

(H) As established by President Kennedy, the Pinchot Institute for Conservation, and the Forest Service at Grey Towers operate through an established partnership in developing and delivering programs that carry on Gifford Pinchot's conservation legacy.

(I) Grey Towers and associated structures in and around Milford, Pennsylvania, can serve to enhance regional recreational and educational opportunities.

(2) PURPOSES.—The purposes of this section are as follows:

(A) To honor and perpetuate the memory of Gifford Pinchot.

(B) To promote the recreational and educational resources of Milford, Pennsylvania, and its environs.

(C) To authorize the Secretary of Agriculture—

(i) to further the scientific, policy analysis, educational, and cultural programs in natural resource conservation at Grey Towers;

(ii) to manage the property and environs more efficiently and effectively; and

(iii) to further collaborative ties with the Pinchot Institute for Conservation, and other Federal, State, and local agencies with shared interests.

(3) DEFINITIONS.—For the purposes of this section:

(A) ASSOCIATED PROPERTIES.—The term "Associated Properties" means lands and improvements outside of the Grey Towers National Historic Landmark within Pike County, Pennsylvania, and which were associated with

James and Mary Pinchot, the Yale School of Forestry, or the Forest Service.

(B) GREY TOWERS.—The term "Grey Towers" means the buildings and surrounding area of approximately 303 acres, including the 102 acres donated in 1963 to the United States and so designated that year.

(C) HISTORIC SITE.—The term "Historic Site" means the Grey Towers National Historic Site, as so designated by this Act.

(D) PINCHOT INSTITUTE.—The term "Pinchot Institute" means the Pinchot Institute for Conservation, a nonprofit corporation established under the laws of the District of Columbia.

(E) SECRETARY.—The term "Secretary" means the Secretary of Agriculture.

(c) DESIGNATION OF NATIONAL HISTORIC SITE.—Subject to valid existing rights, all lands and improvements formerly encompassed within the Grey Towers National Historic Landmark are designated as the "Grey Towers National Historic Site".

(d) ADMINISTRATION.—

(1) PURPOSES.—The Historic Site shall be administered for the following purposes:

(A) Education, public demonstration projects, and research related to natural resource conservation, protection, management, and use. source conservation, protection, management, and use.

(B) Leadership development within the natural resource professions and the Federal civil service.

(C) Continuing Gifford Pinchot's legacy through pursuit of new ideas, strategies, and solutions to natural resource issues that include economic, ecological, and social values.

(D) Preservation, use, and maintenance of the buildings, grounds, facilities, and archives associated with Gifford Pinchot.

(E) Study and interpretation of the life and works of Gifford Pinchot.

(F) Public recreation and enjoyment.

(G) Protection and enjoyment of the scenic and natural environs.

(2) APPLICABLE LAWS.—The Secretary shall administer federally owned lands and interests in lands at the Historic Site and Associated Properties as components of the National Forest System in accordance with this Act, 16 U.S.C. 461 et seq. and other laws generally applicable to the administration of national historic sites, and the laws, rules, and regulations applicable to the National Forest System, except that the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1600, et seq.) shall not apply.

(3) LAND ACQUISITION.—The Secretary is authorized to acquire, on a willing seller basis, by purchase, donation, exchange, or otherwise, privately owned lands and interests in lands, including improvements, within the Historic Site and the Associated Properties, using donated or appropriated funds.

(4) GIFTS.—

(A) ACCEPTED BY ENTITIES OTHER THAN THE SECRETARY.—Subject to such terms and conditions as the Secretary may prescribe, any public or private agency, organization, institution, or individual may solicit, accept, and administer private gifts of money and real or personal property for the benefit of or in connection with, the activities and services at the Historic Site.

(B) ACCEPTED BY THE SECRETARY.—Gifts may be accepted by the Secretary for the benefit of or in connection with, the activities and services at the Historic Site notwithstanding the fact that a donor conducts business with or is regulated by the Department of Agriculture in any capacity.

(e) COOPERATIVE AUTHORITIES.—

(1) GRANTS, CONTRACTS, AND COOPERATIVE AGREEMENTS.—The Secretary is authorized to enter into Agreements for grants, contracts, and cooperative agreements as appropriate with the Pinchot Institute, public and other private agencies, organizations, institutions, and individuals to provide for the development, administration, maintenance, or restoration of land, facilities, or Forest Service programs at Grey Towers or to otherwise further the purposes of this section.

(2) INTERDEPARTMENTAL.—The Secretary and the Secretary of the Interior are authorized and encouraged to cooperate in promoting public use and enjoyment of Grey Towers and the Delaware Water Gap National Recreation Area and in otherwise furthering the administration and purposes for which both areas were designated. Such cooperation may include colocation and use of facilities within Associated Properties and elsewhere.

(3) OTHER.—The Secretary may authorize use of the grounds and facilities of Grey Towers by the Pinchot Institute and other participating partners including Federal, State, and local agencies, on such terms and conditions as the Secretary may prescribe, including the waiver of special use authorizations and the waiver of rental and use fees.

(f) FUNDS.—

(1) FEES AND CHARGES.—The Secretary may impose reasonable fees and charges for admission to and use of facilities on Grey Towers.

(2) SPECIAL FUND.—Any monies received by the Forest Service in administering Grey Towers shall be deposited into the Treasury of the United States and covered in a special fund called the Grey Towers National Historic Site Fund. Monies in the Grey Towers National Historic Site Fund shall be available until expended, without further appropriation, for support of programs of Grey Towers, and any other expenses incurred in the administration of Grey Towers.

(g) MAP.—The Secretary shall produce and keep for public inspection a map of the Historic Site and associated properties within Pike County, Pennsylvania, which were associated with James and Mary Pinchot, the Yale School of Forestry, or the Forest Service.

(h) SAVINGS PROVISION.—Nothing in this section shall be deemed to diminish the authorities of the Secretary under the Cooperative Forestry Assistance Act or any other law pertaining to the National Forest System.

SEC. 349. (a) SHORT TITLE.—This section may be cited as the "Montana National Forests Boundary Adjustment Act of 2004".

(b) DEFINITIONS.—In this section:

(1) FORESTS.—The term "Forests" means the Helena National Forest, Lolo National Forest, and Beaverhead-Deerlodge National Forest in the State of Montana.

(2) MAP.—The term "map" means—

(A) the map entitled "Helena National Forest Boundary Adjustment Northern Region, USDA Forest Service" and dated September 13, 2004;

(B) the map entitled "Lolo National Forest Boundary Adjustment Northern Region, USDA Forest Service" and dated September 13, 2004; and

(C) the map entitled "Deerlodge National Forest Boundary Adjustment Northern Region USDA Forest Service" and dated September 13, 2004.

(3) SECRETARY.—The term "Secretary" means the Secretary of Agriculture.

(c) HELENA, LOLO, AND BEAVERHEAD-DEERLODGE NATIONAL FORESTS BOUNDARY ADJUSTMENT.—

(1) IN GENERAL.—The boundaries of the Forests are modified as depicted on the maps.

(2) MAPS.—

(A) AVAILABILITY.—The maps shall be on file and available for public inspection in—

(i) the Office of the Chief of the Forest Service; and

(ii) the office of the Regional Forester, Missoula, Montana.

(B) CORRECTION AUTHORITY.—The Secretary may make technical corrections to the maps.

(3) ADMINISTRATION.—Any land or interest in land acquired within the boundaries of the Forests for National Forest System purposes shall be managed in accordance with—

(A) the Act of March 1, 1911 (commonly known as the "Weeks Law") (16 U.S.C. 480 et seq.); and

(B) the laws (including regulations) applicable to the National Forest System.

(4) LAND AND WATER CONSERVATION FUND.—For purposes of section 7 of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460l–9), the boundaries of the Forests, as adjusted under paragraph (1), shall be considered to be the boundaries of the Forests as of January 1, 1965.

(5) EFFECT.—Nothing in this section limits the authority of the Secretary to adjust the boundaries of the Forests under section 11 of the Act of March 1, 1911 (16 U.S.C. 521).

SEC. 350. In addition to amounts provided to the Department of the Interior in this Act, $5,000,000 is provided for a grant to Kendall County, Illinois.

TITLE IV—SUPPLEMENTAL APPROPRIATIONS FOR URGENT WILDLAND FIRE SUPPRESSION ACTIVITIES

DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT

WILDLAND FIRE MANAGEMENT

For an additional amount for "Wildland Fire Management", $100,000,000, to remain available until expended, for urgent wildland fire suppression activities pursuant to section 312 of S. Con. Res. 95 (108th Congress) as made applicable to the House of Representatives by H. Res. 649 (108th Congress) and applicable to the Senate by section 14007 of Public Law 108–287: Provided, That such funds shall only become available if funds provided for wildland fire suppression in Title I of this Act will be exhausted imminently and the Secretary of the Interior notifies the House and Senate Committees on Appropriations and the House and Senate Committees on the Budget in writing of the need for these additional funds: Provided further, That such funds are also available for repayment to other appropriation accounts from which funds were transferred for wildfire suppression: Provided further, That cost containment measures shall be implemented within this account for fiscal year 2005, and the Secretary of the Interior and the Secretary of Agriculture shall submit a joint report to the Committees on Appropriations of the Senate and the House of Representatives on such cost containment measures by December 31, 2005: Provided further, That Public Law 108–287, Title X, Chapter 3 is amended under the heading "Department of the Interior, Bureau of Land Management, Wildland Fire Management", by striking the phrases "for fiscal year 2004" and "related to the fiscal year 2004 fire season" in the text preceding the first proviso.

DEPARTMENT OF AGRICULTURE

FOREST SERVICE

WILDLAND FIRE MANAGEMENT

For an additional amount for "Wildland Fire Management", $400,000,000, to remain available until expended, for urgent wildland fire suppression activities pursuant to section 312 of S. Con. Res. 95 (108th Congress) as made applicable to the House of Representatives by H. Res. 649 (108th Congress) and applicable to the Senate by section 14007 of Public Law 108–287: Provided, That such funds shall only become available if funds provided for wildland fire suppression in Title II of this Act will be exhausted imminently and the Secretary of Agriculture notifies the House and Senate Committees on Appropriations and the House and Senate Committees on the Budget in writing of the need for these additional funds: Provided further, That such funds are also available for repayment to other appropriation accounts from which funds were transferred for wildfire suppression: Provided further, That cost containment measures shall be implemented within this account for fiscal year 2005, and the Secretary of Agriculture and the Secretary of the Interior shall submit a joint report to the Commit-

tees on Appropriations of the Senate and the House of Representatives on such cost containment measures by December 31, 2005: Provided further, That the Secretary of Agriculture shall establish an independent cost-control review panel to examine and report on fire suppression costs for individual wildfire incidents that exceed $10,000,000 in cost: Provided further, That if the independent review panel report finds that appropriate actions were not taken to control suppression costs for one or more such wildfire incidents, then an amount equal to the aggregate estimated excess costs of suppressing those wildfire incidents shall be transferred to the Treasury from unobligated balances remaining at the end of fiscal year 2005 in the Wildland Fire Management account: Provided further, That Public Law 108–287, Title X, Chapter 3 is amended under the heading, "Department of Agriculture, Forest Service, Wildland Fire Management", by striking the phrases "for fiscal year 2004" and "related to the fiscal year 2004 fire season" in the text preceding the first proviso.

TITLE V

SEC. 501. (a) ACROSS-THE-BOARD RESCISSIONS.—there is hereby rescinded an amount equal to 0.594 percent of—

(1) the budget authority provided for fiscal year 2005 for any discretionary account in this Act; and

(2) the budget authority provided in any advance appropriation for fiscal year 2005 for any discretionary account in the Department of the Interior and Related Agencies Appropriations Act, 2004.

(b) PROPORTIONATE APPLICATION.—Any rescission made by subsection (a) shall be applied proportionately—

(1) to each discretionary account and each item of budget authority described in subsection (a); and

(2) within each such account and item, to each program, project, and activity (with programs, projects, and activities as delineated in the appropriation Act or accompanying reports for the relevant fiscal year covering such account or item, or for accounts and items not included in appropriation Acts, as delineated in the most recently submitted President's budget).

(c) INDIAN LAND AND WATER CLAIM SETTLEMENTS.—Under the heading "Bureau of Indian Affairs, Indian Land and Water cla8im Settlements and Miscellaneous Payments to Indians", the across-the-board rescission in this section, and any subsequent across-the-board rescission for fiscal year 2005, shall apply only to the first dollar amount in the paragraph and the distribution of the rescission shall be at the discretion of the Secretary of the Interior who shall submit a report on such distribution and the rationale therefor to the House and Senate Committees on Appropriations.

This division may be cited as the "Department of the Interior and Related Agencies Appropriations Act, 2005".

DIVISION F—DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2005

TITLE I—DEPARTMENT OF LABOR

EMPLOYMENT AND TRAINING ADMINISTRATION

TRAINING AND EMPLOYMENT SERVICES

(INCLUDING RESCISSION)

For necessary expenses of the Workforce Investment Act of 1998, including the purchase and hire of passenger motor vehicles, the construction, alteration, and repair of buildings and other facilities, and the purchase of real property for training centers as authorized by such Act; $2,898,957,000 plus reimbursements, of which $1,885,794,000 is available for obligation for the period July 1, 2005 through June 30, 2006; except that amounts determined by the Secretary of Labor to be necessary pursuant to sections 173(a)(4)(A) and 174(c) of such Act shall be available from October 1, 2004 until expended; of which $994,242,000 is available for obligation for the period April 1, 2005 through June 30, 2006, to carry out chapter 4 of the Act; and of which $16,321,000 is available for the period July 1, 2005 through June 30, 2008 for necessary expenses of construction, rehabilitation, and acquisition of Job Corps centers: Provided, That notwithstanding any other provision of law, of the funds provided herein under section 137(c) of the Workforce Investment Act of 1998, $283,371,000 shall be for activities described in section 132(a)(2)(A) of such Act and $1,196,048,000 shall be for activities described in section 132(a)(2)(B) of such Act: Provided further, That $250,000,000 shall be available for Community-Based Job Training Grants, of which $125,000,000 shall be from funds reserved under section 132(a)(2)(A) of the Workforce Investment Act of 1998 and shall be used to carry out such grants under section 171(d) of such Act, except that the 10 percent limitation otherwise applicable to the amount of funds that may be used to carry out section 171(d) shall not be applicable to funds used for Community-Based Job Training grants: Provided further, That funds provided to carry out section 132(a)(2)(A) of the Workforce Investment Act of 1998 may be used to provide assistance to a State for state-wide or local use in order to address cases where there have been worker dislocations across multiple sectors or across multiple local areas and such workers remain dislocated; coordinate the State workforce development plan with emerging economic development needs; and train such eligible dislocated workers: Provided further, That $8,000,000 shall be for carrying out section 172 of the Workforce Investment Act of 1998: Provided further, That, notwithstanding any other provision of law or related regulation, $76,874,000 shall be for carrying out section 167 of the Workforce Investment Act of 1998, including $71,787,000 for formula grants, $4,583,000 for migrant and seasonal housing (of which not less than 70 percent shall be for permanent housing), and $504,000 for other discretionary purposes: Provided further, That notwithstanding the transfer limitation under section 133(b)(4) of such Act, up to 30 percent of such funds may be transferred by a local board if approved by the Governor: Provided further, That funds provided to carry out section 171(d) of the Workforce Invest-

ment Act of 1998 may be used for demonstration projects that provide assistance to new entrants in the workforce and incumbent workers: Provided further, That funding provided to carry out projects under section 171 of the Workforce Investment Act of 1998 that are identified in the Conference Agreement, shall not be subject to the requirements of section 171(b)(2)(B) of such Act, the requirements of section 171(c)(4)(D) of such Act, the joint funding requirements of sections 171(b)(2)(A) and 171(c)(4)(A) of such Act, or any time limit requirements of sections 171(b)(2)(C) and 171(c)(4)(B) of such Act: Provided further, That no funds from any other appropriation shall be used to provide meal services at or for Job Corps centers.

For necessary expenses of the Act, including the purchase and hire of passenger motor vehicles, the construction, alteration, and repair of buildings and other facilities, and the purchase of real property for training centers as authorized by the Act; $2,463,000,000 plus reimbursements, of which $2,363,000,000 is available for obligation for the period October 1, 2005 through June 30, 2006, and of which $100,000,000 is available for the period October 1, 2005 through June 30, 2008, for necessary expenses of construction, rehabilitation, and acquisition of Job Corps centers.

Of the funds provided under this heading in Public Law 108–199 for the Employment and Training Administration, $2,200,000 shall be for a non-competitive grant to the AFL–CIO Appalachian Council, Incorporated, and shall be awarded no later than January 31, 2005.

Of the funds provided under this heading in Public Law 108–199 for the Employment and Training Administration $1,500,000 shall be for a non-competitive grant to the AFL–CIO Working for America Institute, and shall be awarded no later than January 31, 2005.

Of the funds provided under this heading in Public Law 108–199 for the Employment and Training Administration, $4,000,000 shall be for a non-competitive grant to the Black Clergy of Philadelphia and Vicinity, and shall be awarded no later than January 31, 2005.

Of the funds provided under this heading in Public Law 108–199 for the Employment and Training Administration, $2,600,000 shall be for a non-competitive grant to the National Center on Education and the Economy, and shall be awarded no later than January 31, 2005.

Notwithstanding any other provision of law, funds awarded under grants to the State of Tennessee for Workforce Essentials, Inc. in Clarksville, Tennessee on June 29, 2004, and to Hampton Roads on behalf of the Hampton Roads Workforce Development Board in Norfolk, Virginia on June 30, 2001, pursuant to section 173 of the Workforce Investment Act of 1998 (29 U.S.C. 2918), may be used to provide services to spouses of members of the armed forces.

The Secretary of Labor shall take no action to amend, through regulatory or administration action, the definition established in 20 CFR 667.220 for functions and activities under title I of the Workforce Investment Act of 1998 until such time as legislation reauthorizing the Act is enacted.

Of the unobligated funds contained in the H–1B Nonimmigrant Petitioner Account that are available to the Secretary of Labor pur-

suant to section 286(s)(2) of the Immigration and Nationality Act (8 U.S.C. 1356(s)(2)), $100,000,000 are rescinded.

COMMUNITY SERVICE EMPLOYMENT FOR OLDER AMERICANS

To carry out title V of the Older Americans Act of 1965, as amended, $440,200,000.

FEDERAL UNEMPLOYMENT BENEFITS AND ALLOWANCES

For payments during the current fiscal year of trade adjustment benefit payments and allowances under part I and section 246; and for training, allowances for job search and relocation, and related State administrative expenses under part II of chapter 2, title II of the Trade Act of 1974 (including the benefits and services described under sections 123(c)(2) and 151(b) and (c) of the Trade Adjustment Assistance Reform Act of 2002, Public Law 107–210), $1,057,300,000, together with such amounts as may be necessary to be charged to the subsequent appropriation for payments for any period subsequent to September 15 of the current year.

STATE UNEMPLOYMENT INSURANCE AND EMPLOYMENT SERVICE OPERATIONS

For authorized administrative expenses, $141,934,000, together with not to exceed $3,524,301,000 (including not to exceed $1,228,000 which may be used for amortization payments to States which had independent retirement plans in their State employment service agencies prior to 1980), which may be expended from the Employment Security Administration Account in the Unemployment Trust Fund including the cost of administering section 51 of the Internal Revenue Code of 1986, as amended, section 7(d) of the Wagner-Peyser Act, as amended, the Trade Act of 1974, as amended, the Immigration Act of 1990, and the Immigration and Nationality Act, as amended, and of which the sums available in the allocation for activities authorized by title III of the Social Security Act, as amended (42 U.S.C. 502–504), and the sums available in the allocation for necessary administrative expenses for carrying out 5 U.S.C. 8501–8523, shall be available for obligation by the States through December 31, 2005, except that funds used for automation acquisitions shall be available for obligation by the States through September 30, 2007; of which $141,934,000, together with not to exceed $763,587,000 of the amount which may be expended from said trust fund, shall be available for obligation for the period July 1, 2005 through June 30, 2006, to fund activities under the Act of June 6, 1933, as amended, including the cost of penalty mail authorized under 39 U.S.C. 3202(a)(1)(E) made available to States in lieu of allotments for such purpose: Provided, That to the extent that the Average Weekly Insured Unemployment (AWIU) for fiscal year 2005 is projected by the Department of Labor to exceed 3,227,000, an additional $28,600,000 shall be available for obligation for every 100,000 increase in the AWIU level (including a pro rata amount for any increment less than 100,000) from the Employment Security Administration Account of the Unemployment Trust Fund: Provided further, That funds appropriated in this Act which are used to establish a national one-stop career center system, or which are used to support the national activities of the Federal-State unemployment

insurance or immigration programs, may be obligated in contracts, grants or agreements with non-State entities: Provided further, That funds appropriated under this Act for activities authorized under the Wagner-Peyser Act, as amended, and title III of the Social Security Act, may be used by the States to fund integrated Employment Service and Unemployment Insurance automation efforts, notwithstanding cost allocation principles prescribed under Office of Management and Budget Circular A–87.

ADVANCES TO THE UNEMPLOYMENT TRUST FUND AND OTHER FUNDS

For repayable advances to the Unemployment Trust Fund as authorized by sections 905(d) and 1203 of the Social Security Act, as amended, and to the Black Lung Disability Trust Fund as authorized by section 9501(c)(1) of the Internal Revenue Code of 1954, as amended; and for nonrepayable advances to the Unemployment Trust Fund as authorized by section 8509 of title 5, United States Code, and to the "Federal unemployment benefits and allowances" account, to remain available until September 30, 2006, $517,000,000.

In addition, for making repayable advances to the Black Lung Disability Trust Fund in the current fiscal year after September 15, 2005, for costs incurred by the Black Lung Disability Trust Fund in the current fiscal year, such sums as may be necessary.

PROGRAM ADMINISTRATION

For expenses of administering employment and training programs, $113,810,000, together with not to exceed $57,663,000, which may be expended from the Employment Security Administration Account in the Unemployment Trust Fund.

EMPLOYEE BENEFITS SECURITY ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses for the Employee Benefits Security Administration, $132,345,000.

PENSION BENEFIT GUARANTY CORPORATION

PENSION BENEFIT GUARANTY CORPORATION FUND

The Pension Benefit Guaranty Corporation is authorized to make such expenditures, including financial assistance authorized by section 104 of Public Law 96–364, within limits of funds and borrowing authority available to such Corporation, and in accord with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act, as amended (31 U.S.C. 9104), as may be necessary in carrying out the program, including associated administrative expenses, through September 30, 2005 for such Corporation: Provided, That none of the funds available to the Corporation for fiscal year 2005 shall be available for obligations for administrative expenses in excess of $266,330,000: Provided further, That obligations in excess of such amount may be incurred after approval by the Office of Management and Budget and the Committees on Appropriations of the House and Senate.

EMPLOYMENT STANDARDS ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses for the Employment Standards Administration, including reimbursement to State, Federal, and local agencies and their employees for inspection services rendered, $402,305,000, together with $2,040,000 which may be expended from the Special Fund in accordance with sections 39(c), 44(d) and 44(j) of the Longshore and Harbor Workers' Compensation Act: Provided, That $1,250,000 shall be for the development of an alternative system for the electronic submission of reports required to be filed under the Labor-Management Reporting and Disclosure Act of 1959, as amended, and for a computer database of the information for each submission by whatever means, that is indexed and easily searchable by the public via the Internet: Provided further, That the Secretary of Labor is authorized to accept, retain, and spend, until expended, in the name of the Department of Labor, all sums of money ordered to be paid to the Secretary of Labor, in accordance with the terms of the Consent Judgment in Civil Action No. 91–0027 of the United States District Court for the District of the Northern Mariana Islands (May 21, 1992): Provided further, That the Secretary of Labor is authorized to establish and, in accordance with 31 U.S.C. 3302, collect and deposit in the Treasury fees for processing applications and issuing certificates under sections 11(d) and 14 of the Fair Labor Standards Act of 1938, as amended (29 U.S.C. 211(d) and 214) and for processing applications and issuing registrations under title I of the Migrant and Seasonal Agricultural Worker Protection Act (29 U.S.C. 1801 et seq.).

SPECIAL BENEFITS

(INCLUDING TRANSFER OF FUNDS)

For the payment of compensation, benefits, and expenses (except administrative expenses) accruing during the current or any prior fiscal year authorized by title 5, chapter 81 of the United States Code; continuation of benefits as provided for under the heading "Civilian War Benefits" in the Federal Security Agency Appropriation Act, 1947; the Employees' Compensation Commission Appropriation Act, 1944; sections 4(c) and 5(f) of the War Claims Act of 1948 (50 U.S.C. App. 2012); and 50 percent of the additional compensation and benefits required by section 10(h) of the Longshore and Harbor Workers' Compensation Act, as amended, $233,000,000, together with such amounts as may be necessary to be charged to the subsequent year appropriation for the payment of compensation and other benefits for any period subsequent to August 15 of the current year: Provided, That amounts appropriated may be used under section 8104 of title 5, United States Code, by the Secretary of Labor to reimburse an employer, who is not the employer at the time of injury, for portions of the salary of a reemployed, disabled beneficiary: Provided further, That balances of reimbursements unobligated on September 30, 2004, shall remain available until expended for the payment of compensation, benefits, and expenses: Provided further, That in addition there shall be transferred to this appropriation from the Postal Service and from any other corporation or instrumentality required under section 8147(c) of title 5,

United States Code, to pay an amount for its fair share of the cost of administration, such sums as the Secretary determines to be the cost of administration for employees of such fair share entities through September 30, 2005: Provided further, That of those funds transferred to this account from the fair share entities to pay the cost of administration of the Federal Employees' Compensation Act, $39,668,000 shall be made available to the Secretary as follows: (1) for enhancement and maintenance of automated data processing systems and telecommunications systems, $12,351,000; (2) for automated workload processing operations, including document imaging, centralized mail intake and medical bill processing, $14,221,000; (3) for periodic roll management and medical review, $13,096,000; and (4) the remaining funds shall be paid into the Treasury as miscellaneous receipts: Provided further, That the Secretary may require that any person filing a notice of injury or a claim for benefits under chapter 81 of title 5, United States Code, or 33 U.S.C. 901 et seq., provide as part of such notice and claim, such identifying information (including Social Security account number) as such regulations may prescribe.

SPECIAL BENEFITS FOR DISABLED COAL MINERS

For carrying out title IV of the Federal Mine Safety and Health Act of 1977, as amended by Public Law 107–275, (the "Act"), $276,000,000, to remain available until expended.

For making after July 31 of the current fiscal year, benefit payments to individuals under title IV of the Act, for costs incurred in the current fiscal year, such amounts as may be necessary.

For making benefit payments under title IV for the first quarter of fiscal year 2006, $81,000,000, to remain available until expended.

ADMINISTRATIVE EXPENSES, ENERGY EMPLOYEES OCCUPATIONAL ILLNESS COMPENSATION FUND

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses to administer the Energy Employees Occupational Illness Compensation Act, $40,821,000, to remain available until expended: Provided, That the Secretary of Labor is authorized to transfer to any executive agency with authority under the Energy Employees Occupational Illness Compensation Act, including within the Department of Labor, such sums as may be necessary in fiscal year 2005 to carry out those authorities: Provided further, That the Secretary may require that any person filing a claim for benefits under the Act provide as part of such claim, such identifying information (including Social Security account number) as may be prescribed.

BLACK LUNG DISABILITY TRUST FUND

(INCLUDING TRANSFER OF FUNDS)

In fiscal year 2005 and thereafter, such sums as may be necessary from the Black Lung Disability Trust Fund, to remain available until expended, for payment of all benefits authorized by section 9501(d)(1), (2), (4), and (7) of the Internal Revenue Code of 1954, as amended; and interest on advances, as authorized by section 9501(c)(2) of that Act. In addition, the following amounts shall

be available from the Fund for fiscal year 2005 for expenses of operation and administration of the Black Lung Benefits program, as authorized by section 9501(d)(5): $32,646,000 for transfer to the Employment Standards Administration, "Salaries and Expenses"; $23,705,000 for transfer to Departmental Management, "Salaries and Expenses"; $342,000 for transfer to Departmental Management, "Office of Inspector General"; and $356,000 for payments into miscellaneous receipts for the expenses of the Department of the Treasury.

OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses for the Occupational Safety and Health Administration, $468,109,000, including not to exceed $91,747,000 which shall be the maximum amount available for grants to States under section 23(g) of the Occupational Safety and Health Act (the "Act"), which grants shall be no less than 50 percent of the costs of State occupational safety and health programs required to be incurred under plans approved by the Secretary under section 18 of the Act; and, in addition, notwithstanding 31 U.S.C. 3302, the Occupational Safety and Health Administration may retain up to $750,000 per fiscal year of training institute course tuition fees, otherwise authorized by law to be collected, and may utilize such sums for occupational safety and health training and education grants: Provided, That, notwithstanding 31 U.S.C. 3302, the Secretary of Labor is authorized, during the fiscal year ending September 30, 2005, to collect and retain fees for services provided to Nationally Recognized Testing Laboratories, and may utilize such sums, in accordance with the provisions of 29 U.S.C. 9a, to administer national and international laboratory recognition programs that ensure the safety of equipment and products used by workers in the workplace: Provided further, That none of the funds appropriated under this paragraph shall be obligated or expended to prescribe, issue, administer, or enforce any standard, rule, regulation, or order under the Act which is applicable to any person who is engaged in a farming operation which does not maintain a temporary labor camp and employs 10 or fewer employees: Provided further, That no funds appropriated under this paragraph shall be obligated or expended to administer or enforce any standard, rule, regulation, or order under the Act with respect to any employer of 10 or fewer employees who is included within a category having a Days Away, Restricted, or Transferred (DART) occupational injury and illness rate, at the most precise industrial classification code for which such data are published, less than the national average rate as such rates are most recently published by the Secretary, acting through the Bureau of Labor Statistics, in accordance with section 24 of that Act (29 U.S.C. 673), except—

(1) to provide, as authorized by such Act, consultation, technical assistance, educational and training services, and to conduct surveys and studies;

(2) to conduct an inspection or investigation in response to an employee complaint, to issue a citation for violations found during such inspection, and to assess a penalty for violations

which are not corrected within a reasonable abatement period and for any willful violations found;

(3) to take any action authorized by such Act with respect to imminent dangers;

(4) to take any action authorized by such Act with respect to health hazards;

(5) to take any action authorized by such Act with respect to a report of an employment accident which is fatal to one or more employees or which results in hospitalization of two or more employees, and to take any action pursuant to such investigation authorized by such Act; and

(6) to take any action authorized by such Act with respect to complaints of discrimination against employees for exercising rights under such Act:

Provided further, That the foregoing proviso shall not apply to any person who is engaged in a farming operation which does not maintain a temporary labor camp and employs 10 or fewer employees: Provided further, That not less than $3,200,000 shall be used to extend funding for the Institutional Competency Building training grants which commenced in September 2000, for program activities for the period of September 30, 2005 to September 30, 2006, provided that a grantee has demonstrated satisfactory performance: Provided further, That none of the funds appropriated under this paragraph shall be obligated or expended to administer or enforce the provisions of 29 CFR 1910.134(f)(2) (General Industry Respiratory Protection Standard) to the extent that such provisions require the annual fit testing (after the initial fit testing) of respirators for occupational exposure to tuberculosis.

MINE SAFETY AND HEALTH ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses for the Mine Safety and Health Administration, $281,535,000, including purchase and bestowal of certificates and trophies in connection with mine rescue and first-aid work, and the hire of passenger motor vehicles, including up to $2,000,000 for mine rescue and recovery activities; in addition, not to exceed $750,000 may be collected by the National Mine Health and Safety Academy for room, board, tuition, and the sale of training materials, otherwise authorized by law to be collected, to be available for mine safety and health education and training activities, notwithstanding 31 U.S.C. 3302; and, in addition, the Mine Safety and Health Administration may retain up to $1,000,000 from fees collected for the approval and certification of equipment, materials, and explosives for use in mines, and may utilize such sums for such activities; the Secretary is authorized to accept lands, buildings, equipment, and other contributions from public and private sources and to prosecute projects in cooperation with other agencies, Federal, State, or private; the Mine Safety and Health Administration is authorized to promote health and safety education and training in the mining community through cooperative programs with States, industry, and safety associations; and any funds available to the department may be used, with the approval of the Secretary, to provide for the costs of mine rescue and survival operations in the event of a major disaster.

BUREAU OF LABOR STATISTICS

SALARIES AND EXPENSES

For necessary expenses for the Bureau of Labor Statistics, including advances or reimbursements to State, Federal, and local agencies and their employees for services rendered, $455,045,000, together with not to exceed $78,473,000, which may be expended from the Employment Security Administration Account in the Unemployment Trust Fund, of which $5,000,000 may be used to fund the mass layoff statistics program under section 15 of the Wagner-Peyser Act (29 U.S.C. 49l–2).

OFFICE OF DISABILITY EMPLOYMENT POLICY

SALARIES AND EXPENSES

For necessary expenses for the Office of Disability Employment Policy to provide leadership, develop policy and initiatives, and award grants furthering the objective of eliminating barriers to the training and employment of people with disabilities, $47,555,000.

DEPARTMENTAL MANAGEMENT

SALARIES AND EXPENSES

For necessary expenses for Departmental Management, including the hire of three sedans, and including the management or operation, through contracts, grants or other arrangements of Departmental activities conducted by or through the Bureau of International Labor Affairs, including bilateral and multilateral technical assistance and other international labor activities, $323,108,000, of which, $7,000,000, to remain available until September 30, 2006, is for Frances Perkins Building Security Enhancements, and $30,000,000 is for the acquisition of Departmental information technology, architecture, infrastructure, equipment, software and related needs, which will be allocated by the Department's Chief Information Officer in accordance with the Department's capital investment management process to assure a sound investment strategy; together with not to exceed $314,000, which may be expended from the Employment Security Administration Account in the Unemployment Trust Fund: Provided, That no funds made available by this Act may be used by the Solicitor of Labor to participate in a review in any United States court of appeals of any decision made by the Benefits Review Board under section 21 of the Longshore and Harbor Workers' Compensation Act (33 U.S.C. 921) where such participation is precluded by the decision of the United States Supreme Court in Director, Office of Workers' Compensation Programs v. Newport News Shipbuilding, 115 S. Ct. 1278 (1995), notwithstanding any provisions to the contrary contained in Rule 15 of the Federal Rules of Appellate Procedure: Provided further, That no funds made available by this Act may be used by the Secretary of Labor to review a decision under the Longshore and Harbor Workers' Compensation Act (33 U.S.C. 901 et seq.) that has been appealed and that has been pending before the Benefits Review Board for more than 12 months: Provided further, That any such decision pending a review by the Benefits Review Board for more than 1 year shall be considered affirmed by the Benefits Review Board on the

1–year anniversary of the filing of the appeal, and shall be considered the final order of the Board for purposes of obtaining a review in the United States courts of appeals: Provided further, That these provisions shall not be applicable to the review or appeal of any decision issued under the Black Lung Benefits Act (30 U.S.C. 901 et seq.).

VETERANS EMPLOYMENT AND TRAINING

Not to exceed $195,098,000 may be derived from the Employment Security Administration Account in the Unemployment Trust Fund to carry out the provisions of 38 U.S.C. 4100–4110A, 4212, 4214, and 4321–4327, and Public Law 103–353, and which shall be available for obligation by the States through December 31, 2005, of which $2,000,000 is for the National Veterans' Employment and Training Services Institute. To carry out the Homeless Veterans Reintegration Programs (38 U.S.C. 2021) and the Veterans Workforce Investment Programs (29 U.S.C. 2913), $29,550,000, of which $8,550,000 shall be available for obligation for the period July 1, 2005 through June 30, 2006.

OFFICE OF INSPECTOR GENERAL

For salaries and expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, $64,029,000, together with not to exceed $5,561,000, which may be expended from the Employment Security Administration Account in the Unemployment Trust Fund.

WORKING CAPITAL FUND

For the acquisition of a new core accounting system for the Department of Labor, including hardware and software infrastructure and the costs associated with implementation thereof, $10,000,000.

GENERAL PROVISIONS

SEC. 101. None of the funds appropriated in this title for the Job Corps shall be used to pay the compensation of an individual, either as direct costs or any proration as an indirect cost, at a rate in excess of Executive Level II.

(TRANSFER OF FUNDS)

SEC. 102. Not to exceed 1 percent of any discretionary funds (pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985, as amended) which are appropriated for the current fiscal year for the Department of Labor in this Act may be transferred between a program, project, or activity, but no such program, project, or activity shall be increased by more than 3 percent by any such transfer: Provided, That the Appropriations Committees of both Houses of Congress are notified at least 15 days in advance of any transfer.

SEC. 103. In accordance with Executive Order No. 13126, none of the funds appropriated or otherwise made available pursuant to this Act shall be obligated or expended for the procurement of goods mined, produced, manufactured, or harvested or services rendered, whole or in part, by forced or indentured child labor in industries

and host countries already identified by the United States Department of Labor prior to enactment of this Act.

SEC. 104. There is authorized to be appropriated such sums as may be necessary to the Denali Commission through the Department of Labor to conduct job training of the local workforce where Denali Commission projects will be constructed.

SEC. 105. Not later than 45 days after the date of enactment of this Act, the Secretary of Labor shall issue a monthly transit subsidy of not less than the amount each of its employees of the National Capital Region is eligible to receive, not to exceed a maximum of $100, as directed by Executive Order 13150.

SEC. 106. The Department of Labor shall submit its fiscal year 2006 congressional budget justifications to the Committees on Appropriations of the House of Representatives and the Senate in the format as they were prepared prior to fiscal year 2003.

This title may be cited as the "Department of Labor Appropriations Act, 2005".

TITLE II—DEPARTMENT OF HEALTH AND HUMAN SERVICES

HEALTH RESOURCES AND SERVICES ADMINISTRATION

HEALTH RESOURCES AND SERVICES

For carrying out titles II, III, IV, VII, VIII, X, XII, XIX, and XXVI of the Public Health Service Act, section 427(a) of the Federal Coal Mine Health and Safety Act, title V and sections 1128E, 711, and 1820 of the Social Security Act, the Health Care Quality Improvement Act of 1986, as amended, the Native Hawaiian Health Care Act of 1988, as amended, the Cardiac Arrest Survival Act of 2000, section 712 of the American Jobs Creation Act of 2004, and the Poison Control Center Enhancement and Awareness Act, as amended, 6,856,624,000, of which $484,629,000 shall be available for construction and renovation (including equipment) of health care and other facilities and other health-related activities as specified in the statement of the managers on the conference report accompanying this Act, and of which $39,499,000 from general revenues, notwithstanding section 1820(j) of the Social Security Act, shall be available for carrying out the Medicare rural hospital flexibility grants program under section 1820 of such Act: Provided, That of the funds made available under this heading, $249,000 shall be available until expended for facilities renovations at the Gillis W. Long Hansen's Disease Center: Provided further, That in addition to fees authorized by section 427(b) of the Health Care Quality Improvement Act of 1986, fees shall be collected for the full disclosure of information under the Act sufficient to recover the full costs of operating the National Practitioner Data Bank, and shall remain available until expended to carry out that Act: Provided further, That fees collected for the full disclosure of information under the "Health Care Fraud and Abuse Data Collection Program", authorized by section 1128E(d)(2) of the Social Security Act, shall be sufficient to recover the full costs of operating the program, and shall remain available until expended to carry out that Act: Provided further, That $31,000,000 of the funding provided for community health centers shall be used for base grant adjustments for ex-

isting centers: Provided further, That no more than $100,000 is available until expended for carrying out the provisions of U.S.C. Title 42 Section 233(o) including associated administrative expenses: Provided further, That no more than $45,000,000 is available until expended for carrying out the provisions of Public Law 104–73: Provided further, That $9,941,000 is available until expended for the National Cord Blood Stem Cell Bank Program as described in House Report 108–401: Provided further, That of the funds made available under this heading, $288,283,000 shall be for the program under title X of the Public Health Service Act to provide for voluntary family planning projects: Provided further, That amounts provided to said projects under such title shall not be expended for abortions, that all pregnancy counseling shall be nondirective, and that such amounts shall not be expended for any activity (including the publication or distribution of literature) that in any way tends to promote public support or opposition to any legislative proposal or candidate for public office: Provided further, That $793,872,000 shall be for State AIDS Drug Assistance Programs authorized by section 2616 of the Public Health Service Act: Provided further, That in addition to amounts provided herein, $25,000,000 shall be available from amounts available under section 241 of the Public Health Service Act to carry out Parts A, B, C, and D of title XXVI of the Public Health Service Act to fund section 2691 Special Projects of National Significance: Provided further, That, notwithstanding section 502(a)(1) of the Social Security Act, not to exceed $119,158,000 is available for carrying out special projects of regional and national significance pursuant to section 501(a)(2) of such Act: Provided further, That of the funds provided, $40,000,000 shall be provided to the Denali Commission as a direct lump payment pursuant to Public Law 106–113, of which $10,000,000 shall be for a psychiatric treatment facility in Bethel, Alaska, $10,000,000 shall be for residential and supportive housing for elders, $2,500,000 shall be for medical and dental equipment for rural clinics, and $5,000,000 shall be for upgrade and construction of shelters for victims of domestic violence and child abuse.

HEALTH EDUCATION ASSISTANCE LOANS PROGRAM ACCOUNT

Such sums as may be necessary to carry out the purpose of the program, as authorized by title VII of the Public Health Service Act, as amended. For administrative expenses to carry out the guaranteed loan program, including section 709 of the Public Health Service Act, $3,270,000.

VACCINE INJURY COMPENSATION PROGRAM TRUST FUND

For payments from the Vaccine Injury Compensation Program Trust Fund, such sums as may be necessary for claims associated with vaccine-related injury or death with respect to vaccines administered after September 30, 1988, pursuant to subtitle 2 of title XXI of the Public Health Service Act, to remain available until expended: Provided, That for necessary administrative expenses, not to exceed $3,176,000 shall be available from the Trust Fund to the Secretary of Health and Human Services.

CENTERS FOR DISEASE CONTROL AND PREVENTION

DISEASE CONTROL, RESEARCH, AND TRAINING

To carry out titles II, III, VII, XI, XV, XVII, XIX, XXI, and XXVI of the Public Health Service Act, sections 101, 102, 103, 201, 202, 203, 301, and 501 of the Federal Mine Safety and Health Act of 1977, sections 20, 21, and 22 of the Occupational Safety and Health Act of 1970, title IV of the Immigration and Nationality Act, and section 501 of the Refugee Education Assistance Act of 1980; including purchase and insurance of official motor vehicles in foreign countries; and purchase, hire, maintenance, and operation of aircraft, $4,533,911,000, of which $272,000,000 shall remain available until expended for equipment, and construction and renovation of facilities, and of which $124,882,000 for international HIV/AIDS shall remain available until September 30, 2006. In addition, such sums as may be derived from authorized user fees, which shall be credited to this account: Provided, That in addition to amounts provided herein, the following amounts shall be available from amounts available under section 241 of the Public Health Service Act (1) $12,794,000 to carry out the National Immunization Surveys; (2) $109,021,000 to carry out the National Center for Health Statistics surveys; (3) $24,751,000 to carry out information systems standards development and architecture and applications-based research used at local public health levels; (4) $463,000 for Health Marketing evaluations; (5) $31,000,000 to carry out Public Health Research; and (6) $87,071,000 to carry out Research Tools and Approaches activities within the National Occupational Research Agenda: Provided further, That none of the funds made available for injury prevention and control at the Centers for Disease Control and Prevention may be used, in whole or in part, to advocate or promote gun control: Provided further, That up to $30,000,000 shall be made available until expended for Individual Learning Accounts for full-time equivalent employees of the Centers for Disease Control and Prevention: Provided further, That the Director may redirect the total amount made available under authority of Public Law 101–502, section 3, dated November 3, 1990, to activities the Director may so designate: Provided further, That the Congress is to be notified promptly of any such transfer: Provided further, That not to exceed $12,500,000 may be available for making grants under section 1509 of the Public Health Service Act to not more than 15 States, tribes, or tribal organizations: Provided further, That without regard to existing statute, funds appropriated may be used to proceed, at the discretion of the Centers for Disease Control and Prevention, with property acquisition, including a long-term ground lease for construction on non-Federal land, to support the construction of a replacement laboratory in the Fort Collins, Colorado area: Provided further, That notwithstanding any other provision of law, a single contract or related contracts for development and construction of facilities may be employed which collectively include the full scope of the project: Provided further, That the solicitation and contract shall contain the clause "availability of funds" found at 48 CFR 52.232–18: Provided further, That of the funds appropriated, $10,000 is for official reception and representation expenses when specifically approved by the Director of the Centers for Disease Control and Prevention.

NATIONAL INSTITUTES OF HEALTH

NATIONAL CANCER INSTITUTE

For carrying out section 301 and title IV of the Public Health Service Act with respect to cancer, $4,865,525,000, of which up to $8,000,000 may be used for facilities repairs and improvements at the NCI–Frederick Federally Funded Research and Development Center in Frederick, Maryland.

NATIONAL HEART, LUNG, AND BLOOD INSTITUTE

For carrying out section 301 and title IV of the Public Health Service Act with respect to cardiovascular, lung, and blood diseases, and blood and blood products, $2,965,453,000.

NATIONAL INSTITUTE OF DENTAL AND CRANIOFACIAL RESEARCH

For carrying out section 301 and title IV of the Public Health Service Act with respect to dental disease, $395,080,000.

NATIONAL INSTITUTE OF DIABETES AND DIGESTIVE AND KIDNEY DISEASES

For carrying out section 301 and title IV of the Public Health Service Act with respect to diabetes and digestive and kidney disease, $1,727,696,000.

NATIONAL INSTITUTE OF NEUROLOGICAL DISORDERS AND STROKE

For carrying out section 301 and title IV of the Public Health Service Act with respect to neurological disorders and stroke, $1,552,123,000.

NATIONAL INSTITUTE OF ALLERGY AND INFECTIOUS DISEASES

(INCLUDING TRANSFER OF FUNDS)

For carrying out section 301 and title IV of the Public Health Service Act with respect to allergy and infectious diseases, $4,440,007,000: Provided, That $100,000,000 may be made available to International Assistance Programs, "Global Fund to Fight HIV/AIDS, Malaria, and Tuberculosis", to remain available until expended: Provided further, That up to $150,000,000 shall be for extramural facilities construction grants to enhance the Nation's capability to do research on biological and other agents.

NATIONAL INSTITUTE OF GENERAL MEDICAL SCIENCES

For carrying out section 301 and title IV of the Public Health Service Act with respect to general medical sciences, $1,959,810,000.

NATIONAL INSTITUTE OF CHILD HEALTH AND HUMAN DEVELOPMENT

For carrying out section 301 and title IV of the Public Health Service Act with respect to child health and human development, $1,280,915,000.

NATIONAL EYE INSTITUTE

For carrying out section 301 and title IV of the Public Health Service Act with respect to eye diseases and visual disorders, $674,578,000.

NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH SCIENCES

For carrying out sections 301 and 311 and title IV of the Public Health Service Act with respect to environmental health sciences, $650,027,000.

NATIONAL INSTITUTE ON AGING

For carrying out section 301 and title IV of the Public Health Service Act with respect to aging, $1,060,666,000.

NATIONAL INSTITUTE OF ARTHRITIS AND MUSCULOSKELETAL AND SKIN DISEASES

For carrying out section 301 and title IV of the Public Health Service Act with respect to arthritis and musculoskeletal and skin diseases, $515,378,000.

NATIONAL INSTITUTE ON DEAFNESS AND OTHER COMMUNICATION DISORDERS

For carrying out section 301 and title IV of the Public Health Service Act with respect to deafness and other communication disorders, $397,507,000.

NATIONAL INSTITUTE OF NURSING RESEARCH

For carrying out section 301 and title IV of the Public Health Service Act with respect to nursing research, $139,198,000.

NATIONAL INSTITUTE ON ALCOHOL ABUSE AND ALCOHOLISM

For carrying out section 301 and title IV of the Public Health Service Act with respect to alcohol abuse and alcoholism, $441,911,000.

NATIONAL INSTITUTE ON DRUG ABUSE

For carrying out section 301 and title IV of the Public Health Service Act with respect to drug abuse, $1,014,760,000.

NATIONAL INSTITUTE OF MENTAL HEALTH

For carrying out section 301 and title IV of the Public Health Service Act with respect to mental health, $1,423,609,000.

NATIONAL HUMAN GENOME RESEARCH INSTITUTE

For carrying out section 301 and title IV of the Public Health Service Act with respect to human genome research, $492,670,000.

NATIONAL INSTITUTE OF BIOMEDICAL IMAGING AND BIOENGINEERING

For carrying out section 301 and title IV of the Public Health Service Act with respect to biomedical imaging and bioengineering research, $300,647,000.

NATIONAL CENTER FOR RESEARCH RESOURCES

For carrying out section 301 and title IV of the Public Health Service Act with respect to research resources and general research support grants, $1,124,141,000: Provided, That none of these funds shall be used to pay recipients of the general research support

grants program any amount for indirect expenses in connection with such grants: Provided further, That $30,000,000 shall be for extramural facilities construction grants.

NATIONAL CENTER FOR COMPLEMENTARY AND ALTERNATIVE MEDICINE

For carrying out section 301 and title IV of the Public Health Service Act with respect to complementary and alternative medicine, $123,116,000.

NATIONAL CENTER ON MINORITY HEALTH AND HEALTH DISPARITIES

For carrying out section 301 and title IV of the Public Health Service Act with respect to minority health and health disparities research, $197,780,000.

JOHN E. FOGARTY INTERNATIONAL CENTER

For carrying out the activities at the John E. Fogarty International Center, $67,182,000.

NATIONAL LIBRARY OF MEDICINE

For carrying out section 301 and title IV of the Public Health Service Act with respect to health information communications, $317,947,000, of which $4,000,000 shall be available until expended for improvement of information systems: Provided, That in fiscal year 2005, the Library may enter into personal services contracts for the provision of services in facilities owned, operated, or constructed under the jurisdiction of the National Institutes of Health: Provided further, That in addition to amounts provided herein, $8,200,000 shall be available from amounts available under section 241 of the Public Health Service Act to carry out National Information Center on Health Services Research and Health Care Technology and related health services.

OFFICE OF THE DIRECTOR

(INCLUDING TRANSFER OF FUNDS)

For carrying out the responsibilities of the Office of the Director, National Institutes of Health, $361,145,000, of which up to $10,000,000 shall be used to carry out section 217 of this Act: Provided, That funding shall be available for the purchase of not to exceed 29 passenger motor vehicles for replacement only: Provided further, That the Director may direct up to 1 percent of the total amount made available in this or any other Act to all National Institutes of Health appropriations to activities the Director may so designate: Provided further, That no such appropriation shall be decreased by more than 1 percent by any such transfers and that the Congress is promptly notified of the transfer: Provided further, That the National Institutes of Health is authorized to collect third party payments for the cost of clinical services that are incurred in National Institutes of Health research facilities and that such payments shall be credited to the National Institutes of Health Management Fund: Provided further, That all funds credited to the National Institutes of Health Management Fund shall remain available for 1 fiscal year after the fiscal year in which they are depos-

ited: Provided further, That up to $500,000 shall be available to carry out section 499 of the Public Health Service Act: Provided further, That of the funds provided $10,000 shall be for official reception and representation expenses when specifically approved by the Director of NIH: Provided further, That a uniform percentage of the amounts appropriated in this Act to each Institute and Center may be utilized for the National Institutes of Health Roadmap Initiative: Provided further, That the amount utilized under the preceding proviso shall not exceed $176,800,000 without prior notification to the Committees on Appropriations of the House of Representatives and the Senate: Provided further, That amounts utilized under the preceding two provisos shall be in addition to amounts made available for the Roadmap Initiative from the Director's Discretionary Fund and to any amounts allocated to activities related to the Roadmap Initiative through the normal research priority-setting process of individual Institutes and Centers.

BUILDINGS AND FACILITIES

For the study of, construction of, renovation of, and acquisition of equipment for, facilities of or used by the National Institutes of Health, including the acquisition of real property, $111,177,000, to remain available until expended: Provided, That notwithstanding any other provision of law, single contracts or related contracts, which collectively include the full scope of the project, may be employed for the development and construction of the first and second phases of the John Edward Porter Neuroscience Research Center: Provided further, That the solicitations and contracts shall contain the clause "availability of funds" found at 48 CFR 52.232–18.

SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES ADMINISTRATION

SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES

For carrying out titles V and XIX of the Public Health Service Act with respect to substance abuse and mental health services, the Protection and Advocacy for Individuals with Mental Illness Act, and section 301 of the Public Health Service Act with respect to program management, $3,295,361,000, of which $23,107,000 shall be available for projects and in the amounts specified in the statement of the managers on the conference report accompanying this Act: Provided, That in addition to amounts provided herein, the following amounts shall be available from amounts available under section 241 of the Public Health Service Act: (1) $79,200,000 to carry out subpart II of title XIX of the Public Health Service Act to fund section 1935(b) technical assistance, national data, data collection and evaluation activities, and further that the total available under this Act for section 1935(b) activities shall not exceed 5 percent of the amounts appropriated for subpart II of title XIX; (2) $21,803,000 to carry out subpart I of Part B of title XIX of the Public Health Service Act to fund section 1920(b) technical assistance, national data, data collection and evaluation activities, and further that the total available under this Act for section 1920(b) activities shall not exceed 5 percent of the amounts appropriated for subpart I of Part B of title XIX; (3) $16,000,000 to carry out national sur-

veys on drug abuse; (4) $2,000,000 for mental health data collection; and (5) $4,300,000 for substance abuse treatment programs.

AGENCY FOR HEALTHCARE RESEARCH AND QUALITY

HEALTHCARE RESEARCH AND QUALITY

For carrying out titles III and IX of the Public Health Service Act, and part A of title XI of the Social Security Act, amounts received from Freedom of Information Act fees, reimbursable and interagency agreements, and the sale of data shall be credited to this appropriation and shall remain available until expended: Provided, That the amount made available pursuant to section 927(c) of the Public Health Service Act shall not exceed $318,695,000.

CENTERS FOR MEDICARE AND MEDICAID SERVICES

GRANTS TO STATES FOR MEDICAID

For carrying out, except as otherwise provided, titles XI and XIX of the Social Security Act, $119,124,488,000, to remain available until expended.

For making, after May 31, 2005, payments to States under title XIX of the Social Security Act for the last quarter of fiscal year 2005 for unanticipated costs, incurred for the current fiscal year, such sums as may be necessary.

For making payments to States or in the case of section 1928 on behalf of States under title XIX of the Social Security Act for the first quarter of fiscal year 2006, $58,517,290,000, to remain available until expended.

Payment under title XIX may be made for any quarter with respect to a State plan or plan amendment in effect during such quarter, if submitted in or prior to such quarter and approved in that or any subsequent quarter.

PAYMENTS TO HEALTH CARE TRUST FUNDS

For payment to the Federal Hospital Insurance and the Federal Supplementary Medical Insurance Trust Funds, as provided under section 1844, 1860D–16, and 1860D–31 of the Social Security Act, sections 103(c) and 111(d) of the Social Security Amendments of 1965, section 278(d) of Public Law 97–248, and for administrative expenses incurred pursuant to section 201(g) of the Social Security Act, $114,608,900,000. To ensure prompt payments of Medicare prescription drug benefits as provided under section 1860 D–16 of the Social Security Act, $5,216,900,000, to become available on October 1, 2005 for fiscal year 2006.

PROGRAM MANAGEMENT

For carrying out, except as otherwise provided, titles XI, XVIII, XIX, and XXI of the Social Security Act, titles XIII and XXVII of the Public Health Service Act, and the Clinical Laboratory Improvement Amendments of 1988, not to exceed $2,696,402,000, to be transferred from the Federal Hospital Insurance and the Federal Supplementary Medical Insurance Trust Funds, as authorized by section 201(g) of the Social Security Act; together with all funds collected in accordance with section 353 of the Public Health Service

Act and section 1857(e)(2) of the Social Security Act, and such sums as may be collected from authorized user fees and the sale of data, which shall remain available until expended: Provided, That all funds derived in accordance with 31 U.S.C. 9701 from organizations established under title XIII of the Public Health Service Act shall be credited to and available for carrying out the purposes of this appropriation: Provided further, That $24,400,000, to remain available until September 30, 2006, is for contract costs for CMS's Systems Revitalization Plan: Provided further, That $78,300,000, to remain available until September 30, 2006, is for contract costs for the Healthcare Integrated General Ledger Accounting System: Provided further, That of the amounts made available for research, demonstration and evaluation, $100,000 is available for Advocate Metro Outreach Initiative, Oak Brook, Illinois to implement an initiative to provide comprehensive health education and services to the deaf and hard-of-hearing community, $150,000 is available for African American Interdenominational Ministries, Inc., Philadelphia, Pennsylvania to implement an insurance outreach program, $1,900,000 is available for AIDS Healthcare Foundation, Los Angeles, California for a demonstration of residential and outpatient treatment facilities, $450,000 is available for Bronx-Lebanon Hospital Center, Bronx, New York for a comprehensive adolescent and young adult health program to demonstrate means of improving health care and preventive services for underserved inner city teenagers and young adults, $300,000 is available for Children's Institute of Palliative Care, Children's Hospitals and Clinics, Minneapolis, Minnesota for a pediatric palliative care demonstration program, $600,000 is available for the City of Detroit, Michigan for a project to improve access to primary care and preventive health services for low-income and uninsured persons, $100,000 is available for Community Catalyst, Inc., Boston, Massachusetts, for the expansion of a benefits management program, $150,000 is available for Cook County Bureau of Health Services in Chicago, Illinois for the Antibiotic Resistance Program, $340,000 is available for Donald R. Watkins Memorial Foundation, Houston, Texas, for a comprehensive HIV/AIDS treatment and research demonstration program, $100,000 is available for Focus on Therapeutic Outcomes, Inc., Knoxville, Tennessee, $250,000 is available for Hamot Medical Center, Erie, Pennsylvania and the Ohio Health System, Columbus, Ohio to implement a demonstration project on the Medicare Advantage program, $25,000 is available for HealthRight, Inc., Philadelphia, Pennsylvania for their Care Access Program, $75,000 is available for the Inglis Foundation, Philadelphia, Pennsylvania for healthcare and social services for low-income adults with severe physical disabilities in an effort to promote independent living, $50,000 is available for Medical Care for Children Partnership, Fairfax, Virginia for access to specialty health care for children who have serious medical needs, $500,000 is available for Memphis Biotech Foundation in Memphis, Tennessee to develop a biologistics network in Mississippi and Tennessee, $225,000 is available for Muskegon Community Health Project, Muskegon, Michigan for the Access Health Program, $30,000 is available for Our House of Portland, Portland, Oregon, to develop a Care Program for people living with AIDS, $750,000 is available for Pace Vermont, Burlington, Vermont, for the Rural Program for All-inclusive Care for the Elder-

ly, $150,000 is available for Patient Advocate Foundation, Newport News, Virginia, to assist the PAF in serving patients experiencing difficulty accessing quality health care services, $450,000 is available for Puerto Rico's Governor's Office of Elderly Affairs for the Medication Error Prevention Pilot Program, $1,500,000 is available for San Francisco Department of Public Health, San Francisco, California for a demonstration project to improve HIV/AIDS treatment and prevention services, $300,000 is available for Santa Clara County, California for outreach and enrollment assistance activities of the Children's Health Initiative, $500,000 is available for Susquehanna Health System, Williamsport, Pennsylvania for stabilizing workforce for patient care, $500,000 is available for Swope Health Services, Kansas City, Missouri to supplement recurring healthcare costs for underemployed, uninsured, and income-qualified patients in Wyandotte and Johnson Counties, Kansas, $100,000 is available for Temple University, Crime and Justice Research Center, Philadelphia, Pennsylvania for DNA backlog and utilization, and $250,000 is available for University of Maine, Partnership for Early Childhood Health & Services: Provided further, That funds appropriated under this heading are available for the Healthy Start, Grow Smart program under which the Centers for Medicare and Medicaid Services may, directly or through grants, contracts, or cooperative agreements, produce and distribute informational materials including, but not limited to, pamphlets and brochures on infant and toddler health care to expectant parents enrolled in the Medicaid program and to parents and guardians enrolled in such program with infants and children: Provided further, That not less than $79,000,000 shall be for processing Medicare appeals: Provided further, That the Secretary of Health and Human Services is directed to collect fees in fiscal year 2005 from Medicare+Choice organizations pursuant to section 1857(e)(2) of the Social Security Act and from eligible organizations with risk-sharing contracts under section 1876 of that Act pursuant to section 1876(k)(4)(D) of that Act: Provided further, That to the extent Medicare claims processing unit costs are projected by the Centers for Medicare and Medicaid Services to exceed $0.87 for Part A claims and/or $0.63 for Part B claims, up to an additional $18,000,000 may be available for obligation for every $0.04 increase in Medicare claims processing unit costs from the Federal Hospital Insurance and the Federal Supplementary Medical Insurance Trust Funds. The calculation of projected unit costs shall be derived in the same manner in which the estimated unit costs were calculated for the Federal budget estimate for the fiscal year.

HEALTH MAINTENANCE ORGANIZATION LOAN AND LOAN GUARANTEE FUND

For carrying out subsections (d) and (e) of section 1308 of the Public Health Service Act, any amounts received by the Secretary in connection with loans and loan guarantees under title XIII of the Public Health Service Act, to be available without fiscal year limitation for the payment of outstanding obligations. During fiscal year 2005, no commitments for direct loans or loan guarantees shall be made.

ADMINISTRATION FOR CHILDREN AND FAMILIES

PAYMENTS TO STATES FOR CHILD SUPPORT ENFORCEMENT AND FAMILY SUPPORT PROGRAMS

For making payments to States or other non-Federal entities under titles I, IV–D, X, XI, XIV, and XVI of the Social Security Act and the Act of July 5, 1960 (24 U.S.C. ch. 9), $2,873,802,000, to remain available until expended; and for such purposes for the first quarter of fiscal year 2006, $1,200,000,000, to remain available until expended.

For making payments to each State for carrying out the program of Aid to Families with Dependent Children under title IV–A of the Social Security Act before the effective date of the program of Temporary Assistance for Needy Families (TANF) with respect to such State, such sums as may be necessary: Provided, That the sum of the amounts available to a State with respect to expenditures under such title IV–A in fiscal year 1997 under this appropriation and under such title IV–A as amended by the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 shall not exceed the limitations under section 116(b) of such Act.

For making, after May 31 of the current fiscal year, payments to States or other non-Federal entities under titles I, IV–D, X, XI, XIV, and XVI of the Social Security Act and the Act of July 5, 1960 (24 U.S.C. ch. 9), for the last 3 months of the current fiscal year for unanticipated costs, incurred for the current fiscal year, such sums as may be necessary.

LOW-INCOME HOME ENERGY ASSISTANCE

For making payments under title XXVI of the Omnibus Budget Reconciliation Act of 1981, $1,900,000,000.

For making payments under title XXVI of the Omnibus Budget Reconciliation Act of 1981, $300,000,000, to remain available until expended: Provided, That these funds are for the unanticipated home energy assistance needs of one or more States, as authorized by section 2604(e) of the Act: Provided further, That the entire amount is designated as an emergency requirement pursuant to section 402 of S. Con. Res. 95 (108th Congress) as made applicable to the House of Representatives by H. Res. 649 (108th Congress) and applicable to the Senate by Section 14007 of Public Law 108–287.

REFUGEE AND ENTRANT ASSISTANCE

For necessary expenses for refugee and entrant assistance activities and for costs associated with the care and placement of unaccompanied alien children authorized by title IV of the Immigration and Nationality Act and section 501 of the Refugee Education Assistance Act of 1980 (Public Law 96–422), for carrying out section 462 of the Homeland Security Act of 2002 (Public Law 107–296), and for carrying out the Torture Victims Relief Act of 2003 (Public Law 108–179), $488,336,000, of which up to $10,000,000 shall be available to carry out the Trafficking Victims Protection Act of 2003 (Public Law 108–193): Provided, That funds appropriated under this heading pursuant to section 414(a) of the Immigration and Nationality Act and section 462 of the Homeland Security Act of 2002 for fiscal year 2005 shall be available for the costs of assistance pro-

vided and other activities to remain available through September 30, 2007.

PAYMENTS TO STATES FOR THE CHILD CARE AND DEVELOPMENT BLOCK GRANT

For carrying out sections 658A through 658R of the Omnibus Budget Reconciliation Act of 1981 (The Child Care and Development Block Grant Act of 1990), $2,099,729,000 shall be used to supplement, not supplant state general revenue funds for child care assistance for low-income families: Provided, That $19,120,000 shall be available for child care resource and referral and school-aged child care activities, of which $1,000,000 shall be for the Child Care Aware toll free hotline: Provided further, That, in addition to the amounts required to be reserved by the States under section 658G, $272,672,000 shall be reserved by the States for activities authorized under section 658G, of which $100,000,000 shall be for activities that improve the quality of infant and toddler care: Provided further, That $10,000,000 shall be for use by the Secretary for child care research, demonstration, and evaluation activities.

SOCIAL SERVICES BLOCK GRANT

For making grants to States pursuant to section 2002 of the Social Security Act, $1,700,000,000: Provided, That notwithstanding subparagraph (B) of section 404(d)(2) of such Act, the applicable percent specified under such subparagraph for a State to carry out State programs pursuant to title XX of such Act shall be 10 percent.

CHILDREN AND FAMILIES SERVICES PROGRAMS

For carrying out, except as otherwise provided, the Runaway and Homeless Youth Act, the Developmental Disabilities Assistance and Bill of Rights Act, the Head Start Act, the Child Abuse Prevention and Treatment Act, sections 310 and 316 of the Family Violence Prevention and Services Act, as amended, the Native American Programs Act of 1974, title II of Public Law 95–266 (adoption opportunities), the Adoption and Safe Families Act of 1997 (Public Law 105–89), sections 1201 and 1211 of the Children's Health Act of 2000, the Abandoned Infants Assistance Act of 1988, sections 261 and 291 of the Help America Vote Act of 2002, the Early Learning Opportunities Act, part B(1) of title IV and sections 413, 429A, 1110, and 1115 of the Social Security Act, and sections 40155, 40211, and 40241 of Public Law 103–322; for making payments under the Community Services Block Grant Act, sections 439(h), 473A, and 477(i) of the Social Security Act, and title IV of Public Law 105–285, and for necessary administrative expenses to carry out said Acts and titles I, IV, V, X, XI, XIV, XVI, and XX of the Social Security Act, the Act of July 5, 1960 (24 U.S.C. ch. 9), the Omnibus Budget Reconciliation Act of 1981, title IV of the Immigration and Nationality Act, section 501 of the Refugee Education Assistance Act of 1980, sections 40155, 40211, and 40241 of Public Law 103–322, and section 126 and titles IV and V of Public Law 100–485, $9,069,853,000, of which $32,103,000, to remain available until September 30, 2006, shall be for grants to States for adoption incentive payments, as authorized by section 473A of title IV of the Social Security Act (42 U.S.C. 670–679) and may be made for adop-

tions completed before September 30, 2005: Provided further, That $6,898,580,000 shall be for making payments under the Head Start Act, of which $1,400,000,000 shall become available October 1, 2005 and remain available through September 30, 2006: Provided further, That $732,385,000 shall be for making payments under the Community Services Block Grant Act: Provided further, That not less than $7,300,000 shall be for section 680(3)(B) of the Community Services Block Grant Act, Provided further, That within amounts provided herein for abstinence education for adolescents, up to $10,000,000 may be available for a national abstinence education campaign: Provided further, That in addition to amounts provided herein, $6,000,000 shall be available from amounts available under section 241 of the Public Health Service Act to carry out the provisions of section 1110 of the Social Security Act: Provided further, That to the extent Community Services Block Grant funds are distributed as grant funds by a State to an eligible entity as provided under the Act, and have not been expended by such entity, they shall remain with such entity for carryover into the next fiscal year for expenditure by such entity consistent with program purposes: Provided further, That the Secretary shall establish procedures regarding the disposition of intangible property which permits grant funds, or intangible assets acquired with funds authorized under section 680 of the Community Services Block Grant Act, as amended, to become the sole property of such grantees after a period of not more than 12 years after the end of the grant for purposes and uses consistent with the original grant: Provided further, That funds appropriated for section 680(a)(2) of the Community Services Block Grant Act, as amended, shall be available for financing construction and rehabilitation and loans or investments in private business enterprises owned by community development corporations: Provided further, That $55,000,000 is for a compassion capital fund to provide grants to charitable organizations to emulate model social service programs and to encourage research on the best practices of social service organizations: Provided further, That $15,000,000 shall be for activities authorized by the Help America Vote Act of 2002, of which $10,000,000 shall be for payments to States to promote access for voters with disabilities, and of which $5,000,000 shall be for payments to States for protection and advocacy systems for voters with disabilities: Provided further, That $100,000,000 shall be for making competitive grants to provide abstinence education (as defined by section 510(b)(2) of the Social Security Act) to adolescents, and for Federal costs of administering the grant: Provided further, That grants under the immediately preceding proviso shall be made only to public and private entities which agree that, with respect to an adolescent to whom the entities provide abstinence education under such grant, the entities will not provide to that adolescent any other education regarding sexual conduct, except that, in the case of an entity expressly required by law to provide health information or services the adolescent shall not be precluded from seeking health information or services from the entity in a different setting than the setting in which abstinence education was provided: Provided further, That in addition to amounts provided herein for abstinence education for adolescents, $4,500,000 shall be available from amounts available under section 241 of the Public Health Services Act to carry out evaluations (including longi-

tudinal evaluations) of adolescent pregnancy prevention approaches: Provided further, That $2,000,000 shall be for improving the Public Assistance Reporting Information System, including grants to States to support data collection for a study of the system's effectiveness.

PROMOTING SAFE AND STABLE FAMILIES

For carrying out section 436 of the Social Security Act, $305,000,000 and for section 437, $99,383,000.

PAYMENTS TO STATES FOR FOSTER CARE AND ADOPTION ASSISTANCE

For making payments to States or other non-Federal entities under title IV–E of the Social Security Act, $5,037,900,000.

For making payments to States or other non-Federal entities under title IV–E of the Act, for the first quarter of fiscal year 2006, $1,767,200,000.

For making, after May 31 of the current fiscal year, payments to States or other non-Federal entities under section 474 of title IV–E, for the last 3 months of the current fiscal year for unanticipated costs, incurred for the current fiscal year, such sums as may be necessary.

ADMINISTRATION ON AGING

AGING SERVICES PROGRAMS

For carrying out, to the extent not otherwise provided, the Older Americans Act of 1965, as amended, and section 398 of the Public Health Service Act, $1,404,634,000, of which $5,500,000 shall be available for activities regarding medication management, screening, and education to prevent incorrect medication and adverse drug reactions; and of which $4,558,000 shall remain available until September 30, 2007, for the White House Conference on Aging.

OFFICE OF THE SECRETARY

GENERAL DEPARTMENTAL MANAGEMENT

For necessary expenses, not otherwise provided, for general departmental management, including hire of six sedans, and for carrying out titles III, XVII, XX, and XXI of the Public Health Service Act, and the United States-Mexico Border Health Commission Act, $371,975,000, together with $55,851,000 to be transferred and expended as authorized by section 201(g)(1) of the Social Security Act from the Hospital Insurance Trust Fund and the Supplemental Medical Insurance Trust Fund: Provided, That of the funds made available under this heading for carrying out title XX of the Public Health Service Act, $13,120,000 shall be for activities specified under section 2003(b)(2), all of which shall be for prevention service demonstration grants under section 510(b)(2) of title V of the Social Security Act, as amended, without application of the limitation of section 2010(c) of said title XX: Provided further, That of this amount, $52,838,000 shall be for minority AIDS prevention and treatment activities; $14,847,000 shall be for an Information Technology Security and Innovation Fund for Department-wide activities involving cybersecurity, information technology security, and related

innovation projects; and $6,000,000 shall be to assist Afghanistan in the development of maternal and child health clinics, consistent with section 103(a)(4)(H) of the Afghanistan Freedom Support Act of 2002: Provided further, That no more than $2,754,000 shall be available for the Office of the Assistant Secretary for Legislation: Provided further, That $50,000,000 shall be transferred to the Social Security Administration for processing Medicare appeals: Provided further, That specific information requests from the chairmen and ranking members of the Subcommittees on Labor, Health and Human Services, and Education, and Related Agencies, on scientific research or any other matter, shall be transmitted to the Committees on Appropriations in a prompt professional manner and within the time frame specified in the request: Provided further, That scientific information requested by the Committees on Appropriations and prepared by government researchers and scientists shall be transmitted to the Committees on Appropriations, uncensored and without delay.

OFFICE OF INSPECTOR GENERAL

For expenses necessary for the Office of Inspector General, including the hire of passenger motor vehicles for investigations, in carrying out the provisions of the Inspector General Act of 1978, as amended, $40,323,000: Provided, That of such amount, necessary sums are available for providing protective services to the Secretary and investigating non-payment of child support cases for which non-payment is a Federal offense under 18 U.S.C. 228.

OFFICE FOR CIVIL RIGHTS

For expenses necessary for the Office for Civil Rights, $32,043,000, together with not to exceed $3,314,000 to be transferred and expended as authorized by section 201(g)(1) of the Social Security Act from the Hospital Insurance Trust Fund and the Supplemental Medical Insurance Trust Fund.

POLICY RESEARCH

For carrying out, to the extent not otherwise provided, research studies under section 1110 of the Social Security Act and title III of the Public Health Service Act, $20,750,000, which shall be available from amounts available under section 241 of the Public Health Service Act to carry out national health or human services research and evaluation activities: Provided, That the expenditure of any funds available under section 241 of the Public Health Service Act are subject to the requirements of section 206 of this Act.

RETIREMENT PAY AND MEDICAL BENEFITS FOR COMMISSIONED OFFICERS

For retirement pay and medical benefits of Public Health Service Commissioned Officers as authorized by law, for payments under the Retired Serviceman's Family Protection Plan and Survivor Benefit Plan, for medical care of dependents and retired personnel under the Dependents' Medical Care Act (10 U.S.C. ch. 55 and 56), such amounts as may be required during the current fiscal year. The following are definitions for the medical benefits of the Public Health Service Commissioned Officers that apply to 10

U.S.C. chapter 56, section 1116(c). The source of funds for the monthly accrual payments into the Department of Defense Medicare-Eligible Retiree Health Care Fund shall be the Retirement Pay and Medical Benefits for Commissioned Officers account. For purposes of this Act, the term "pay of members" shall be construed to be synonymous with retirement payments to United States Public Health Service officers who are retired for age, disability, or length of service; payments to survivors of deceased officers; medical care to active duty and retired members and dependents and beneficiaries; all of which payments are provided for by the Retirement Pay and Medical Benefits for Commissioned Officers account.

PUBLIC HEALTH AND SOCIAL SERVICES EMERGENCY FUND

For expenses necessary to support activities related to countering potential biological, disease, nuclear, radiological and chemical threats to civilian populations, $2,208,287,000: Provided, That this amount is distributed as follows: Centers for Disease Control and Prevention, $1,173,300,000; Office of the Secretary, $64,438,000; Strategic National Stockpile, $400,000,000, to remain available until expended; National Institutes of Health, $47,400,000; and Health Resources and Services Administration, $523,149,000: Provided further, That employees of the Centers for Disease Control and Prevention or the Public Health Service, both civilian and Commissioned Officers, detailed to States, municipalities, or other organizations under authority of section 214 of the Public Health Service Act for purposes related to homeland security, shall be treated as non-Federal employees for reporting purposes only and shall not be included within any personnel ceiling applicable to the Agency, Service, or the Department of Health and Human Services during the period of detail or assignment.

In addition, for activities to ensure a year-round influenza vaccine production capacity; the development and implementation of rapidly expandable influenza vaccine production technologies; and if determined necessary by the Secretary, the purchase of influenza vaccine, $100,000,000, to remain available until expended.

GENERAL PROVISIONS

SEC. 201. Funds appropriated in this title shall be available for not to exceed $50,000 for official reception and representation expenses when specifically approved by the Secretary.

SEC. 202. The Secretary shall make available through assignment not more than 60 employees of the Public Health Service to assist in child survival activities and to work in AIDS programs through and with funds provided by the Agency for International Development, the United Nations International Children's Emergency Fund or the World Health Organization.

SEC. 203. None of the funds appropriated under this Act may be used to implement section 399F(b) of the Public Health Service Act or section 1503 of the National Institutes of Health Revitalization Act of 1993, Public Law 103–43.

SEC. 204. None of the funds appropriated in this Act for the National Institutes of Health, the Agency for Healthcare Research and Quality, and the Substance Abuse and Mental Health Services Administration shall be used to pay the salary of an individual,

through a grant or other extramural mechanism, at a rate in excess of Executive Level I.

SEC. 205. None of the funds appropriated in this title for Head Start shall be used to pay the compensation of an individual, either as direct costs or any proration as an indirect cost, at a rate in excess of Executive Level II.

SEC. 206. None of the funds appropriated in this Act may be expended pursuant to section 241 of the Public Health Service Act, except for funds specifically provided for in this Act, or for other taps and assessments made by any office located in the Department of Health and Human Services, prior to the Secretary's preparation and submission of a report to the Committee on Appropriations of the Senate and of the House detailing the planned uses of such funds.

SEC. 207. Notwithstanding section 241(a) of the Public Health Service Act, such portion as the Secretary shall determine, but not more than 2.4 percent, of any amounts appropriated for programs authorized under said Act shall be made available for the evaluation (directly, or by grants or contracts) of the implementation and effectiveness of such programs.

(TRANSFER OF FUNDS)

SEC. 208. Not to exceed 1 percent of any discretionary funds (pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985, as amended) which are appropriated for the current fiscal year for the Department of Health and Human Services in this Act may be transferred between a program, project, or activity, but no such program, project, or activity shall be increased by more than 3 percent by any such transfer: Provided, That a program, project, or activity may be increased by up to an additional 2 percent subject to approval by the House and Senate Committees on Appropriations: Provided further, That the Appropriations Committees of both Houses of Congress are notified at least 15 days in advance of any transfer.

SEC. 209. Of the amounts made available in this Act for the National Institutes of Health, the amount for research related to the human immunodeficiency virus, as jointly determined by the Director of the National Institutes of Health and the Director of the Office of AIDS Research, shall be made available to the "Office of AIDS Research" account. The Director of the Office of AIDS Research shall transfer from such account amounts necessary to carry out section 2353(d)(3) of the Public Health Service Act.

SEC. 210. None of the funds appropriated in this Act may be made available to any entity under title X of the Public Health Service Act unless the applicant for the award certifies to the Secretary that it encourages family participation in the decision of minors to seek family planning services and that it provides counseling to minors on how to resist attempts to coerce minors into engaging in sexual activities.

SEC. 211. None of the funds appropriated by this Act (including funds appropriated to any trust fund) may be used to carry out the Medicare+Choice program if the Secretary denies participation in such program to an otherwise eligible entity (including a Provider Sponsored Organization) because the entity informs the Secretary that it will not provide, pay for, provide coverage of, or provide re-

ferrals for abortions: Provided, That the Secretary shall make appropriate prospective adjustments to the capitation payment to such an entity (based on an actuarially sound estimate of the expected costs of providing the service to such entity's enrollees): Provided further, That nothing in this section shall be construed to change the Medicare program's coverage for such services and a Medicare+Choice organization described in this section shall be responsible for informing enrollees where to obtain information about all Medicare covered services.

SEC. 212. Notwithstanding any other provision of law, no provider of services under title X of the Public Health Service Act shall be exempt from any State law requiring notification or the reporting of child abuse, child molestation, sexual abuse, rape, or incest.

SEC. 213. The Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1990 (Public Law 101–167) is amended—

(1) in section 599D (8 U.S.C. 1157 note)—

(A) in subsection (b)(3), by striking "1997, 1998, 1999, 2000, 2001, 2002, 2003, 2004, and 2005" and inserting "1997, 1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, and 2006"; and

(B) in subsection (e), by striking "October 1, 2004" each place it appears and inserting "October 1, 2005";

(C) in subsection (b)(1)—

(i) in subparagraph (A), by striking "and" at the end;

(ii) in subparagraph (B), by striking the period and inserting "; and"; and

(iii) by adding at the end the following:

"(C) one or more categories of aliens who are or were nationals and residents of the Islamic Republic or Iran who, as members of a religious minority in Iran, share common characteristics that identify them as targets of persecution in that state on account of race, religion, nationality, membership in a particular social group, or political opinion."; and

(2) in section 599E (8 U.S.C. 1255 note) in subsection (b)(2), by striking "September 30, 2004" and inserting "September 30, 2005".

SEC. 214. (a) Except as provided by subsection (e) none of the funds appropriated by this Act may be used to withhold substance abuse funding from a State pursuant to section 1926 of the Public Health Service Act (42 U.S.C. 300x–26) if such State certifies to the Secretary of Health and Human Services by May 1, 2005 that the State will commit additional State funds, in accordance with subsection (b), to ensure compliance with State laws prohibiting the sale of tobacco products to individuals under 18 years of age.

(b) The amount of funds to be committed by a State under subsection (a) shall be equal to 1 percent of such State's substance abuse block grant allocation for each percentage point by which the State misses the retailer compliance rate goal established by the Secretary of Health and Human Services under section 1926 of such Act.

(c) The State is to maintain State expenditures in fiscal year 2005 for tobacco prevention programs and for compliance activities at a level that is not less than the level of such expenditures main-

tained by the State for fiscal year 2004, and adding to that level the additional funds for tobacco compliance activities required under subsection (a). The State is to submit a report to the Secretary on all fiscal year 2004 State expenditures and all fiscal year 2005 obligations for tobacco prevention and compliance activities by program activity by July 31, 2005.

(d) The Secretary shall exercise discretion in enforcing the timing of the State obligation of the additional funds required by the certification described in subsection (a) as late as July 31, 2005.

(e) None of the funds appropriated by this Act may be used to withhold substance abuse funding pursuant to section 1926 from a territory that receives less than $1,000,000.

SEC. 215. In order for the Centers for Disease Control and Prevention to carry out international health activities, including HIV/AIDS and other infectious disease, chronic and environmental disease, and other health activities abroad during fiscal year 2005, the Secretary of Health and Human Services—

(1) may exercise authority equivalent to that available to the Secretary of State in section 2(c) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2669(c)). The Secretary of Health and Human Services shall consult with the Secretary of State and relevant Chief of Mission to ensure that the authority provided in this section is exercised in a manner consistent with section 207 of the Foreign Service Act of 1980 (22 U.S.C. 3927) and other applicable statutes administered by the Department of State, and

(2) is authorized to provide such funds by advance or reimbursement to the Secretary of State as may be necessary to pay the costs of acquisition, lease, alteration, renovation, and management of facilities outside of the United States for the use of the Department of Health and Human Services. The Department of State shall cooperate fully with the Secretary of Health and Human Services to ensure that the Department of Health and Human Services has secure, safe, functional facilities that comply with applicable regulation governing location, setback, and other facilities requirements and serve the purposes established by this Act. The Secretary of Health and Human Services is authorized, in consultation with the Secretary of State, through grant or cooperative agreement, to make available to public or nonprofit private institutions or agencies in participating foreign countries, funds to acquire, lease, alter, or renovate facilities in those countries as necessary to conduct programs of assistance for international health activities, including activities relating to HIV/AIDS and other infectious diseases, chronic and environmental diseases, and other health activities abroad.

SEC. 216. The Division of Federal Occupational Health may utilize personal services contracting to employ professional management/administrative and occupational health professionals.

SEC. 217. (a) AUTHORITY.—Notwithstanding any other provision of law, the Director of the National Institutes of Health may use funds available under section 402(i) of the Public Health Service Act (42 U.S.C. 282(i)) to enter into transactions (other than contracts, cooperative agreements, or grants) to carry out research in support of the NIH Roadmap Initiative of the Director.

(b) PEER REVIEW.—In entering into transactions under subsection (a), the Director of the National Institutes of Health may utilize such peer review procedures (including consultation with appropriate scientific experts) as the Director determines to be appropriate to obtain assessments of scientific and technical merit. Such procedures shall apply to such transactions in lieu of the peer review and advisory council review procedures that would otherwise be required under sections 301(a)(3), 405(b)(1)(B), 405(b)(2), 406(a)(3)(A), 492, and 494 of the Public Health Service Act (42 U.S.C. 241, 284(b)(1)(B), 284(b)(2), 284a(a)(3)(A), 289a, and 289c).

SEC. 218. Notwithstanding any other provisions of law, funds made available under this heading may be used to continue operating the Council on Graduate Medical Education established by section 301 of Public Law 102–408.

SEC. 219. (a) Notwithstanding section 412.23(b)(2) of title 42 of the Code of Federal Regulations, none of the funds appropriated by this Act may be expended by the Secretary of Health and Human Services to treat a hospital or unit of a hospital that was certified by the Secretary as an inpatient rehabilitation facility on or before June 30, 2004, as a subsection (d) hospital (as defined in section 1886(d)(1)(B) of the Social Security Act (42 U.S.C. 1395ww(d)(1)(B))) until, not later than 60 days after the date on which the report under subsection (b) is issued, the Secretary, taking into account the recommendations in such report—

(1) determines that the classification criteria of hospitals and units of hospitals as inpatient rehabilitation facilities under such section 412.23(b)(2) are not inconsistent with such recommendations; or

(2) promulgates a regulation providing for revised criteria under such section 412.23(b)(2), which regulation shall be effective and final immediately on an interim basis as of the date of publication of the regulation.

(b) The study referred to in subsection (a) is a study by the Comptroller General of the United States directed in the statement of managers accompanying the conference report on the bill H.R. 1 of the 108th Congress regarding clinically appropriate standards for defining inpatient rehabilitation services under such section 412.23(b)(2).

SEC. 220. In addition to funds appropriated to the Office of Inspector General of the Department of Health and Human Services under Public Law 104–191 and this Act, $25,000,000 shall be transferred from amounts appropriated under section 1015(a)(1) of Public Law 108–173 for activities by the Office of Inspector General of the Department of Health and Human Services relating to oversight of programs established or revised by Public Law 108–173.

SEC. 221. The unobligated balance of the Health Professions Student Loan program authorized in Subpart II, Federally-Supported Student Loan Funds, of Title VII of the Public Health Services Act is rescinded.

SEC 222. The unobligated balance of the Nursing Student Loan program authorized by section 835 of the Public Health Services Act is rescinded.

SEC. 223. The unobligated balance, excluding amounts necessary for the costs of potential defaults, in the Medical Facilities Guarantee and Loan Fund is rescinded.

SEC. 224. The unobligated balance in the amount of $20,000,000 appropriated by Public Law 108–11 under the heading "Public Health and Social Services Emergency Fund" is rescinded.

SEC. 225. The Center for Biodefense and Emerging Infectious Diseases (Building 33) at the National Institutes of Health is hereby named the C.W. Bill Young Center for Biodefense and Emerging Infectious Diseases.

This title may be cited as the "Department of Health and Human Services Appropriations Act, 2005".

TITLE III—DEPARTMENT OF EDUCATION

EDUCATION FOR THE DISADVANTAGED

For carrying out title I of the Elementary and Secondary Education Act of 1965 ("ESEA") and section 418A of the Higher Education Act of 1965, $14,963,683,000, of which $7,382,995,000 shall become available on July 1, 2005, and shall remain available through September 30, 2006, and of which $7,383,301,000 shall become available on October 1, 2005, and shall remain available through September 30, 2006 for academic year 2005–2006, and of which $25,000,000 shall become available on October 1, 2004 and shall remain available until September 30, 2006: Provided, That $7,037,592,000 shall be available for basic grants under section 1124: Provided further, That up to $3,500,000 of these funds shall be available to the Secretary of Education on October 1, 2004, to obtain annually updated educational-agency-level census poverty data from the Bureau of the Census: Provided further, That $1,365,031,000 shall be available for concentration grants under section 1124A: Provided further, That $2,219,843,000 shall be available for targeted grants under section 1125: Provided further, That $2,219,843,000 shall be available for education finance incentive grants under section 1125A: Provided further, That $25,000,000, available until September 30, 2006, shall be for a striving readers initiative authorized under section 1502 of the ESEA: Provided further, That $9,500,000 shall be available to carry out part E of title I: Provided further, That from the funds available to carry out part E of title I, up to $1,000,000 shall be available to the Secretary of Education to provide technical assistance to state and local educational agencies concerning part A of title I: Provided further, That $207,000,000 shall be available for comprehensive school reform grants under part F of the ESEA.

IMPACT AID

For carrying out programs of financial assistance to federally affected schools authorized by title VIII of the Elementary and Secondary Education Act of 1965, $1,253,893,000, of which $1,083,687,000 shall be for basic support payments under section 8003(b), $50,369,000 shall be for payments for children with disabilities under section 8003(d), $48,936,000 shall be for construction under section 8007 and shall remain available through September 30, 2006, $63,000,000 shall be for Federal property payments under section 8002, and $7,901,000, to remain available until expended, shall be for facilities maintenance under section 8008: Provided, That $3,000,000 of the funds for section 8007 shall be available for

the local educational agencies and in the amounts specified in the statement of the managers on the conference report accompanying this Act: Provided further, That, notwithstanding any other provision of law, these funds shall remain available until expended : Provided further, That for purposes of computing the amount of a payment for an eligible local educational agency under section 8003(a) of the Elementary and Secondary Education Act (20 U.S.C. 7703(a)) for school year 2004–2005, children enrolled in a school of such agency that would otherwise be eligible for payment under section 8003(a)(1)(B) of such Act, but due to the deployment of both parents or legal guardians, or a parent or legal guardian having sole custody of such children, or due to the death of a military parent or legal guardian while on active duty (so long as such children reside on Federal property as described in section 8003(a)(1)(B)), are no longer eligible under such section, shall be considered as eligible students under such section, provided such students remain in average daily attendance at a school in the same local educational agency they attended prior to their change in eligibility status.

SCHOOL IMPROVEMENT PROGRAMS

For carrying out school improvement activities authorized by titles II, part B of title IV, part A and subparts 6 and 9 of part D of title V, parts A and B of title VI, and parts B and C of title VII of the Elementary and Secondary Education Act of 1965 ("ESEA"); the McKinney-Vento Homeless Assistance Act; section 203 of the Educational Technical Assistance Act of 2002; the Compact of Free Association Amendments Act of 2003; and the Civil Rights Act of 1964, $5,664,977,000, of which $4,034,196,000 shall become available on July 1, 2005, and remain available through September 30, 2006, and of which $1,435,000,000 shall become available on October 1, 2005, and shall remain available through September 30, 2006, for academic year 2005–2006: Provided, That funds made available to carry out part B of title VII of the ESEA may be used for construction, renovation and modernization of any elementary school, secondary school, or structure related to an elementary school or secondary school, run by the Department of Education of the State of Hawaii, that serves a predominantly Native Hawaiian student body: Provided further, That from the funds referred to in the preceding proviso, not less than $1,000,000 shall be for a grant to the Department of Education of the State of Hawaii for the activities described in such proviso, and $600,000 shall be for a grant to the University of Hawaii School of Law for a Center of Excellence in Native Hawaiian law: Provided further, That funds made available to carry out part C of title VII of the ESEA may be used for construction: Provided further, That from the funds referred to in the preceding proviso, $2,000,000 shall be provided to the Yuut Elitnaurviut Vocational Learning Center in Bethel, Alaska for construction; $1,000,000 shall be provided to the University of Alaska Anchorage for high school enrichment programs of the UAA Native Science and Engineering program; and notwithstanding any other provision of law, of the funds available to the Alaska Native Heritage Center, up to $1,000,000 may be used for repair and renovation of buildings on its campus: Provided further, That $415,000,000 shall be for State assessments and related activities authorized under sections 6111 and 6112 of the ESEA: Provided further, That

the amount made available in the Department of Education Appropriations Act, 2004, under the heading School Improvement Programs and including any funds transferred by the Secretary of Education pursuant to section 304 of that Act for state assessment grants authorized under section 6111 of the Elementary and Secondary Education Act of 1965, shall not be less than $390,000,000: Provided further, That, notwithstanding any other provision of law, including any across-the-board reduction that would otherwise apply, the funds made available for fiscal year 2005 under the heading School Improvement Programs for state assessment grants under section 6111 of the Elementary and Secondary Education Act of 1965 shall not be less than $400,000,000: Provided further, That $57,283,000 shall be available to carry out section 203 of the Educational Technical Assistance Act of 2002: Provided further, That $29,111,000 shall be available to carry out part D of title V of the ESEA: Provided further, That no funds appropriated under this heading may be used to carry out section 5494 under the ESEA: Provided further, That $12,230,000 shall be available to carry out the Supplemental Education Grants program for the Federated States of Micronesia, and $6,100,000 shall be available to carry out the Supplemental Education Grants program for the Republic of the Marshall Islands: Provided further, That up to five percent of these amounts may be reserved by the Federated States of Micronesia and the Republic of the Marshall Islands to administer the Supplemental Education Grants programs and to obtain technical assistance, oversight and consultancy services in the administration of these grants and to reimburse the U.S. Departments of Labor, Health and Human Services, and Education for such services.

INDIAN EDUCATION

For expenses necessary to carry out, to the extent not otherwise provided, title VII, part A of the Elementary and Secondary Education Act of 1965, $120,856,000.

INNOVATION AND IMPROVEMENT

For carrying out activities authorized by parts G and H of title I, subpart 5 of part A and parts C and D of title II, parts B, C, and D of title V, and section 1504 of the Elementary and Secondary Education Act of 1965 ("ESEA"), $1,101,454,000: Provided, That $17,000,000 shall be available to carry out section 2151(c) of the ESEA, of which not less than $10,000,000 shall be provided to the National Board for Professional Teaching Standards, and not less than $7,000,000 shall be provided to the American Board for the Certification of Teacher Excellence: Provided further, That $37,279,000 shall be for subpart 2 of part B of title V: Provided further, That $417,418,000 shall be available to carry out part D of title V of the ESEA: Provided further, That $246,963,000 of the funds for subpart 1, part D of title V of the ESEA shall be available for the projects and in the amounts specified in the statement of the managers on the conference report accompanying this Act.

SAFE SCHOOLS AND CITIZENSHIP EDUCATION

For carrying out activities authorized by subpart 3 of part C of title II, part A of title IV, and subparts 2, 3 and 10 of part D of

title V of the Elementary and Secondary Education Act of 1965 ("ESEA"), title VIII–D of the Higher Education Amendments of 1998, and Public Law 102–73, $867,713,000, of which $467,908,000, shall become available on July 1, 2005 and remain available through September 30, 2006: Provided, That of the amount available for subpart 2 of part A of title IV of the ESEA, $850,000 shall be used to continue the National Recognition Awards program under the same guidelines outlined by section 120(f) of Public Law 105–244: Provided further, That $440,908,000 shall be available for subpart 1 of part A of title IV and $236,472,000 shall be available for subpart 2 of part A of title IV: Provided further, That $133,691,000 shall be available to carry out part D of title V of the ESEA: Provided further, That of the funds available to carry out subpart 3 of part C of title II, up to $12,292,000 may be used to carry out section 2345 and $3,050,000 shall be used by the Center for Civic Education to implement a comprehensive program to improve public knowledge, understanding, and support of the Congress and the state legislatures: Provided further, That $27,000,000 shall be for Youth Offender Grants, of which $5,000,000 shall be used in accordance with section 601 of Public Law 102–73 as that section was in effect prior to enactment of Public Law 105–220: Provided further, That of the funds available to carry out subpart 10 of part D of title V, up to $2,000,000 may be used to support the Special Olympics National Summer Games.

ENGLISH LANGUAGE ACQUISITION

For carrying out part A of title III of the ESEA, $681,215,000, of which $595,715,000 shall become available on July 1, 2005, and shall remain available through September 30, 2006: Provided, That funds reserved under section 3111(c)(1)(D) of the ESEA that are not used in accordance with section 3111(c)(2) may be added to the funds that are available July 1, 2005, through September 30, 2006, for State allotments under section 3111(c)(3).

SPECIAL EDUCATION

For carrying out parts B, C, and D of the Individuals with Disabilities Education Act, $11,767,748,000, of which $6,145,270,000 shall become available for obligation on July 1, 2005, and shall remain available through September 30, 2006, and of which $5,413,000,000 shall become available on October 1, 2005, and shall remain available through September 30, 2006, for academic year 2005–2006: Provided, That $11,400,000 shall be for Recording for the Blind and Dyslexic, Inc., to support the development, production, and circulation of recorded educational materials: Provided further, That $1,500,000 shall be for the recipient of funds provided by Public Law 105–78 under section 687(b)(2)(G) of the Act as in effect prior to the enactment of the Individuals with Disabilities Education Improvement Act of 2004 to provide information on diagnosis, intervention, and teaching strategies for children with disabilities: Provided further, That the amount for section 611(c) of the Act shall be equal to the amount available for that section during fiscal year 2004, increased by the amount of inflation as specified in section 611(f)(1)(B)(ii) of the Act (as in effect prior to the enact-

ment of the Individuals with Disabilities Education Improvement Act of 2004).

REHABILITATION SERVICES AND DISABILITY RESEARCH

For carrying out, to the extent not otherwise provided, the Rehabilitation Act of 1973, the Assistive Technology Act of 1998 ("the AT Act"), and the Helen Keller National Center Act, $3,076,112,000, of which $1,000,000 shall be awarded to the American Academy of Orthotists and Prosthetists for activities that further the purposes of the grant received by the Academy for the period beginning October 1, 2003, including activities to meet the demand for orthotic and prosthetic provider services and improve patient care: Provided, That $30,000,000 shall be used for carrying out the AT Act, including $4,420,760 for State grants for protection and advocacy under section 5 of the AT Act and $4,055,000 shall be for alternative financing programs: Provided further, That the Federal share of grants for alternative financing programs under section 4(b)(2)(D) of the AT Act shall not exceed 75 percent, and the requirements in section 301(c)(2) and section 302 of the AT Act (as in effect on the day before the date of enactment of the Assistive Technology Act of 2004) shall not apply to such grants: Provided further, That $7,030,000 of the funds for section 303 of the Rehabilitation Act of 1973 shall be available for the projects and in the amounts specified in the statement of the managers of the conference report accompanying this Act.

SPECIAL INSTITUTIONS FOR PERSONS WITH DISABILITIES

AMERICAN PRINTING HOUSE FOR THE BLIND

For carrying out the Act of March 3, 1879, as amended (20 U.S.C. 101 et seq.), $17,000,000.

NATIONAL TECHNICAL INSTITUTE FOR THE DEAF

For the National Technical Institute for the Deaf under titles I and II of the Education of the Deaf Act of 1986 (20 U.S.C. 4301 et seq.), $55,790,000, of which $1,685,000 shall be for construction and shall remain available until expended: Provided, That from the total amount available, the Institute may at its discretion use funds for the endowment program as authorized under section 207.

GALLAUDET UNIVERSITY

For the Kendall Demonstration Elementary School, the Model Secondary School for the Deaf, and the partial support of Gallaudet University under titles I and II of the Education of the Deaf Act of 1986 (20 U.S.C. 4301 et seq.), $105,400,000: Provided, That from the total amount available, the University may at its discretion use funds for the endowment program as authorized under section 207.

VOCATIONAL AND ADULT EDUCATION

For carrying out, to the extent not otherwise provided, the Carl D. Perkins Vocational and Technical Education Act of 1998, the Adult Education and Family Literacy Act, and subparts 4 and 11 of part D of title V of the Elementary and Secondary Education Act of 1965 ("ESEA"), $2,027,166,000, of which $1,226,404,000 shall be-

come available on July 1, 2005 and shall remain available through September 30, 2006 and of which $791,000,000 shall become available on October 1, 2005 and shall remain available through September 30, 2006: Provided, That of the amount provided for Adult Education State Grants, $69,135,000 shall be made available for integrated English literacy and civics education services to immigrants and other limited English proficient populations: Provided further, That of the amount reserved for integrated English literacy and civics education, notwithstanding section 211 of the Adult Education and Family Literacy Act, 65 percent shall be allocated to States based on a State's absolute need as determined by calculating each State's share of a 10–year average of the Immigration and Naturalization Service data for immigrants admitted for legal permanent residence for the 10 most recent years, and 35 percent allocated to States that experienced growth as measured by the average of the 3 most recent years for which Immigration and Naturalization Service data for immigrants admitted for legal permanent residence are available, except that no State shall be allocated an amount less than $60,000: Provided further, That of the amounts made available for the Adult Education and Family Literacy Act, $9,169,000 shall be for national leadership activities under section 243 and $6,692,000 shall be for the National Institute for Literacy under section 242: Provided further, That $100,238,000 shall be available to carry out part D of title V of the ESEA: Provided further, That $95,238,000 shall be available to support the activities authorized under subpart 4 of part D of title V of the Elementary and Secondary Education Act of 1965, of which up to 5 percent shall become available October 1, 2004 and shall remain available through September 30, 2006, for evaluation, technical assistance, school networking, peer review of applications, and program outreach activities, and of which not less than 95 percent shall become available on July 1, 2005, and remain available through September 30, 2006, for grants to local educational agencies: Provided further, That funds made available to local education agencies under this subpart shall be used only for activities related to establishing smaller learning communities in high schools.

STUDENT FINANCIAL ASSISTANCE

For carrying out subparts 1, 3 and 4 of part A, part C and part E of title IV of the Higher Education Act of 1965, as amended, $14,380,795,000, which shall remain available through September 30, 2006.

The maximum Pell Grant for which a student shall be eligible during award year 2005–2006 shall be $4,050.

STUDENT AID ADMINISTRATION

For Federal administrative expenses (in addition to funds made available under section 458), to carry out part D of title I, and subparts 1, 3, and 4 of part A, and parts B, C, D and E of title IV of the Higher Education Act of 1965, as amended, $120,247,000.

HIGHER EDUCATION

For carrying out, to the extent not otherwise provided, section 121 and titles II, III, IV, V, VI, and VII of the Higher Education

Act of 1965 ("HEA"), as amended, section 1543 of the Higher Education Amendments of 1992, the Mutual Educational and Cultural Exchange Act of 1961, title VIII of the Higher Education Amendments of 1998, and section 117 of the Carl D. Perkins Vocational and Technical Education Act, $2,134,269,000, of which $1,500,000 for interest subsidies authorized by section 121 of the HEA shall remain available until expended: Provided, That $9,876,000, to remain available through September 30, 2006, shall be available to fund fellowships for academic year 2006–2007 under part A, subpart 1 of title VII of said Act, under the terms and conditions of part A, subpart 1: Provided further, That notwithstanding any other provision of law or any regulation, the Secretary of Education shall not require the use of a restricted indirect cost rate for grants issued pursuant to section 117 of the Carl D. Perkins Vocational and Technical Education Act of 1998: Provided further, That $988,000 is for data collection and evaluation activities for programs under the HEA, including such activities needed to comply with the Government Performance and Results Act of 1993: Provided further, That notwithstanding any other provision of law, funds made available in this Act to carry out title VI of the HEA and section 102(b)(6) of the Mutual Educational and Cultural Exchange Act of 1961 may be used to support visits and study in foreign countries by individuals who are participating in advanced foreign language training and international studies in areas that are vital to United States national security and who plan to apply their language skills and knowledge of these countries in the fields of government, the professions, or international development: Provided further, That of the funds referred to in the preceding proviso up to one percent may be used for program evaluation, national outreach, and information dissemination activities and $1,500,000 shall be used for a contract with the National Research Council to carry out an independent review of title VI international education and foreign language studies and the section 102(b)(6) Fulbright-Hays programs: Provided further, That the funds provided for title II of the HEA shall be allocated notwithstanding section 210 of such Act: Provided further, That $146,360,000 of the funds for part B of title VII of the Higher Education Act of 1965 shall be available for the projects and in the amounts specified in the statement of the managers of the conference report accompanying this Act.

HOWARD UNIVERSITY

For partial support of Howard University (20 U.S.C. 121 et seq.), $240,715,000, of which not less than $3,552,000 shall be for a matching endowment grant pursuant to the Howard University Endowment Act (Public Law 98–480) and shall remain available until expended.

COLLEGE HOUSING AND ACADEMIC FACILITIES LOANS PROGRAM

For Federal administrative expenses authorized under section 121 of the Higher Education Act of 1965, $578,000 to carry out activities related to existing facility loans entered into under the Higher Education Act of 1965.

HISTORICALLY BLACK COLLEGE AND UNIVERSITY CAPITAL FINANCING PROGRAM ACCOUNT

The aggregate principal amount of outstanding bonds insured pursuant to section 344 of title III, part D of the Higher Education Act of 1965, shall not exceed $357,000,000, and the cost, as defined in section 502 of the Congressional Budget Act of 1974, of such bonds shall not exceed zero.

For administrative expenses to carry out the Historically Black College and University Capital Financing Program entered into pursuant to title III, part D of the Higher Education Act of 1965, as amended, $212,000.

INSTITUTE OF EDUCATION SCIENCES

For carrying out activities authorized by the Education Sciences Reform Act of 2002, as amended, The National Assessment of Educational Progress Authorization Act, and section 208 of the Educational Technical Assistance Act of 2002, $527,453,000: Provided, That, of the amount appropriated, $190,518,000 shall be available for obligation until September 30, 2006: Provided further, That $83,774,000 shall be for research and innovation in special education authorized under section 177 of the Education Science Reform Act, as amended: Provided further, That $10,623,000 of the funds for section 177 of the Act shall be available for the projects and in the amounts specified in the statement of the managers of the conference report accompanying this Act.

DEPARTMENTAL MANAGEMENT

PROGRAM ADMINISTRATION

For carrying out, to the extent not otherwise provided, the Department of Education Organization Act, including rental of conference rooms in the District of Columbia and hire of three passenger motor vehicles, $423,379,000.

OFFICE FOR CIVIL RIGHTS

For expenses necessary for the Office for Civil Rights, as authorized by section 203 of the Department of Education Organization Act, $90,248,000.

OFFICE OF THE INSPECTOR GENERAL

For expenses necessary for the Office of the Inspector General, as authorized by section 212 of the Department of Education Organization Act, $47,790,000.

GENERAL PROVISIONS

SEC. 301. No funds appropriated in this Act may be used for the transportation of students or teachers (or for the purchase of equipment for such transportation) in order to overcome racial imbalance in any school or school system, or for the transportation of students or teachers (or for the purchase of equipment for such transportation) in order to carry out a plan of racial desegregation of any school or school system.

SEC. 302. None of the funds contained in this Act shall be used to require, directly or indirectly, the transportation of any student to a school other than the school which is nearest the student's home, except for a student requiring special education, to the school offering such special education, in order to comply with title VI of the Civil Rights Act of 1964. For the purpose of this section an indirect requirement of transportation of students includes the transportation of students to carry out a plan involving the reorganization of the grade structure of schools, the pairing of schools, or the clustering of schools, or any combination of grade restructuring, pairing or clustering. The prohibition described in this section does not include the establishment of magnet schools.

SEC. 303. No funds appropriated under this Act may be used to prevent the implementation of programs of voluntary prayer and meditation in the public schools.

(TRANSFER OF FUNDS)

SEC. 304. Not to exceed 1 percent of any discretionary funds (pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985, as amended) which are appropriated for the Department of Education in this Act may be transferred between appropriations, but no such appropriation shall be increased by more than 3 percent by any such transfer: Provided, That the Appropriations Committees of both Houses of Congress are notified at least 15 days in advance of any transfer.

SEC. 305. Section 8002(m) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7702(m)) is amended by striking "5 years" each place it appears and inserting "7 years".

SEC. 306. (a) Section 167 of division H of the Consolidated Appropriations Act, 2004 (Public Law 108–199; 118 Stat. 3) is amended by striking "$200,000, for Western Maine Technical College, South Paris, Maine, for education programs and marketing activities" and inserting "$200,000, for Central Maine Community College, Auburn, Maine, for education programs, student recruitment and marketing activities at the Central Maine Community College-Western Maine University and Community College Center in South Paris, Maine".

(b) In the statement of the managers of the committee of conference accompanying H.R. 2673 (Public Law 108–199; House Report 108–401), in the matter in title III of division E, relating to the Fund for the Improvement of Education under the heading "Innovation and Improvement" the provision specifying $300,000 for the Provo City Public Schools, Provo, Utah, to develop, purchase and implement an English language instructional program for training and certifying ESL teachers shall be deemed to read as follows: "Provo City Public Schools, Provo, Utah, for an English language instructional program, $300,000".

SEC. 307. Notwithstanding any other provision of law, students from the Republic of the Marshall Islands and the Federated States of Micronesia enrolled in institutions of the Republic of Palau shall be eligible for grants under subpart 1 of part A of title IV of the Higher Education Act of 1965 to the extent such grants continue to be available to students from the Republic of the Marshall Islands and the Federated States of Micronesia who are attending institutions in the United States.

This title may be cited as the "Department of Education Appropriations Act, 2005".

TITLE IV—RELATED AGENCIES

ARMED FORCES RETIREMENT HOME

For expenses necessary for the Armed Forces Retirement Home to operate and maintain the Armed Forces Retirement Home—Washington and the Armed Forces Retirement Home—Gulfport, to be paid from funds available in the Armed Forces Retirement Home Trust Fund, $61,624,000, of which $4,000,000 shall remain available until expended for construction and renovation of the physical plants at the Armed Forces Retirement Home—Washington and the Armed Forces Retirement Home—Gulfport.

COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE BLIND OR SEVERELY DISABLED

For expenses necessary of the Committee for Purchase From People Who Are Blind or Severely Disabled established by Public Law 92–28, $4,707,000.

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

DOMESTIC VOLUNTEER SERVICE PROGRAMS, OPERATING EXPENSES

For expenses necessary for the Corporation for National and Community Service to carry out the provisions of the Domestic Volunteer Service Act of 1973, as amended, $356,598,000: Provided, That none of the funds made available to the Corporation for National and Community Service in this Act for activities authorized by section 122 of Part C of Title I and Part E of Title II of the Domestic Volunteer Service Act of 1973 shall be used to provide stipends or other monetary incentives to volunteers or volunteer leaders whose incomes exceed 125 percent of the national poverty level.

CORPORATION FOR PUBLIC BROADCASTING

For payment to the Corporation for Public Broadcasting, as authorized by the Communications Act of 1934, an amount which shall be available within limitations specified by that Act, for the fiscal year 2007, $400,000,000: Provided, That no funds made available to the Corporation for Public Broadcasting by this Act shall be used to pay for receptions, parties, or similar forms of entertainment for Government officials or employees: Provided further, That none of the funds contained in this paragraph shall be available or used to aid or support any program or activity from which any person is excluded, or is denied benefits, or is discriminated against, on the basis of race, color, national origin, religion, or sex: Provided further, That for fiscal year 2005, in addition to the amounts provided above, $39,705,000 shall be for costs related to digital program production, development, and distribution, associated with the transition of public broadcasting to digital broadcasting, to be awarded as determined by the Corporation in consultation with public radio and television licensees or permittees, or their designated representatives: Provided further, That for fiscal year 2005, in addition to the amounts provided above, $40,000,000

shall be for the costs associated with replacement and upgrade of the public television interconnection system: Provided further, That none of the funds made available to the Corporation for Public Broadcasting by this Act, Public Law 108–199 or Public Law 108–7, shall be used to support the Television Future Fund or any similar purpose.

FEDERAL MEDIATION AND CONCILIATION SERVICE

SALARIES AND EXPENSES

For expenses necessary for the Federal Mediation and Conciliation Service to carry out the functions vested in it by the Labor Management Relations Act, 1947 (29 U.S.C. 171–180, 182–183), including hire of passenger motor vehicles; for expenses necessary for the Labor-Management Cooperation Act of 1978 (29 U.S.C. 175a); and for expenses necessary for the Service to carry out the functions vested in it by the Civil Service Reform Act, Public Law 95–454 (5 U.S.C. ch. 71), $44,797,000, including $1,500,000, to remain available through September 30, 2006, for activities authorized by the Labor-Management Cooperation Act of 1978 (29 U.S.C. 175a): Provided, That notwithstanding 31 U.S.C. 3302, fees charged, up to full-cost recovery, for special training activities and other conflict resolution services and technical assistance, including those provided to foreign governments and international organizations, and for arbitration services shall be credited to and merged with this account, and shall remain available until expended: Provided further, That fees for arbitration services shall be available only for education, training, and professional development of the agency workforce: Provided further, That the Director of the Service is authorized to accept and use on behalf of the United States gifts of services and real, personal, or other property in the aid of any projects or functions within the Director's jurisdiction.

FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION

SALARIES AND EXPENSES

For expenses necessary for the Federal Mine Safety and Health Review Commission (30 U.S.C. 801 et seq.), $7,872,000.

INSTITUTE OF MUSEUM AND LIBRARY SERVICES

OFFICE OF MUSEUM AND LIBRARY SERVICES: GRANTS AND ADMINISTRATION

For carrying out the Museum and Library Services Act of 1996, $282,827,000, to remain available until expended: Provided, That of the amount provided, $100,000 shall be awarded to Academy of Natural Sciences, Philadelphia, Pennsylvania, for exhibits and programming associated with the Lewis and Clark expedition, $300,000 shall be awarded to Alaska Native Heritage Museum, Anchorage, AK in cooperation with the Koahnic Broadcasting Corporation for its Elders Oral History Project, $50,000 shall be awarded to Alex Haley House and Museum, Henning, TN to preserve collections and improve exhibits, $100,000 shall be awarded to Allegheny County, Pittsburgh, Pennsylvania for exhibit design and development, $100,000 shall be awarded to Allentown Public Library, Al-

lentown, Pennsylvania, for technological upgrades and educational programs, $400,000 shall be awarded to AMISTAD America, Inc., New Haven, Connecticut, for an endowment fund as authorized under P.L. 108–184, $320,000 shall be awarded to Amistad Research Center, Tulane University, New Orleans, Louisiana, for faculty research fellowship and student internship programs, $50,000 shall be awarded to Anniston Museum of Natural History, Anniston, Alabama, for enhanced classroom curriculum, $100,000 shall be awarded to Antiquarian & Landmarks Society, Hartford, Connecticut, for the Nathan Hale Homestead in Coventry, $100,000 shall be awarded to Arab Community Center for Economic and Social Services (ACCESS), Dearborn, Michigan, for exhibits and museum programs, $75,000 shall be awarded to Athenaeum of Philadelphia, Philadelphia, Pennsylvania, for conservation and preservation of library materials, $75,000 shall be awarded to Audubon Pennsylvania, Audubon, Pennsylvania, for exhibits and nature education programs at the Mill Grove Audubon Center, $200,000 shall be awarded to Autry National Center, Los Angeles, California, for exhibits, education programs and outreach at its Southwest Museum of the American Indian and/or its Museum of the American West, $200,000 shall be awarded to Baylor University, Waco, Texas, for archival activities, exhibits, and education programs for the Mayborn Museum Complex, $500,000 shall be awarded to Beth Medrash Govoha, Lakewood, New Jersey, for equipment, exhibits and preservation of collections, $125,000 shall be awarded to Bibliographical Society of America, New York, New York, $500,000 shall be awarded to Bishop Museum in Hawaii for digitization of old Hawaiian language newspapers and other activities to preserve the culture of Native Hawaiians, $100,000 shall be awarded to Boys and Girls Harbor, New York, New York, for the preservation and digitalization of Raices Collection, a multi-media collection documenting the history of Afro-Caribbean Latin music in America, $75,000 shall be awarded to Brooklyn Academy of Music, Brooklyn, New York, for preservation and management of its archives, $50,000 shall be awarded to Business Association of West Parkside, Philadelphia, Pennsylvania to exhibit the Negro Leagues Baseball Memorial, $200,000 shall be awarded to Canton Museum of Art, Canton, Ohio, to develop and implement the HeARTland program, $100,000 shall be awarded to Cape Cod Maritime Museum, Hyannis, Massachusetts for the development of exhibitions and programs, $100,000 shall be awarded to Carnegie Museums of Pittsburgh, Pittsburgh, Pennsylvania, for preservation of collections at the Carnegie Museum of Natural History, $25,000 shall be awarded to Catawba County Historical Association, Newton, North Carolina, $200,000 shall be awarded to Chaldean Community Culture Center, West Bloomfield, Michigan, for programs that promote Chaldean language, history, culture and teacher training, $400,000 shall be awarded to Charles H. Wright Museum of African American History, Detroit, Michigan, for exhibits, education programs, technology and operations, $84,000 shall be awarded to Cherry Hill Township in New Jersey for improved library technology, $150,000 shall be awarded to Chicago Historical Society, Chicago, Illinois for expansion of the Chicago Historical Society's collections and exhibits, $200,000 shall be awarded to Children's Museum in Oak Lawn, Oak Lawn, Illinois, for its "Explore and Soar" education program,

$100,000 shall be awarded to City of Henderson, North Carolina, for personnel, equipment and technology for the H. Leslie Perry Memorial Library, $200,000 shall be awarded to City of Jackson, Mississippi for the Medger Wiley Evers Museum for program and exhibit design and development, $250,000 shall be awarded to City of Jackson, TN to support technology upgrades at the Jackson-Madison County Public Library, $150,000 shall be awarded to City of Murrieta Public Library, Murrieta, California, for a Literacy thru Technology Program, $500,000 shall be awarded to Claude Pepper Center in Tallahassee, Florida for the digitization of library holdings, $100,000 shall be awarded to College of Physicians of Philadelphia, Philadelphia, Pennsylvania, to preserve its medical library and art collection, $50,000 shall be awarded to Colleton County Memorial Library, Walterboro, South Carolina, for books and library materials, $76,000 shall be awarded to Columbus Museum of Art, Columbus, Ohio, to develop, test, and fabricate the exhibition, train teachers and docents and publicize the project and produce related educational materials, $72,000 shall be awarded to Contra Costa County, Martinez, California, for the Contra Costa Reads program, $300,000 shall be awarded to Currier Museum of Art, Manchester, New Hampshire for educational programs and community outreach, $825,000 shall be awarded to Des Moines Arts Center for the protection of the current collection, $500,000 shall be awarded to east Tennessee Historical Society, Knoxville, Tennessee, to expand and develop exhibits that teach of the culture and history of East Tennessee, $30,000 shall be awarded to Edison House Museum, Louisville, Kentucky, for educational programs, $100,000 shall be awarded to Everhart Museum, Scranton, Pennsylvania, $430,000 shall be awarded to Experience Music Project in Seattle, Washington for an Oral History Program, $100,000 shall be awarded to Fairfax County Public Library, Fairfax, VA, for its Motheread/Fatheread Plus family literacy initiative, $800,000 shall be awarded to Field Museum, Chicago, Illinois for establishing networked computer database for collections management, $100,000 shall be awarded to Fine Arts Museums of San Francisco for the De Young Museum's Art Education Program, $275,000 shall be awarded to Florence Library Learning Center, Los Angeles, California, for reading and other education programs, $650,000 shall be awarded to Florida International Museum, St. Petersburg, Florida, for professional activities, $500,000 shall be awarded to Folger Library, Washington, D.C., for exhibits, operations, and public programs including education and outreach, $50,000 shall be awarded to Frederick Douglass Museum, Washington, D.C., for an African American cultural outreach center, $75,000 shall be awarded to Free Library of Philadelphia, Philadelphia, Pennsylvania, for technology and equipment upgrades, $350,000 shall be awarded to George Washington University, Washington, D.C., for the Eleanor Roosevelt Papers Project, $12,000 shall be awarded to Greenburgh Public Library, Tarrytown, New York, for computers and technology, $50,000 shall be awarded to Greensburg Hempfield Area Public Library, Greensburg, Pennsylvania for computers, $500,000 shall be awarded to Grout Museum, Waterloo, IA, for exhibitions, $200,000 shall be awarded to Harbor Heritage Society, Cleveland, Ohio, for MAKING WAVES: Vessel-wide interpretive exhibit planning for the Steamship William G. Mather Maritime Museum, $250,000 shall be awarded

to HealthSpace Cleveland, Cleveland, Ohio for exhibits, $75,000 shall be awarded to Hellenic Cultural Association, Salt Lake City, UT, for exhibit and program development at the Hellenic Cultural Museum, $150,000 shall be awarded to Hendry County, LaBelle, FL, for books and technology for Harlem Library, $500,000 shall be awarded to Hesperia Community Library, Hesperia, California, $75,000 shall be awarded to Historical Society of Western Pennsylvania, Pittsburgh, Pennsylvania for exhibit and curriculum development for the Western Pennsylvania Sports Museum, $75,000 shall be awarded to HistoryMakers, Chicago, Illinois, to create a digital archive dedicated to preserving the history and accomplishments of African Americans, $150,000 shall be awarded to Home Port Alliance for the USS New Jersey for restoration and preservation, $100,000 shall be awarded to Hopkinsville-Christian County Public Library, Hopkinsville, Kentucky, $250,000 shall be awarded to Hunter College, New York, New York, to digitize, preserve and archive collections of the Center for Puerto Rican Studies and for public access and dissemination activities, $300,000 shall be awarded to Huntsville Museum of Art, Huntsville, Alabama, for exhibits, technology, outreach and education programs, $300,000 shall be awarded to International Museum of Women, San Francisco, California, for education and teacher professional development programs, $75,000 shall be awarded to Iona College, New York, for technology upgrade for the Ryan Library, $150,000 shall be awarded to Italian-American Cultural Center of Iowa in Des Moines, IA for exhibits, multi-media collections, display, $72,000 shall be awarded to Jackson County Library System, Ripley, WV, $415,000 shall be awarded to James Ford Bell Museum of Natural History, University of Minnesota, Minneapolis, MN, for exhibits and education programs, $350,000 shall be awarded to Johnstown Area Heritage Association, Johnstown, Pennsylvania, for exhibits and education programs for the Heritage Discovery Center, $25,000 shall be awarded to Josephine School Community Museum, Berryville, Virginia, $400,000 shall be awarded to Kansas State University, Manhattan, KS for the 20th Century Soldier Project, $250,000 shall be awarded to Kidspace Children's Museum, Pasadena, California, to develop its Shake Zone Education Exhibit, $100,000 shall be awarded to Lafayette College, Easton, Pennsylvania, for technology updates to the David Bishop Skillman Library, $50,000 shall be awarded to Livingston Parish Hungarian Museum, Denham Springs, Louisiana, $500,000 shall be awarded to Maltz Museum of Jewish Heritage, Beachwood, Ohio, for a Cradle of Christianity: Biblical Treasures from the Holy Land traveling exhibition, $250,000 shall be awarded to MAPS Air Museum, North Canton, Ohio, to develop educational displays, upkeep of current displays, library expansion, historical research and operation expenses, $100,000 shall be awarded to Mauch Chunk Historical Society of Carbon County, Jim Thorpe, Pennsylvania, $500,000 shall be awarded to Memphis Zoo, Memphis, Tennessee to develop exhibits and support student programs, $400,000 shall be awarded to Miami Museum of Science & Space Transit Planetarium, Miami, Florida, for exhibits, outreach, and education programs, $200,000 shall be awarded to Mid-Hudson Children's Museum, Poughkeepsie, New York, for a Comprehensive Technology Enrichment Program to enhance exhibits, $40,000 shall be awarded to Milford Area Historical

Society, Milford, Ohio, for the Promont House Museum, $450,000 shall be awarded to Milton J. Rubenstein Museum of Science and Technology, Syracuse, New York, $1,540,000 shall be awarded to Missouri Historical Society, St. Louis, Missouri, for the establishment and maintenance of an archive for materials relating to the Congressional career of the Honorable Richard A. Gephardt, $260,000 shall be awarded to Mount Vernon Public Library, Mount Vernon, New York for operations and upgrades, $100,000 shall be awarded to Mt. San Antonio College, Walnut, California for equipment, $500,000 shall be awarded to Museum of Appalachia, Norris Tennessee to preserve and restore the collection of Appalachian pioneer artifacts, $250,000 shall be awarded to Museum of Aviation Foundation, Warner Robins, Georgia, $200,000 shall be awarded to Museum of Fine Arts, Boston, Massachusetts, for the development of exhibitions and programs, $600,000 shall be awarded to Museum of Flight in Seattle, Washington for the American Fighter Aces Archive and Collection, $250,000 shall be awarded to Museum of Science and Industry, Chicago, Illinois, for the Science in Your World Program, $500,000 shall be awarded to Museum of Science, Boston, Massachusetts for community outreach, exhibit design and development, and educational programs, $75,000 shall be awarded to National Center for American Revolution, Wayne, Pennsylvania, for exhibit design and curriculum development for the Museum of the American Revolution at Valley Forge National Historic Park, $100,000 shall be awarded to National City Public Library, National City, California, for collections and technology, $950,000 shall be awarded to National D-Day Museum in New Orleans, Louisiana to improve the education, outreach, and exhibition of the museum, $100,000 shall be awarded to National Museum of American Jewish History, Philadelphia, Pennsylvania to develop a fully interactive learning center linked to their web site that will extend the reach of the Museum, $1,000,000 shall be awarded to National Museum of Women in the Arts, Washington, D.C., $750,000 shall be awarded to National Trust for Historic Preservation, Washington, D.C., for the Farnsworth House Museum in Plano, Illinois, $2,100,000 shall be awarded to Native American Cultural Center and Museum, Oklahoma City, Oklahoma, $500,000 shall be awarded to New York Botanical Garden, Bronx, New York, for the Virtual Herbarium Project, $1,000,000 shall be awarded to New York Hall of Science to develop, expand, and display science-related materials, $90,000 shall be awarded to North Carolina Museum of Art Foundation, Inc., Raleigh, North Carolina, for exhibits and education programs, $1,000,000 shall be awarded to Omaha Performing Arts Center in Nebraska for telecommunications systems, $100,000 shall be awarded to Pennsylvania Hunting & Fishing Museum, Warren, Pennsylvania to develop curriculum for conservation education, $200,000 shall be awarded to Pittsburgh Children's Museum, Pittsburgh, Pennsylvania, to expand arts and after-school programs for at-risk children, $950,000 shall be awarded to Please Touch Museum, Philadelphia, Pennsylvania, to develop education programs focusing on hands-on learning experiences, $320,000 shall be awarded to Portland State University, Portland, Oregon, to enhance library collections and outreach in the area of Middle Eastern and Judaic Studies, $50,000 shall be awarded to Putnam County Library, Cookeville, Tennessee to improve exhibits and purchase tech-

nology upgrades, $100,000 shall be awarded to Reading Company Technical and Historical Society, Inc., Reading, Pennsylvania to expand interpretive activities, $550,000 shall be awarded to Rochester Museum & Science Center, Rochester, New York, for expansion of exhibitions, $350,000 shall be awarded to Rock and Roll Hall of Fame and Museum, Cleveland, Ohio, for music education programs, $200,000 shall be awarded to Saint Louis County Economic Council, Saint Louis, Missouri, for Jefferson Barracks, $100,000 shall be awarded to Sam Davis Memorial Association, Smyrna, Tennessee, for interpretive exhibits and education programs for the Sam Davis Home, $350,000 shall be awarded to San Bernardino County, San Bernardino, California for the San Bernardino County Museum, $300,000 shall be awarded to Save the Speaker's House, Inc., Trappe, Pennsylvania, $315,000 shall be awarded to Sci-Quest, The North Alabama Science Center, Huntsville, Alabama, for science and mathematics education programs, $175,000 shall be awarded to Serra Cooperative Library System, San Diego, California, $100,000 shall be awarded to Simon Wiesenthal Center's Los Angeles Museum for Tolerance, Los Angeles, California, for the Tools for Tolerance for Educators program to provide teacher training in diversity, tolerance and cooperation, $50,000 shall be awarded to Smithtown Library, Smithtown, New York, for equipment and technology for its Virtual Worldwide Neighborhood Website Project, $75,000 shall be awarded to Soldiers and Sailors National Military Museum and Memorial, Pittsburgh, Pennsylvania, for education and outreach programs, $125,000 shall be awarded to Southwest Missouri State University, Springfield, Missouri, for digitization of Archives and Rare-book Collections at the Meyer Library, $250,000 shall be awarded to Stark County Park District, Canton, Ohio for exhibits, $1,000,000 shall be awarded to State Historical Society of Iowa in Des Moines, Iowa for the development of exhibits for the World Food Prize, $250,000 shall be awarded to Taft Museum of Art, Cincinnati, Ohio, $600,000 shall be awarded to Tubman African American Museum, Macon, Georgia, $250,000 shall be awarded to University of Alaska Fairbanks for the continuation of the Alaska Digital Archives project, $250,000 shall be awarded to University of Vermont of Burlington, Vermont for a digitization project for the preservation of Vermont cultural heritage materials, $500,000 shall be awarded to Vietnam Archives Center at Texas Tech University, Lubbock, Texas, for technology infrastructure, $200,000 shall be awarded to Virginia Living Museum, Newport News, Virginia for science education, $135,000 shall be awarded to Waterloo Center for the Arts, Waterloo, Iowa for the Youth Pavilion to provide educational programs and exhibit design and development, $400,000 shall be awarded to Western Reserve Historical Society, Cleveland, Ohio, $25,000 shall be awarded to William McKinley Presidential Library and Museum, Canton, Ohio, $50,000 shall be awarded to Williamsburg Country Library, Kingstree, South Carolina, for books, library materials and computers, $250,000 shall be awarded to Winchester Conservation Museum, Edgefield, South Carolina, $50,000 shall be awarded to Wisconsin Historical Society, Madison, WI, to catalog and microfilm military base papers, $100,000 shall be awarded to Witte Museum, San Antonio, Texas, for the Water Works project, $75,000 shall be awarded to Woodmere Art Museum, Philadelphia, Pennsylvania, for technology upgrades and education

and outreach programs, $500,000 shall be awarded to Woodrow Wilson Presidential Library, Staunton, Virginia, $100,000 shall be awarded to World War II Victory Memorial Museum, Auburn, IN, and $75,000 shall be awarded to Zimmer Children's Museum, Los Angeles, California, to develop and expand the youTHink education program.

MEDICARE PAYMENT ADVISORY COMMISSION

SALARIES AND EXPENSES

For expenses necessary to carry out section 1805 of the Social Security Act, $9,979,000, to be transferred to this appropriation from the Federal Hospital Insurance and the Federal Supplementary Medical Insurance Trust Funds.

NATIONAL COMMISSION ON LIBRARIES AND INFORMATION SCIENCE

SALARIES AND EXPENSES

For necessary expenses for the National Commission on Libraries and Information Science, established by the Act of July 20, 1970 (Public Law 91–345, as amended), $1,001,000.

NATIONAL COUNCIL ON DISABILITY

SALARIES AND EXPENSES

For expenses necessary for the National Council on Disability as authorized by title IV of the Rehabilitation Act of 1973, as amended, $3,371,000.

NATIONAL LABOR RELATIONS BOARD

SALARIES AND EXPENSES

For expenses necessary for the National Labor Relations Board to carry out the functions vested in it by the Labor-Management Relations Act, 1947, as amended (29 U.S.C. 141–167), and other laws, $251,875,000: Provided, That no part of this appropriation shall be available to organize or assist in organizing agricultural laborers or used in connection with investigations, hearings, directives, or orders concerning bargaining units composed of agricultural laborers as referred to in section 2(3) of the Act of July 5, 1935 (29 U.S.C. 152), and as amended by the Labor-Management Relations Act, 1947, as amended, and as defined in section 3(f) of the Act of June 25, 1938 (29 U.S.C. 203), and including in said definition employees engaged in the maintenance and operation of ditches, canals, reservoirs, and waterways when maintained or operated on a mutual, nonprofit basis and at least 95 percent of the water stored or supplied thereby is used for farming purposes.

NATIONAL MEDIATION BOARD

SALARIES AND EXPENSES

For expenses necessary to carry out the provisions of the Railway Labor Act, as amended (45 U.S.C. 151–188), including emergency boards appointed by the President, $11,722,000.

Occupational Safety and Health Review Commission

SALARIES AND EXPENSES

For expenses necessary for the Occupational Safety and Health Review Commission (29 U.S.C. 661), $10,595,000.

Railroad Retirement Board

DUAL BENEFITS PAYMENTS ACCOUNT

For payment to the Dual Benefits Payments Account, authorized under section 15(d) of the Railroad Retirement Act of 1974, $108,000,000, which shall include amounts becoming available in fiscal year 2005 pursuant to section 224(c)(1)(B) of Public Law 98–76; and in addition, an amount, not to exceed 2 percent of the amount provided herein, shall be available proportional to the amount by which the product of recipients and the average benefit received exceeds $108,000,000: Provided, That the total amount provided herein shall be credited in 12 approximately equal amounts on the first day of each month in the fiscal year.

FEDERAL PAYMENTS TO THE RAILROAD RETIREMENT ACCOUNTS

For payment to the accounts established in the Treasury for the payment of benefits under the Railroad Retirement Act for interest earned on unnegotiated checks, $150,000, to remain available through September 30, 2006, which shall be the maximum amount available for payment pursuant to section 417 of Public Law 98–76.

LIMITATION ON ADMINISTRATION

For necessary expenses for the Railroad Retirement Board for administration of the Railroad Retirement Act and the Railroad Unemployment Insurance Act, $103,370,000, to be derived in such amounts as determined by the Board from the railroad retirement accounts and from moneys credited to the railroad unemployment insurance administration fund.

Limitation on the Office of Inspector General

For expenses necessary for the Office of Inspector General for audit, investigatory and review activities, as authorized by the Inspector General Act of 1978, as amended, not more than $7,254,000, to be derived from the railroad retirement accounts and railroad unemployment insurance account: Provided, That none of the funds made available in any other paragraph of this Act may be transferred to the Office; used to carry out any such transfer; used to provide any office space, equipment, office supplies, communications facilities or services, maintenance services, or administrative services for the Office; used to pay any salary, benefit, or award for any personnel of the Office; used to pay any other operating expense of the Office; or used to reimburse the Office for any service provided, or expense incurred, by the Office.

SOCIAL SECURITY ADMINISTRATION

PAYMENTS TO SOCIAL SECURITY TRUST FUNDS

For payment to the Federal Old-Age and Survivors Insurance and the Federal Disability Insurance trust funds, as provided under sections 201(m), 228(g), and 1131(b)(2) of the Social Security Act, $20,454,000.

SUPPLEMENTAL SECURITY INCOME PROGRAM

For carrying out titles XI and XVI of the Social Security Act, section 401 of Public Law 92–603, section 212 of Public Law 93–66, as amended, and section 405 of Public Law 95–216, including payment to the Social Security trust funds for administrative expenses incurred pursuant to section 201(g)(1) of the Social Security Act, $28,586,829,000, to remain available until expended: Provided, That any portion of the funds provided to a State in the current fiscal year and not obligated by the State during that year shall be returned to the Treasury.

For making, after June 15 of the current fiscal year, benefit payments to individuals under title XVI of the Social Security Act, for unanticipated costs incurred for the current fiscal year, such sums as may be necessary.

For making benefit payments under title XVI of the Social Security Act for the first quarter of fiscal year 2006, $10,930,000,000, to remain available until expended.

LIMITATION ON ADMINISTRATIVE EXPENSES

For necessary expenses, including the hire of two passenger motor vehicles, and not to exceed $15,000 for official reception and representation expenses, not more than $8,674,296,000 may be expended, as authorized by section 201(g)(1) of the Social Security Act, from any one or all of the trust funds referred to therein: Provided, That not less than $2,000,000 shall be for the Social Security Advisory Board: Provided further, That unobligated balances of funds provided under this paragraph at the end of fiscal year 2005 not needed for fiscal year 2005 shall remain available until expended to invest in the Social Security Administration information technology and telecommunications hardware and software infrastructure, including related equipment and non-payroll administrative expenses associated solely with this information technology and telecommunications infrastructure: Provided further, That reimbursement to the trust funds under this heading for expenditures for official time for employees of the Social Security Administration pursuant to section 7131 of title 5, United States Code, and for facilities or support services for labor organizations pursuant to policies, regulations, or procedures referred to in section 7135(b) of such title shall be made by the Secretary of the Treasury, with interest, from amounts in the general fund not otherwise appropriated, as soon as possible after such expenditures are made.

In addition, $124,000,000 to be derived from administration fees in excess of $5.00 per supplementary payment collected pursuant to section 1616(d) of the Social Security Act or section 212(b)(3) of Public Law 93–66, which shall remain available until expended. To the extent that the amounts collected pursuant to such section

1616(d) or 212(b)(3) in fiscal year 2005 exceed $124,000,000, the amounts shall be available in fiscal year 2006 only to the extent provided in advance in appropriations Acts.

In addition, up to $3,600,000 to be derived from fees collected pursuant to section 303(c) of the Social Security Protection Act (Public Law 108–203), which shall remain available until expended.

From funds previously appropriated for Federal-State Partnerships, any unobligated balances at the end of fiscal year 2004 shall be transferred to the Supplemental Security Income Program and remain available until expended to promote Medicare buy-in programs targeted to elderly and disabled individuals under titles XVIII and XIX of the Social Security Act.

OFFICE OF INSPECTOR GENERAL

(INCLUDING TRANSFER OF FUNDS)

For expenses necessary for the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, $25,748,000, together with not to exceed $65,359,000, to be transferred and expended as authorized by section 201(g)(1) of the Social Security Act from the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund.

In addition, an amount not to exceed 3 percent of the total provided in this appropriation may be transferred from the "Limitation on Administrative Expenses", Social Security Administration, to be merged with this account, to be available for the time and purposes for which this account is available: Provided, That notice of such transfers shall be transmitted promptly to the Committees on Appropriations of the House and Senate.

TITLE V—GENERAL PROVISIONS

SEC. 501. The Secretaries of Labor, Health and Human Services, and Education are authorized to transfer unexpended balances of prior appropriations to accounts corresponding to current appropriations provided in this Act: Provided, That such transferred balances are used for the same purpose, and for the same periods of time, for which they were originally appropriated.

SEC. 502. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 503. (a) No part of any appropriation contained in this Act shall be used, other than for normal and recognized executive-legislative relationships, for publicity or propaganda purposes, for the preparation, distribution, or use of any kit, pamphlet, booklet, publication, radio, television, or video presentation designed to support or defeat legislation pending before the Congress or any State legislature, except in presentation to the Congress or any State legislature itself.

(b) No part of any appropriation contained in this Act shall be used to pay the salary or expenses of any grant or contract recipient, or agent acting for such recipient, related to any activity designed to influence legislation or appropriations pending before the Congress or any State legislature.

SEC. 504. The Secretaries of Labor and Education are authorized to make available not to exceed $28,000 and $20,000, respectively, from funds available for salaries and expenses under titles I and III, respectively, for official reception and representation expenses; the Director of the Federal Mediation and Conciliation Service is authorized to make available for official reception and representation expenses not to exceed $5,000 from the funds available for "Salaries and expenses, Federal Mediation and Conciliation Service"; and the Chairman of the National Mediation Board is authorized to make available for official reception and representation expenses not to exceed $5,000 from funds available for "Salaries and expenses, National Mediation Board".

SEC. 505. Notwithstanding any other provision of this Act, no funds appropriated under this Act shall be used to carry out any program of distributing sterile needles or syringes for the hypodermic injection of any illegal drug.

SEC. 506. When issuing statements, press releases, requests for proposals, bid solicitations and other documents describing projects or programs funded in whole or in part with Federal money, all grantees receiving Federal funds included in this Act, including but not limited to State and local governments and recipients of Federal research grants, shall clearly state—

(1) the percentage of the total costs of the program or project which will be financed with Federal money;

(2) the dollar amount of Federal funds for the project or program; and

(3) percentage and dollar amount of the total costs of the project or program that will be financed by non-governmental sources.

SEC. 507. (a) None of the funds appropriated under this Act, and none of the funds in any trust fund to which funds are appropriated under this Act, shall be expended for any abortion.

(b) None of the funds appropriated under this Act, and none of the funds in any trust fund to which funds are appropriated under this Act, shall be expended for health benefits coverage that includes coverage of abortion.

(c) The term "health benefits coverage" means the package of services covered by a managed care provider or organization pursuant to a contract or other arrangement.

SEC. 508. (a) The limitations established in the preceding section shall not apply to an abortion—

(1) if the pregnancy is the result of an act of rape or incest; or

(2) in the case where a woman suffers from a physical disorder, physical injury, or physical illness, including a life-endangering physical condition caused by or arising from the pregnancy itself, that would, as certified by a physician, place the woman in danger of death unless an abortion is performed.

(b) Nothing in the preceding section shall be construed as prohibiting the expenditure by a State, locality, entity, or private person of State, local, or private funds (other than a State's or locality's contribution of Medicaid matching funds).

(c) Nothing in the preceding section shall be construed as restricting the ability of any managed care provider from offering abortion coverage or the ability of a State or locality to contract sep-

arately with such a provider for such coverage with State funds (other than a State's or locality's contribution of Medicaid matching funds).

(d)(1) None of the funds made available in this Act may be made available to a Federal agency or program, or to a State or local government, if such agency, program, or government subjects any institutional or individual health care entity to discrimination on the basis that the health care entity does not provide, pay for, provide coverage of, or refer for abortions.

(2) In this subsection, the term "health care entity" includes an individual physician or other health care professional, a hospital, a provider-sponsored organization, a health maintenance organization, a health insurance plan, or any other kind of health care facility, organization, or plan.

SEC. 509. (a) None of the funds made available in this Act may be used for—

(1) the creation of a human embryo or embryos for research purposes; or

(2) research in which a human embryo or embryos are destroyed, discarded, or knowingly subjected to risk of injury or death greater than that allowed for research on fetuses in utero under 45 CFR 46.208(a)(2) and section 498(b) of the Public Health Service Act (42 U.S.C. 289g(b)).

(b) For purposes of this section, the term "human embryo or embryos" includes any organism, not protected as a human subject under 45 CFR 46 as of the date of the enactment of this Act, that is derived by fertilization, parthenogenesis, cloning, or any other means from one or more human gametes or human diploid cells.

SEC. 510. (a) None of the funds made available in this Act may be used for any activity that promotes the legalization of any drug or other substance included in schedule I of the schedules of controlled substances established by section 202 of the Controlled Substances Act (21 U.S.C. 812).

(b) The limitation in subsection (a) shall not apply when there is significant medical evidence of a therapeutic advantage to the use of such drug or other substance or that federally sponsored clinical trials are being conducted to determine therapeutic advantage.

SEC. 511. None of the funds made available in this Act may be obligated or expended to enter into or renew a contract with an entity if—

(1) such entity is otherwise a contractor with the United States and is subject to the requirement in section 4212(d) of title 38, United States Code, regarding submission of an annual report to the Secretary of Labor concerning employment of certain veterans; and

(2) such entity has not submitted a report as required by that section for the most recent year for which such requirement was applicable to such entity.

SEC. 512. None of the funds made available in this Act may be used to promulgate or adopt any final standard under section 1173(b) of the Social Security Act (42 U.S.C. 1320d–2(b)) providing for, or providing for the assignment of, a unique health identifier for an individual (except in an individual's capacity as an employer or a health care provider), until legislation is enacted specifically approving the standard.

SEC. 513. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriation Act.

SEC. 514. None of the funds made available by this Act to carry out the Library Services and Technology Act may be made available to any library covered by paragraph (1) of section 224(f) of such Act (20 U.S.C. 9134(f)), as amended by the Children's Internet Protections Act, unless such library has made the certifications required by paragraph (4) of such section.

SEC. 515. None of the funds made available by this Act to carry out part D of title II of the Elementary and Secondary Education Act of 1965 may be made available to any elementary or secondary school covered by paragraph (1) of section 2441(a) of such Act (20 U.S.C. 6777(a)), as amended by the Children's Internet Protections Act and the No Child Left Behind Act, unless the local educational agency with responsibility for such covered school has made the certifications required by paragraph (2) of such section.

SEC. 516. None of the funds appropriated in this Act may be used to enter into an arrangement under section 7(b)(4) of the Railroad Retirement Act of 1974 (45 U.S.C. 231f(b)(4)) with a nongovernmental financial institution to serve as disbursing agent for benefits payable under the Railroad Retirement Act of 1974.

SEC. 517. (a) None of the funds provided under this Act, or provided under previous appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in fiscal year 2005, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds that—

(1) creates new programs;

(2) eliminates a program, project, or activity;

(3) increases funds or personnel by any means for any project or activity for which funds have been denied or restricted;

(4) relocates an office or employees;

(5) reorganizes or renames offices;

(6) reorganizes programs or activities; or

(7) contracts out or privatizes any functions or activities presently performed by Federal employees.

None of the funds made available by this Act may be reprogrammed unless the Appropriations Committees of both Houses of Congress are notified 15 days in advance of a reprogramming or announcement of intent to reprogram funds, whichever occurs earlier.

(b) None of the funds provided under this Act, or provided under previous appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in fiscal year 2005, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds in excess of $500,000 or 10 percent, whichever is less, that—

(1) augments existing programs, projects (including construction projects), or activities;

(2) reduces by 10 percent funding for any existing program, project, or activity, or numbers of personnel by 10 percent as approved by Congress; or

(3) results from any general savings from a reduction in personnel which would result in a change in existing programs, activities, or projects as approved by Congress; unless the Appropriations Committees of both Houses of Congress are notified 15 days in advance of a reprogramming or announcement of intent to reprogram funds, whichever occurs earlier.

SEC. 518. Notwithstanding any other provision of law or regulation, the United States Government's interest in the property at 1818 W. Northern Lights Boulevard in Anchorage, Alaska, with legal description: T13N R4W Section 25, NE¼ NW¼ Portion W135 E953 N350, Anchorage Recording District shall be conveyed to Southcentral Foundation for a replacement Head Start facility.

SEC. 519. (a) IN GENERAL.—Amounts made available under this Act for the administrative and related expenses for departmental management for the Department of Labor, the Department of Health and Human Services, and the Department of Education shall be reduced on a pro rata basis by $18,000,000: Provided, That not later than 15 days after the enactment of this Act, the Director of the Office of Management and Budget shall report to the House and Senate Committees on Appropriations the accounts subject to the pro rata reductions and the amount to be reduced in each account.

(b) LIMITATION.—The reduction required by subsection (a) shall not apply to the Food and Drug Administration and the Indian Health Service.

This division may be cited as the "Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2005".

DIVISION G

LEGISLATIVE BRANCH APPROPRIATIONS ACT, 2005

TITLE I—LEGISLATIVE BRANCH APPROPRIATIONS

SENATE

EXPENSE ALLOWANCES

For expense allowances of the Vice President, $20,000; the President Pro Tempore of the Senate, $40,000; Majority Leader of the Senate, $40,000; Minority Leader of the Senate, $40,000; Majority Whip of the Senate, $10,000; Minority Whip of the Senate, $10,000; President Pro Tempore emeritus, $15,000; Chairmen of the Majority and Minority Conference Committees, $5,000 for each Chairman; and Chairmen of the Majority and Minority Policy Committees, $5,000 for each Chairman; in all, $195,000.

REPRESENTATION ALLOWANCES FOR THE MAJORITY AND MINORITY LEADERS

For representation allowances of the Majority and Minority Leaders of the Senate, $15,000 for each such Leader; in all, $30,000.

SALARIES, OFFICERS AND EMPLOYEES

For compensation of officers, employees, and others as authorized by law, including agency contributions, $134,840,000, which shall be paid from this appropriation without regard to the following limitations:

OFFICE OF THE VICE PRESIDENT

For the Office of the Vice President, $2,108,000.

OFFICE OF THE PRESIDENT PRO TEMPORE

For the Office of the President Pro Tempore, $561,000.

OFFICE OF THE PRESIDENT PRO TEMPORE EMERITUS

For the Office of the President Pro Tempore emeritus, $163,000.

OFFICES OF THE MAJORITY AND MINORITY LEADERS

For Offices of the Majority and Minority Leaders, $3,808,000.

OFFICES OF THE MAJORITY AND MINORITY WHIPS

For Offices of the Majority and Minority Whips, $2,556,000.

COMMITTEE ON APPROPRIATIONS

For salaries of the Committee on Appropriations, $13,301,000.

CONFERENCE COMMITTEES

For the Conference of the Majority and the Conference of the Minority, at rates of compensation to be fixed by the Chairman of each such committee, $1,413,000 for each such committee; in all, $2,826,000.

OFFICES OF THE SECRETARIES OF THE CONFERENCE OF THE MAJORITY AND THE CONFERENCE OF THE MINORITY

For Offices of the Secretaries of the Conference of the Majority and the Conference of the Minority, $702,000.

POLICY COMMITTEES

For salaries of the Majority Policy Committee and the Minority Policy Committee, $1,473,000 for each such committee; in all, $2,946,000.

OFFICE OF THE CHAPLAIN

For Office of the Chaplain, $341,000.

OFFICE OF THE SECRETARY

For Office of the Secretary, $19,586,000.

OFFICE OF THE SERGEANT AT ARMS AND DOORKEEPER

For Office of the Sergeant at Arms and Doorkeeper, $50,635,000.

OFFICES OF THE SECRETARIES FOR THE MAJORITY AND MINORITY

For Offices of the Secretary for the Majority and the Secretary for the Minority, $1,528,000.

AGENCY CONTRIBUTIONS AND RELATED EXPENSES

For agency contributions for employee benefits, as authorized by law, and related expenses, $33,779,000.

OFFICE OF THE LEGISLATIVE COUNSEL OF THE SENATE

For salaries and expenses of the Office of the Legislative Counsel of the Senate, $5,152,000.

OFFICE OF SENATE LEGAL COUNSEL

For salaries and expenses of the Office of Senate Legal Counsel, $1,265,000.

EXPENSE ALLOWANCES OF THE SECRETARY OF THE SENATE, SERGEANT AT ARMS AND DOORKEEPER OF THE SENATE, AND SECRETARIES FOR THE MAJORITY AND MINORITY OF THE SENATE

For expense allowances of the Secretary of the Senate, $6,000; Sergeant at Arms and Doorkeeper of the Senate, $6,000; Secretary for the Majority of the Senate, $6,000; Secretary for the Minority of the Senate, $6,000; in all, $24,000.

CONTINGENT EXPENSES OF THE SENATE

INQUIRIES AND INVESTIGATIONS

For expenses of inquiries and investigations ordered by the Senate, or conducted under section 134(a) of the Legislative Reorganization Act of 1946 (Public Law 97–601), section 112 of the Supplemental Appropriations and Rescission Act, 1980 (Public Law 96–304), and Senate Resolution 281, 96th Congress, agreed to March 11, 1980, $110,000,000.

EXPENSES OF THE UNITED STATES SENATE CAUCUS ON INTERNATIONAL NARCOTICS CONTROL

For expenses of the United States Senate Caucus on International Narcotics Control, $520,000.

SECRETARY OF THE SENATE

For expenses of the Office of the Secretary of the Senate, $1,700,000.

SERGEANT AT ARMS AND DOORKEEPER OF THE SENATE

For expenses of the Office of the Sergeant at Arms and Doorkeeper of the Senate, $127,182,000, of which $20,045,000 shall remain available until September 30, 2007, and of which $4,255,000 shall remain available until September 30, 2009.

MISCELLANEOUS ITEMS

For miscellaneous items, $18,326,000, of which up to $500,000 shall be made available for a pilot program for mailings of postal patron postcards by Senators for the purpose of providing notice of a town meeting by a Senator in a county (or equivalent unit of local government) at which the Senator will personally attend: Provided, That any amount allocated to a Senator for such mailing shall not exceed 50 percent of the cost of the mailing and the remaining cost shall be paid by the Senator from other funds available to the Senator.

SENATORS' OFFICIAL PERSONNEL AND OFFICE EXPENSE ACCOUNT

For Senators' Official Personnel and Office Expense Account, $326,533,000.

OFFICIAL MAIL COSTS

For expenses necessary for official mail costs of the Senate, $300,000.

ADMINISTRATIVE PROVISIONS

SEC. 1. GROSS RATE OF COMPENSATION IN OFFICES OF SENATORS. Effective on and after October 1, 2004, each of the dollar amounts contained in the table under section 105(d)(1)(A) of the Legislative Branch Appropriations Act, 1968 (2 U.S.C. 61–1(d)(1)(A)) shall be deemed to be the dollar amounts in that table, as adjusted by law and in effect on September 30, 2004, increased by an additional $50,000 each.

SEC. 2. CONSULTANTS. With respect to fiscal year 2005, the first sentence of section 101(a) of the Supplemental Appropriations Act, 1977 (2 U.S.C. 61h–6(a)) shall be applied by substituting "nine individual consultants" for "eight individual consultants".

SEC. 3. UNITED STATES SENATE COLLECTION. Section 316 of Public Law 101–302 (2 U.S.C. 2107) is amended in the first sentence of subsection (a) by striking "2004" and inserting "2005".

SEC. 4. PRESIDENT PRO TEMPORE EMERITUS OF THE SENATE. Section 7(e) of the Legislative Branch Appropriations Act, 2003 (2 U.S.C. 32b note) is amended by inserting "and the 109th Congress" after "108th Congress".

SEC. 5. TRANSFER OF FUNDS FROM APPROPRIATIONS ACCOUNT OF THE OFFICE OF THE VICE PRESIDENT AND THE OFFICES OF THE SECRETARIES FOR THE MAJORITY AND MINORITY TO THE SENATE CONTINGENT FUND. (a) OFFICE OF THE VICE PRESIDENT.—

(1) IN GENERAL.—Upon the written request of the Vice President, the Secretary of the Senate shall transfer from the appropriations account appropriated under the subheading "OFFICE OF THE VICE PRESIDENT" under the heading "SALARIES, OFFICERS AND EMPLOYEES" such amount as the Vice President shall specify to the appropriations account under the heading "MISCELLANEOUS ITEMS" within the contingent fund of the Senate.

(2) AUTHORITY TO INCUR EXPENSES.—The Vice President may incur such expenses as may be necessary or appropriate. Expenses incurred by the Vice President shall be paid from the

amount transferred under paragraph (1) by the Vice President and upon vouchers approved by the Vice President.

(3) AUTHORITY TO ADVANCE SUMS.—The Secretary of the Senate may advance such sums as may be necessary to defray expenses incurred in carrying out paragraphs (1) and (2).

(b) OFFICES OF THE SECRETARIES FOR THE MAJORITY AND MINORITY.—

(1) IN GENERAL.—Upon the written request of the Secretary for the Majority or the Secretary for the Minority, the Secretary of the Senate shall transfer from the appropriations account appropriated under the subheading "OFFICES OF THE SECRETARIES FOR THE MAJORITY AND MINORITY" under the heading "SALARIES, OFFICERS AND EMPLOYEES" such amount as the Secretary for the Majority or the Secretary for the Minority shall specify to the appropriations account under the heading "MISCELLANEOUS ITEMS" within the contingent fund of the Senate.

(2) AUTHORITY TO INCUR EXPENSES.—The Secretary for the Majority or the Secretary for the Minority may incur such expenses as may be necessary or appropriate. Expenses incurred by the Secretary for the Majority or the Secretary for the Minority shall be paid from the amount transferred under paragraph (1) by the Secretary for the Majority or the Secretary for the Minority and upon vouchers approved by the Secretary for the Majority or the Secretary for the Minority, as applicable.

(3) AUTHORITY TO ADVANCE SUMS.—The Secretary of the Senate may advance such sums as may be necessary to defray expenses incurred in carrying out paragraphs (1) and (2).

(c) EFFECTIVE DATE.—This section shall apply to fiscal year 2005 and each fiscal year thereafter.

SEC. 6. ACTIVITIES RELATING TO FOREIGN PARLIAMENTARY GROUPS AND FOREIGN OFFICIALS. Section 2(c) of chapter VIII of title I of the Supplemental Appropriations Act, 1987 (2 U.S.C. 65f(c)) is amended in the first sentence by striking "with the approval of" and inserting "and upon notification to".

SEC. 7. TRANSPORTATION OF OFFICIAL RECORDS AND PAPERS TO A SENATOR'S STATE. (a) PAYMENT OF REASONABLE TRANSPORTATION EXPENSES.—Upon request of a Senator, amounts in the appropriation account "Miscellaneous Items" within the contingent fund of the Senate shall be available to pay the reasonable expenses of sending or transporting the official records and papers of the Senator from the District of Columbia to any location designated by such Senator in the State represented by the Senator.

(b) SENDING AND TRANSPORTATION.—The Sergeant at Arms and Doorkeeper of the Senate shall provide for the most economical means of sending or transporting the official records and papers under this section while ensuring the orderly and timely delivery of the records and papers to the location specified by the Senator.

(c) OVERSIGHT.—The Committee on Rules and Administration shall have the authority to issue rules and regulations to carry out the provisions of this section.

(d) OFFICIAL RECORDS DEFINED.—In this section, the term "official records and papers" means books, records, papers, and official files which could be sent as franked mail.

(e) EFFECTIVE DATE.—This section shall apply with respect to fiscal year 2005 and each succeeding fiscal year.

SEC. 8. COMPENSATION FOR LOST OR DAMAGED PROPERTY. (a) IN GENERAL.—Any amounts received by the Sergeant at Arms and Doorkeeper of the Senate (in this section referred to as the "Sergeant at Arms") for compensation for damage to, loss of, or loss of use of property of the Sergeant at Arms that was procured using amounts available to the Sergeant at Arms in the account for Contingent Expenses, Sergeant at Arms and Doorkeeper of the Senate, shall be credited to that account or, if applicable, to any subaccount of that account.

(b) AVAILABILITY.—Amounts credited to any account or subaccount under subsection (a) shall be merged with amounts in that account or subaccount and shall be available to the same extent, and subject to the same terms and conditions, as amounts in that account or subaccount.

(c) EFFECTIVE DATE.—This section shall apply with respect to fiscal year 2005 and each fiscal year thereafter.

SEC. 9. AGE REQUIREMENT FOR SENATE PAGES. Section 491(b)(1) of the Legislative Reorganization Act of 1970 (2 U.S.C. 88b–1(b)(1)) is amended by striking "fourteen" and inserting "sixteen".

SEC. 10. TREATMENT OF ELECTRONIC SERVICES PROVIDED BY SERGEANT AT ARMS. The Office of the Sergeant at Arms and Doorkeeper of the United States Senate, and any officer, employee, or agent of the Office, shall not be treated as acquiring possession, custody, or control of any electronic mail or other electronic communication, data, or information by reason of its being transmitted, processed, or stored (whether temporarily or otherwise) through the use of an electronic system established, maintained, or operated, or the use of electronic services provided, in whole or in part by the Office.

SEC. 11. MODIFICATION OF APPLICATION OF SECTION 47 OF THE REVISED STATUTES. Section 47 of the Revised Statutes of the United States (2 U.S.C. 48) is amended by striking "of Senators shall be certified by the President of the Senate, and those of Representatives and Delegates" and inserting "of Representatives and Delegates shall be certified".

SEC. 12. OVERSEAS TRAVEL. (a) DEFINITION.—In this section, the term "United States" means each of the several States of the United States, the District of Columbia, and the territories and possessions of the United States.

(b) IN GENERAL.—A member of the Capitol Police may travel outside of the United States if—

(1) that travel is with, or in preparation for, travel of a Senator, including travel of a Senator as part of a congressional delegation;

(2) the member of the Capitol Police is performing security advisory and liaison functions (including advance security liaison preparations) relating to the travel of that Senator; and

(3) the Sergeant at Arms and Doorkeeper of the Senate gives prior approval to the travel of the member of the Capitol Police.

(c) LAW ENFORCEMENT FUNCTIONS.—Subsection (b) shall not be construed to authorize the performance of law enforcement functions by a member of the Capitol Police in connection with the travel authorized under that subsection.

(d) REIMBURSEMENT.—The Capitol Police shall be reimbursed for the overtime pay, travel, and related expenses of any member of the Capitol Police who travels under the authority of this section. Any reimbursement under this subsection shall be paid from the account under the heading "SERGEANT AT ARMS AND DOORKEEPER OF THE SENATE" under the heading "CONTINGENT EXPENSES OF THE SENATE".

(e) AMOUNTS RECEIVED.—Any amounts received by the Capitol Police for reimbursements under subsection (d) shall be credited to the accounts established for the general expenses or salaries of the Capitol Police, and shall be available to carry out the purposes of such accounts during the fiscal year in which the amounts are received and the following fiscal year.

(f) EFFECTIVE DATE.—This section shall apply to fiscal year 2005 and each fiscal year thereafter.

SEC. 13. EXPENSE ALLOWANCES. (a) IN GENERAL.—The matter under the subheading "EXPENSE ALLOWANCES OF THE VICE PRESIDENT, PRESIDENT PRO TEMPORE, MAJORITY AND MINORITY LEADERS AND MAJORITY AND MINORITY WHIPS" under the heading "LEGISLATIVE BRANCH" under chapter VI of title I of the Second Supplemental Appropriations Act, 1978 (Public Law 95–355; 92 Stat. 532) is amended—

(1) in the second sentence (2 U.S.C. 31a–1) (relating to the Majority and Minority Leaders of the Senate) by striking "$20,000" and inserting "$40,000"; and

(2) in the third sentence (2 U.S.C. 32b) (relating to the President pro tempore) by striking "$20,000" and inserting "$40,000".

(b) PRESIDENT PRO TEMPORE EMERITUS.—Section 7(d) of the Legislative Branch Appropriations Act, 2003 (2 U.S.C. 32b note) is amended in the first sentence (relating to the President pro tempore emeritus) by striking "$7,500" and inserting "$15,000".

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to fiscal year 2005 and each fiscal year thereafter.

HOUSE OF REPRESENTATIVES

SALARIES AND EXPENSES

For salaries and expenses of the House of Representatives, $1,048,581,000, as follows:

HOUSE LEADERSHIP OFFICES

For salaries and expenses, as authorized by law, $18,678,000, including: Office of the Speaker, $2,708,000, including $25,000 for official expenses of the Speaker; Office of the Majority Floor Leader, $2,027,000, including $10,000 for official expenses of the Majority Leader; Office of the Minority Floor Leader, $2,840,000, including $10,000 for official expenses of the Minority Leader; Office of the Majority Whip, including the Chief Deputy Majority Whip, $1,741,000, including $5,000 for official expenses of the Majority Whip; Office of the Minority Whip, including the Chief Deputy Minority Whip, $1,303,000, including $5,000 for official expenses of the Minority Whip; Speaker's Office for Legislative Floor Activities, $470,000; Republican Steering Committee, $881,000; Republican

Conference, $1,500,000; Democratic Steering and Policy Committee, $1,589,000; Democratic Caucus, $792,000; nine minority employees, $1,409,000; training and program development—majority, $290,000; training and program development—minority, $290,000; Cloakroom Personnel—majority, $419,000; and Cloakroom Personnel—minority, $419,000.

MEMBERS' REPRESENTATIONAL ALLOWANCES INCLUDING MEMBERS' CLERK HIRE, OFFICIAL EXPENSES OF MEMBERS, AND OFFICIAL MAIL

For Members' representational allowances, including Members' clerk hire, official expenses, and official mail, $521,195,000.

COMMITTEE EMPLOYEES

STANDING COMMITTEES, SPECIAL AND SELECT

For salaries and expenses of standing committees, special and select, authorized by House resolutions, $114,299,000: Provided, That such amount shall remain available for such salaries and expenses until December 31, 2006.

COMMITTEE ON APPROPRIATIONS

For salaries and expenses of the Committee on Appropriations, $24,926,000, including studies and examinations of executive agencies and temporary personal services for such committee, to be expended in accordance with section 202(b) of the Legislative Reorganization Act of 1946 and to be available for reimbursement to agencies for services performed: Provided, That such amount shall remain available for such salaries and expenses until December 31, 2006.

SALARIES, OFFICERS AND EMPLOYEES

For compensation and expenses of officers and employees, as authorized by law, $160,133,000, including: for salaries and expenses of the Office of the Clerk, including not more than $13,000, of which not more than $10,000 is for the Family Room, for official representation and reception expenses, $20,534,000; for salaries and expenses of the Office of the Sergeant at Arms, including the position of Superintendent of Garages, and including not more than $3,000 for official representation and reception expenses, $5,879,000; for salaries and expenses of the Office of the Chief Administrative Officer, $116,034,000, of which $7,500,000 shall remain available until expended; for salaries and expenses of the Office of the Inspector General, $3,986,000; for salaries and expenses of the Office of Emergency Planning, Preparedness and Operations, $1,000,000, to remain available until expended; for salaries and expenses of the Office of General Counsel, $962,000; for the Office of the Chaplain, $155,000; for salaries and expenses of the Office of the Parliamentarian, including the Parliamentarian and $2,000 for preparing the Digest of Rules, $1,673,000; for salaries and expenses of the Office of the Law Revision Counsel of the House, $2,346,000; for salaries and expenses of the Office of the Legislative Counsel of the House, $6,721,000; for salaries and expenses of the Office of Interparliamentary Affairs, $687,000; and for other authorized employees, $156,000.

ALLOWANCES AND EXPENSES

For allowances and expenses as authorized by House resolution or law, $209,350,000, including: supplies, materials, administrative costs and Federal tort claims, $4,350,000; official mail for committees, leadership offices, and administrative offices of the House, $410,000; Government contributions for health, retirement, Social Security, and other applicable employee benefits, $203,900,000; and miscellaneous items including purchase, exchange, maintenance, repair and operation of House motor vehicles, interparliamentary receptions, and gratuities to heirs of deceased employees of the House, $690,000.

CHILD CARE CENTER

For salaries and expenses of the House of Representatives Child Care Center, such amounts as are deposited in the account established by section 312(d)(1) of the Legislative Branch Appropriations Act, 1992 (2 U.S.C. 2112), subject to the level specified in the budget of the Center, as submitted to the Committee on Appropriations of the House of Representatives.

ADMINISTRATIVE PROVISIONS

SEC. 101. (a) REQUIRING AMOUNTS REMAINING IN MEMBERS' REPRESENTATIONAL ALLOWANCES TO BE USED FOR DEFICIT REDUCTION OR TO REDUCE THE FEDERAL DEBT.—Notwithstanding any other provision of law, any amounts appropriated under this Act for "HOUSE OF REPRESENTATIVES—SALARIES AND EXPENSES—MEMBERS' REPRESENTATIONAL ALLOWANCES" shall be available only for fiscal year 2005. Any amount remaining after all payments are made under such allowances for fiscal year 2005 shall be deposited in the Treasury and used for deficit reduction (or, if there is no Federal budget deficit after all such payments have been made, for reducing the Federal debt, in such manner as the Secretary of the Treasury considers appropriate).

(b) REGULATIONS.—The Committee on House Administration of the House of Representatives shall have authority to prescribe regulations to carry out this section.

(c) DEFINITION.—As used in this section, the term "Member of the House of Representatives" means a Representative in, or a Delegate or Resident Commissioner to, the Congress.

SEC. 102. NET EXPENSES OF TELECOMMUNICATIONS REVOLVING FUND. (a) There is hereby established in the Treasury of the United States a revolving fund for the House of Representatives to be known as the Net Expenses of Telecommunications Revolving Fund (hereafter in this section referred to as the "Revolving Fund"), consisting of funds deposited by the Chief Administrative Officer of the House of Representatives from amounts provided by legislative branch offices to purchase, lease, obtain, and maintain the data and voice telecommunications services and equipment located in such offices.

(b) Amounts in the Revolving Fund shall be used by the Chief Administrative Officer without fiscal year limitation to purchase, lease, obtain, and maintain the data and voice telecommunications services and equipment of legislative branch offices.

(c) The Revolving Fund shall be treated as a category of allowances and expenses for purposes of section 101(a) of the Legislative Branch Appropriations Act, 1993 (2 U.S.C. 95b(a)).

(d) Section 306 of the Legislative Branch Appropriations Act, 1989 (2 U.S.C. 117f) is amended—

(1) by striking subsection (b) and redesignating subsection (c) as subsection (b); and

(2) in subsection (b) (as so redesignated), by striking "subsections (a) and (b)" and inserting "subsection (a)".

(e) Section 102 of the Legislative Branch Appropriations Act, 2003 (2 U.S.C. 112g) is amended by adding at the end the following new subsection:

"(e) This section shall not apply with respect to any telecommunications equipment which is subject to coverage under section 103 of the Legislative Branch Appropriations Act, 2005 (relating to the Net Expenses of Telecommunications Revolving Fund).".

(f) This section and the amendments made by this section shall apply with respect to fiscal year 2005 and each succeeding fiscal year, except that for purposes of making deposits into the Revolving Fund under subsection (a), the Chief Administrative Officer may deposit amounts provided by legislative branch offices during fiscal year 2004 or any succeeding fiscal year.

SEC. 103. CONTRACT FOR EXERCISE FACILITY. (a) IN GENERAL.—The Chief Administrative Officer of the House of Representatives shall enter into a contract on a competitive basis with a private entity for the management, operation, and maintenance of the exercise facility established for the use of employees of the House of Representatives which is constructed with funds made available under this Act.

(b) USE OF FEES TO SUPPORT CONTRACT.—Any amounts paid as fees for the use of the exercise facility described in subsection (a) shall be used to cover costs incurred by the Chief Administrative Officer under the contract entered into under this section or to otherwise support the management, operation, and maintenance of the facility, and shall remain available until expended.

SEC. 104. SENSE OF THE HOUSE. It is the sense of the House of Representatives that Members of the House who use vehicles in traveling for official and representational purposes, including Members who lease vehicles for which the lease payments are made using funds provided under the Members' Representational Allowance, are encouraged to use hybrid electric and alternatively fueled vehicles whenever possible, as the use of these vehicles will help to move our Nation toward the use of a hydrogen fuel cell vehicle and reduce our dependence on oil.

SEC. 105. (a) ESTABLISHMENT OF HOUSE SERVICES REVOLVING FUND.—There is hereby established in the Treasury of the United States a revolving fund for the House of Representatives to be known as the "House Services Revolving Fund" (hereafter in this section referred to as the "Revolving Fund"), consisting of funds deposited by the Chief Administrative Officer of the House of Representatives from all amounts received by the House of Representatives with respect to the following activities:

(1) The operation of the House Barber Shop.

(2) The operation of the House Beauty Shop.

(3) The operation of the House Restaurant System (including vending operations).

(4) The provision of mail services to entities which are not part of the House of Representatives.

(b) USE OF AMOUNTS IN FUND.—Amounts in the Revolving Funds shall be used for any purpose designated by the Chief Administrative Officer which is approved by the Committee on Appropriations of the House of Representatives.

(c) TRANSFER AUTHORITY.—The Revolving Fund shall be treated as a category of allowances and expenses for purposes of section 101(a) of the Legislative Branch Appropriations Act, 1993 (2 U.S.C. 95b(a)).

(d) TERMINATION AND TRANSFER OF EXISTING FUNDS AND ACCOUNTS.—

(1) IN GENERAL.—Each fund and account specified in paragraph (2) is hereby terminated, and the balance of each such fund and account is hereby transferred to the Revolving Fund.

(2) FUNDS AND ACCOUNTS SPECIFIED.—The funds and accounts referred to in paragraph (1) are as follows:

(A) The revolving fund for the House Barber Shop, established by the paragraph under the heading "HOUSE BARBER SHOPS REVOLVING FUND" in the matter relating to the House of Representatives in chapter III of title I of the Supplemental Appropriations Act, 1975 (Public Law 93–554; 88 Stat. 1776).

(B) The revolving funds for the House Beauty Shop, established by the matter under the heading "HOUSE BEAUTY SHOP" in the matter relating to administrative provisions for the House of Representatives in the Legislative Branch Appropriations Act, 1970 (Public Law 91–145; 83 Stat. 347).

(C) The special deposit account established for the House of Representatives Restaurant by section 208 of the First Supplemental Civil Functions Appropriation Act, 1941 (2 U.S.C. 2041 note), or any successor fund or account established for the receipt of revenues of the House Restaurant System.

(e) EFFECTIVE DATE.—This section shall take effect October 1, 2004, and shall apply with respect to fiscal year 2005 and each succeeding fiscal year.

SEC. 106. (a) If the Clerk of the House of Representatives is required under any law, rule, or regulation to make available for public inspection a report, statement, or other document filed with the Office of the Clerk, the Clerk shall preserve the report, statement, or document—

(1) for a period of 6 years from the date on which the document is filed; or

(2) if the law, rule, or regulation so provides, the period required under such law, rule, or regulation.

(b) Subsection (a) shall apply with respect to reports, statements, and documents filed before, on, or after the date of the enactment of this Act.

SEC. 107. (a) PERMITTING ORGANIZATIONAL CAUCUSES AND CONFERENCES TO BE HELD AT ANY TIME.—Section 202(a)(1) of House Resolution 988, Ninety-third Congress, agreed to on October

8, 1974, and enacted into permanent law by chapter III of title I of the Supplemental Appropriations Act, 1975 (2 U.S.C. 29a(a)(1)), is amended by striking "conference, to begin on or after" all that follows through "to be attended by all" and inserting "conference of all".

(b) PERIOD OF AVAILABILITY OF PER DIEM.—

(1) MEMBERS.—Section 202(b)(1)(B) of House Resolution 988, Ninety-third Congress, agreed to on October 8, 1974, and enacted into permanent law by chapter III of title I of the Supplemental Appropriations Act, 1975 (2 U.S.C. 29a(b)(1)(B)), is amended by striking "for a period" and all that follows and inserting a period.

(2) STAFF.—Section 1(b) of House Resolution 10, Ninety-fourth Congress, agreed to on January 14, 1975, and enacted into permanent law by section 201 of the Legislative Branch Appropriations Act, 1976 (2 U.S.C. 43b–2(b)), is amended by striking "for a period" and all that follows and inserting a period.

(c) APPLICABILITY OF PROVISIONS TO ORIENTATION SESSIONS FOR NEW MEMBERS.—

(1) MEMBERS.—Section 202 of House Resolution 988, Ninety-third Congress, agreed to on October 8, 1974, and enacted into permanent law by chapter III of title I of the Supplemental Appropriations Act, 1975 (2 U.S.C. 29a), is amended by adding at the end the following new subsection:

"(d) With the approval of the majority leader (in the case of a Member or Member-elect of the majority party) or the minority leader (in the case of a Member or Member-elect of the minority party), subsections (b) and (c) shall apply with respect to the attendance of a Member or Member-elect at a program conducted by the Committee on House Administration for the orientation of new members in the same manner as such provisions apply to the attendance of the Member or Member-elect at the organizational caucus or conference.".

(2) STAFF.—Section 1 of House Resolution 10, Ninety-fourth Congress, agreed to on January 14, 1975, and enacted into permanent law by section 201 of the Legislative Branch Appropriations Act, 1976 (2 U.S.C. 43b–2), is amended by adding at the end the following new subsection:

"(c) With the approval of the majority leader (in the case of a Member or Member-elect of the majority party) or the minority leader (in the case of a Member or Member-elect of the minority party), subsections (a) and (b) shall apply with respect to the attendance of a Member or Member-elect at a program conducted by the Committee on House Administration for the orientation of new members in the same manner as such provisions apply to the attendance of the Member or Member-elect at the organizational caucus or conference.".

(d) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to the One Hundred Tenth Congress and each succeeding Congress.

SEC. 108. (a) Subject to the approval of the Committee on House Administration, the Chief Administrative Officer of the House of Representatives shall implement regulations under which the Chief Administrative Officer shall be authorized to handle any mail mat-

ter delivered by the United States Postal Service or any other carrier to the House of Representatives, or to any other entity with whom the Chief Administrative Officer has entered into an agreement to receive mail matter delivered to the entity, in such manner as the Chief Administrative Officer deems necessary to ensure the safety of any individuals who may come into contact with, or otherwise be exposed to, such mail matter.

(b) No action taken under the regulations implemented pursuant to this section may serve as a basis for civil or criminal liability of any individual or entity.

(c) As used in this section, the term "handle" includes but is not limited to collecting, isolating, testing, opening, disposing, and destroying.

(d) This section shall apply with respect to fiscal year 2004 and each succeeding fiscal year.

SEC. 109. (a) There is established in the House of Representatives an office to be known as the Republican Policy Committee, which shall have such responsibilities as may be assigned by the chair of the Republican Conference.

(b) There shall be a lump sum allowance for the salaries and expenses of the Republican Policy Committee, which shall be treated as a category of House leadership offices for purposes of section 101(c) of the Legislative Branch Appropriations Act, 1993 (2 U.S.C. 95b(c)).

(c) This section shall apply with respect to fiscal year 2005 and each succeeding fiscal year.

SEC. 110. The first sentence of section 5 of House Resolution 1238, Ninety-first Congress, agreed to December 22, 1970 (as enacted into permanent law by chapter VIII of the Supplemental Appropriations Act, 1971) (2 U.S.C. 31b–5), is amended—

(1) by striking "step 5 of level 11" and inserting "step 11 of level 13"; and

(2) by striking "step 9 of level 8" and inserting "step 8 of level 12".

JOINT ITEMS

For Joint Committees, as follows:

JOINT ECONOMIC COMMITTEE

For salaries and expenses of the Joint Economic Committee, $4,139,000, to be disbursed by the Secretary of the Senate.

JOINT COMMITTEE ON TAXATION

For salaries and expenses of the Joint Committee on Taxation, $8,433,000, to be disbursed by the Chief Administrative Officer of the House of Representatives.

For other joint items, as follows:

OFFICE OF THE ATTENDING PHYSICIAN

For medical supplies, equipment, and contingent expenses of the emergency rooms, and for the Attending Physician and his assistants, including: (1) an allowance of $2,175 per month to the Attending Physician; (2) an allowance of $725 per month each to four med-

ical officers while on duty in the Office of the Attending Physician; (3) an allowance of $725 per month to two assistants and $580 per month each not to exceed 11 assistants on the basis heretofore provided for such assistants; and (4) $1,680,000 for reimbursement to the Department of the Navy for expenses incurred for staff and equipment assigned to the Office of the Attending Physician, which shall be advanced and credited to the applicable appropriation or appropriations from which such salaries, allowances, and other expenses are payable and shall be available for all the purposes thereof, $2,528,000, to be disbursed by the Chief Administrative Officer of the House of Representatives.

CAPITOL GUIDE SERVICE AND SPECIAL SERVICES OFFICE

For salaries and expenses of the Capitol Guide Service and Special Services Office, $3,844,000, to be disbursed by the Secretary of the Senate: Provided, That no part of such amount may be used to employ more than 58 individuals: Provided further, That the Capitol Guide Board is authorized, during emergencies, to employ not more than two additional individuals for not more than 120 days each, and not more than 10 additional individuals for not more than 6 months each, for the Capitol Guide Service.

STATEMENTS OF APPROPRIATIONS

For the preparation, under the direction of the Committees on Appropriations of the Senate and the House of Representatives, of the statements for the second session of the 108th Congress, showing appropriations made, indefinite appropriations, and contracts authorized, together with a chronological history of the regular appropriations bills as required by law, $30,000, to be paid to the persons designated by the chairmen of such committees to supervise the work.

CAPITOL POLICE

SALARIES

For salaries of employees of the Capitol Police, including overtime, hazardous duty pay differential, and Government contributions for health, retirement, social security, professional liability insurance, and other applicable employee benefits, $203,440,000, to be disbursed by the Chief of the Capitol Police or his designee.

GENERAL EXPENSES

For necessary expenses of the Capitol Police, including motor vehicles, communications and other equipment, security equipment and installation, uniforms, weapons, supplies, materials, training, medical services, forensic services, stenographic services, personal and professional services, the employee assistance program, the awards program, postage, communication services, travel advances, relocation of instructor and liaison personnel for the Federal Law Enforcement Training Center, and not more than $5,000 to be expended on the certification of the Chief of the Capitol Police in connection with official representation and reception expenses, $28,888,000, to be disbursed by the Chief of the Capitol Police or his designee: Provided, That, notwithstanding any other provision

of law, the cost of basic training for the Capitol Police at the Federal Law Enforcement Training Center for fiscal year 2005 shall be paid by the Secretary of Homeland Security from funds available to the Department of Homeland Security.

ADMINISTRATIVE PROVISIONS

(INCLUDING TRANSFER OF FUNDS)

SEC. 1001. TRANSFER AUTHORITY. Amounts appropriated for fiscal year 2005 for the Capitol Police may be transferred between the headings "SALARIES" and "GENERAL EXPENSES" upon the approval of the Committees on Appropriations of the Senate and the House of Representatives.

SEC. 1002. LIMITATION ON CERTAIN HIRING AUTHORITY OF CAPITOL POLICE. Section 1006(b) of the Legislative Branch Appropriations Act, 2004 (Public Law 108–83; 117 Stat. 1023) is amended—

(1) in paragraph (3)—

(A) in subparagraph (B), by inserting at the end "The Chief of Police may hire individuals under this subsection who are not submitted for selection under this subparagraph. All hirings under this subparagraph shall comply with the limitations under this paragraph for any fiscal year."; and

(B) in subparagraph (C), by striking "(C) LIMITATION.—" and inserting "(C) LIMITATION FOR FISCAL YEAR 2004.—"; and

(C) by adding at the end the following:

"(D) LIMITATION FOR FISCAL YEAR 2005.— During fiscal year 2005, the number of individuals hired under this subsection may not exceed—

"(i) the number of Library of Congress Police employees who separated from service or transferred to a position other than a Library of Congress Police employee position during fiscal year 2004 for whom a corresponding hire was not made under this subsection; and

"(ii) the number of Library of Congress Police employees who separate from service or transfer to a position other than a Library of Congress Police employee position during fiscal year 2005."; and

(2) in paragraph (4), by striking the first sentence and inserting "Notwithstanding subsection (a)(1)(C), the Chief of the Capitol Police may detail an individual hired under this subsection to the Library of Congress Police on a nonreimbursable basis. Any individual detailed under this subsection shall receive necessary training, including training by the Library of Congress Police.".

SEC. 1003. AUTHORIZATION OF WEAPONS. Section 1824 of the Revised Statutes (2 U.S.C. 1941) is amended—

(1) in the first sentence—

(A) by striking "The Sergeant at Arms of the Senate and the Sergeant at Arms of the House of Representatives" and inserting "The Capitol Police Board"; and

(B) by striking all beginning with "payable out" through the period and inserting "payable from appropria-

tions to the Capitol Police upon certification of payment by the Chief of the Capitol Police."; and

(2) in the second sentence—

(A) by inserting "or other arms as authorized by the Capitol Police Board" after "furnished"; and

(B) by striking "the Sergeant at Arms of the Senate and the Sergeant at Arms of the House of Representatives" and inserting "the Capitol Police Board".

SEC. 1004. SOLE AND EXCLUSIVE AUTHORITY OF BOARD AND CHIEF TO DETERMINE RATES OF PAY. (a) IN GENERAL.—The Capitol Police Board and the Chief of the Capitol Police shall have the sole and exclusive authority to determine the rates and amounts for each of the following for members of the Capitol Police:

(1) The rate of basic pay (including the rate of basic pay upon appointment), premium pay, specialty assignment and proficiency pay, and merit pay.

(2) The rate of cost-of-living adjustments, comparability adjustments, and locality adjustments.

(3) The amount for recruitment and relocation bonuses.

(4) The amount for retention allowances.

(5) The amount for educational assistance payments.

(b) NO REVIEW OR APPEAL PERMITTED.—The determination of a rate or amount described in subsection (a) may not be subject to review or appeal in any manner.

(c) RULE OF CONSTRUCTION.—Nothing in this section may be construed to affect—

(1) any authority provided under law for a committee of the House of Representatives or Senate, or any other entity of the legislative branch, to review or approve any determination of a rate or amount described in subsection (a);

(2) any rate or amount described in subsection (a) which is established under law; or

(3) the terms of any collective bargaining agreement.

(d) EFFECTIVE DATE.—This section shall apply with respect to fiscal year 2005 and each succeeding fiscal year.

SEC. 1005. ACCEPTANCE OF DONATIONS OF ANIMALS. (a) IN GENERAL.—The Capitol Police may accept the donation of animals to be used in the canine units of the Capitol Police.

(b) EFFECTIVE DATE.—This section shall apply with respect to fiscal year 2005 and each fiscal year thereafter.

SEC. 1006. SETTLEMENT AND PAYMENT OF TORT CLAIMS. (a) FEDERAL TORT CLAIMS ACT.—

(1) IN GENERAL.—Except as provided in paragraph (2), the Chief of the Capitol Police, in accordance with regulations prescribed by the Attorney General and any regulations as the Capitol Police Board may prescribe, may consider, ascertain, determine, compromise, adjust, and settle, in accordance with the provisions of chapter 171 of title 28, United States Code, any claim for money damages against the United States for injury or loss of property or personal injury or death caused by the negligent or wrongful act or omission of any employee of the Capitol Police while acting within the scope of his office or employment, under circumstances where the United States, if a private person, would be liable to the claimant in accordance with the law of the place where the act or omission occurred.

(2) SPECIAL RULE FOR CLAIMS MADE BY MEMBERS OF CONGRESS AND CONGRESSIONAL EMPLOYEES.—

(A) IN GENERAL.—With respect to any claim described in paragraph (1) which is made by a Member of Congress or any officer or employee of Congress, the Chief of the Capitol Police shall—

(i) not later than 14 days after the receipt of such a claim, notify the Chairman of the applicable Committee of the receipt of the claim; and

(ii) not later than 90 days after the receipt of such a claim, submit a proposal for the resolution of such claim which shall be subject to the approval of the Chairman of the applicable Committee.

(B) EXTENSION.—The 90–day period in subparagraph (A)(ii) may be extended for an additional period (not to exceed 90 days) for good cause by the Chairman of the applicable Committee, upon the request of the Chief of the Capitol Police.

(C) APPROVAL CONSISTENT WITH FEDERAL TORT CLAIMS ACT.—Nothing in this paragraph may be construed to permit the Chairman of an applicable Committee to approve a proposal for the resolution of a claim described in paragraph (1) which is not consistent with the terms and conditions applicable under chapter 171 of title 28, United States Code, to the resolution of claims for money damages against the United States.

(D) APPLICABLE COMMITTEE DEFINED.—In this paragraph, the term "applicable Committee" means—

(i) the Committee on Rules and Administration of the Senate, in the case of a claim of a Senator or an officer or employee whose pay is disbursed by the Secretary of the Senate; or

(ii) the Committee on House Administration of the House of Representatives, in the case of a Member of the House of Representatives (including a Delegate or Resident Commissioner to the Congress) or an officer or employee whose pay is disbursed by the Chief Administrative Officer of the House of Representatives.

(3) HEAD OF AGENCY.—For purposes of section 2672 of title 28, United States Code, the Chief of the Capitol Police shall be the head of a Federal agency with respect to the Capitol Police.

(4) REGULATIONS.—The Capitol Police Board may prescribe regulations to carry out this subsection.

(b) CLAIMS OF EMPLOYEES OF CAPITOL POLICE.—

(1) IN GENERAL.—The Capitol Police Board may prescribe regulations to apply the provisions of section 3721 of title 31, United States Code, for the settlement and payment of a claim against the Capitol Police by an employee of the Capitol Police for damage to, or loss of personal property incident to service.

(2) LIMITATION.—No settlement and payment of a claim under regulations prescribed under this subsection may exceed the limits applicable to the settlement and payment of claims under section 3721 of title 31, United States Code.

(c) RULE OF CONSTRUCTION.—Nothing in this section may be construed to affect—

(1) any payment under section 1304 of title 31, United States Code, of a final judgment, award, compromise settlement, and interest and costs specified in the judgment based on a claim against the Capitol Police; or

(2) any authority for any—

(A) settlement under section 414 of the Congressional Accountability Act of 1995 (2 U.S.C. 1414), or

(B) payment under section 415 of that Act (2 U.S.C. 1415).

(d) EFFECTIVE DATE.—This section shall apply to fiscal year 2005 and each fiscal year thereafter.

SEC. 1007. DEPLOYMENT OUTSIDE OF JURISDICTION. (a) REQUIREMENTS FOR PRIOR NOTICE AND APPROVAL.—The Chief of the Capitol Police may not deploy any officer outside of the areas established by law for the jurisdiction of the Capitol Police unless—

(1) the Chief provides prior notification to the Committees on Appropriations of the House of Representatives and Senate of the costs anticipated to be incurred with respect to the deployment; and

(2) the Capitol Police Board gives prior approval to the deployment.

(b) EXCEPTION FOR CERTAIN SERVICES.—Subsection (a) does not apply with respect to the deployment of any officer for any of the following purposes:

(1) Responding to an imminent threat or emergency.

(2) Intelligence gathering.

(3) Providing protective services.

(c) EFFECTIVE DATE.—This section shall apply with respect to fiscal year 2005 and each succeeding fiscal year.

SEC. 1008. GENERAL COUNSEL. The Capitol Police General Counsel, in the capacity as in-house counsel and in conjunction with the Capitol Police Employment Counsel for employment and labor law matters, shall be responsible for implementing and maintaining an effective legal compliance system with all applicable laws, under the oversight of the Capitol Police Board.

SEC. 1009. RELEASE OF SECURITY INFORMATION. (a) DEFINITION.—In this section, the term "security information" means information that—

(1) is sensitive with respect to the policing, protection, physical security, intelligence, counterterrorism actions, or emergency preparedness and response relating to Congress, any statutory protectee of the Capitol Police, and the Capitol buildings and grounds; and

(2) is obtained by, on behalf of, or concerning the Capitol Police Board, the Capitol Police, or any incident command relating to emergency response.

(b) AUTHORITY OF BOARD TO DETERMINE CONDITIONS OF RELEASE.—Notwithstanding any other provision of law, any security information in the possession of the Capitol Police may be released by the Capitol Police to another entity, including an individual, only if the Capitol Police Board determines in consultation with other appropriate law enforcement officials, experts in security preparedness, and appropriate committees of Congress, that the release of the security information will not compromise the security and

safety of the Capitol buildings and grounds or any individual whose protection and safety is under the jurisdiction of the Capitol Police.

(c) RULE OF CONSTRUCTION.—Nothing in this section may be construed to affect the ability of the Senate and the House of Representatives (including any Member, officer, or committee of either House of Congress) to obtain information from the Capitol Police regarding the operations and activities of the Capitol Police that affect the Senate and House of Representatives.

(d) REGULATIONS.—The Capitol Police Board may promulgate regulations to carry out this section, with the approval of the Committee on Rules and Administration of the Senate and the Committee on House Administration of the House of Representatives.

(e) EFFECTIVE DATE.—This section shall take effect on the date of enactment of this Act and apply with respect to—

(1) any remaining portion of fiscal year 2004, if this Act is enacted before October 1, 2004; and

(2) fiscal year 2005 and each fiscal year thereafter.

OFFICE OF COMPLIANCE

SALARIES AND EXPENSES

For salaries and expenses of the Office of Compliance, as authorized by section 305 of the Congressional Accountability Act of 1995 (2 U.S.C. 1385), $2,421,000, of which $305,000 shall remain available until September 30, 2006: Provided, That the Executive Director of the Office of Compliance may, within the limits of available appropriations, dispose of surplus or obsolete personal property by interagency transfer, donation, or discarding.

CONGRESSIONAL BUDGET OFFICE

SALARIES AND EXPENSES

For salaries and expenses necessary for operation of the Congressional Budget Office, including not more than $3,000 to be expended on the certification of the Director of the Congressional Budget Office in connection with official representation and reception expenses, $34,919,000.

ARCHITECT OF THE CAPITOL

GENERAL ADMINISTRATION

For salaries for the Architect of the Capitol, and other personal services, at rates of pay provided by law; for surveys and studies in connection with activities under the care of the Architect of the Capitol; for all necessary expenses for the general and administrative support of the operations under the Architect of the Capitol including the Botanic Garden; electrical substations of the Capitol, Senate and House office buildings, and other facilities under the jurisdiction of the Architect of the Capitol; including furnishings and office equipment; including not more than $5,000 for official reception and representation expenses, to be expended as the Architect of the Capitol may approve; for purchase or exchange, maintenance, and operation of a passenger motor vehicle, $80,347,000, of which $2,220,000 shall remain available until September 30, 2009.

CAPITOL BUILDING

(INCLUDING TRANSFER OF FUNDS)

For all necessary expenses for the maintenance, care, and operation of the Capitol, $28,857,000, of which not more than $10,600,000, may be transferred for the use of the Capitol Visitor Center project: Provided, That the amount so transferred shall be deposited into the account established for the Capitol Visitor Center project and shall be subject to the same terms and conditions applicable to the amounts appropriated for such project under the heading "Capitol Visitor Center" in the Legislative Branch Appropriations Act, 2004: Provided further, That the amount so transferred, together with $3,900,000 of the other amounts appropriated under this heading, shall remain available until expended.

CAPITOL GROUNDS

For all necessary expenses for care and improvement of grounds surrounding the Capitol, the Senate and House office buildings, and the Capitol Power Plant, $6,974,000.

SENATE OFFICE BUILDINGS

For all necessary expenses for the maintenance, care and operation of Senate office buildings; and furniture and furnishings to be expended under the control and supervision of the Architect of the Capitol, $62,083,000, of which $9,070,000 shall remain available until September 30, 2009.

HOUSE OFFICE BUILDINGS

For all necessary expenses for the maintenance, care and operation of the House office buildings, $65,353,000, of which $27,103,000 shall remain available until September 30, 2009.

CAPITOL POWER PLANT

For all necessary expenses for the maintenance, care and operation of the Capitol Power Plant; lighting, heating, power (including the purchase of electrical energy) and water and sewer services for the Capitol, Senate and House office buildings, Library of Congress buildings, and the grounds about the same, Botanic Garden, Senate garage, and air conditioning refrigeration not supplied from plants in any of such buildings; heating the Government Printing Office and Washington City Post Office, and heating and chilled water for air conditioning for the Supreme Court Building, the Union Station complex, the Thurgood Marshall Federal Judiciary Building and the Folger Shakespeare Library, expenses for which shall be advanced or reimbursed upon request of the Architect of the Capitol and amounts so received shall be deposited into the Treasury to the credit of this appropriation, $56,834,000, of which $1,000,000 shall remain available until September 30, 2009: Provided, That not more than $4,400,000 of the funds credited or to be reimbursed to this appropriation as herein provided shall be available for obligation during fiscal year 2005.

LIBRARY BUILDINGS AND GROUNDS

For all necessary expenses for the mechanical and structural maintenance, care and operation of the Library buildings and grounds, $40,097,000, of which $21,506,000 shall remain available until September 30, 2009.

CAPITOL POLICE BUILDINGS AND GROUNDS

For all necessary expenses for the maintenance, care, and operation of buildings and grounds of the United States Capitol Police, $5,853,000, of which $500,000 shall remain available until September 30, 2009.

BOTANIC GARDEN

For all necessary expenses for the maintenance, care and operation of the Botanic Garden and the nurseries, buildings, grounds, and collections; and purchase and exchange, maintenance, repair, and operation of a passenger motor vehicle; all under the direction of the Joint Committee on the Library, $6,326,000: Provided, That this appropriation shall not be available for construction of the National Garden.

ADMINISTRATIVE PROVISIONS

SEC. 1101. MANAGEMENT AND OPERATION OF THE CAPITOL POWER PLANT. (a) DEFINITION.—In this section, the term "appropriate congressional committees" means—

(1) the Committee on Appropriations of the Senate and the House of Representatives;

(2) the Committee on Rules and Administration of the Senate; and

(3) the House Office Building Commission.

(b) STUDY OF CONTRACT WITH A PRIVATE ENTITY.—Not later than 180 days after the date of enactment of this Act, the Comptroller General shall conduct a study and submit to the appropriate congressional committees and the Architect of the Capitol a report that—

(1) analyzes the costs, cost effectiveness, benefits, and feasibility of the Architect of the Capitol entering into a contract with a private entity for the management and operation of the Capitol Power Plant; and

(2) makes a recommendation on whether the Architect of the Capitol should enter into such a contract.

(c) IMPLEMENTATION PLAN.—If the Comptroller General makes a recommendation under subsection (b)(2) in favor of entering into a contract, the Architect of the Capitol shall submit an implementation plan for that contract to the appropriate congressional committees not later than the later of—

(1) 270 days after the date of enactment of this Act; or

(2) the date of the completion of the West Refrigeration Plant.

(d) CONTRACT.—Subject to the approval of the appropriate congressional committees, the Architect of the Capitol shall enter into a contract with a private entity for the management and operation of the Capitol Power Plant.

(e) EFFECTIVE DATE.—This section shall apply to fiscal year 2005 and each fiscal year thereafter.

SEC. 1102. (a) The Comptroller General shall conduct an analysis of the operations of the Office of the Architect of the Capitol, and shall include in the analysis recommendations regarding the extent to which the functions and duties of the Architect of the Capitol may be carried out more effectively through contracts with private entities, through reassignment to other entities of the legislative branch, and through such other methods as the Comptroller General considers appropriate.

(b) Not later than 1 year after the date of the enactment of this Act, the Comptroller General shall submit a report on the analysis conducted under subsection (a) to the Committees on Appropriations of the House of Representatives and Senate.

LIBRARY OF CONGRESS

SALARIES AND EXPENSES

For necessary expenses of the Library of Congress not otherwise provided for, including development and maintenance of the Library's catalogs; custody and custodial care of the Library buildings; special clothing; cleaning, laundering and repair of uniforms; preservation of motion pictures in the custody of the Library; operation and maintenance of the American Folklife Center in the Library; preparation and distribution of catalog records and other publications of the Library; hire or purchase of one passenger motor vehicle; and expenses of the Library of Congress Trust Fund Board not properly chargeable to the income of any trust fund held by the Board, $384,671,000, of which not more than $6,000,000 shall be derived from collections credited to this appropriation during fiscal year 2005, and shall remain available until expended, under the Act of June 28, 1902 (chapter 1301; 32 Stat. 480; 2 U.S.C. 150) and not more than $350,000 shall be derived from collections during fiscal year 2005 and shall remain available until expended for the development and maintenance of an international legal information database and activities related thereto: Provided, That the Library of Congress may not obligate or expend any funds derived from collections under the Act of June 28, 1902, in excess of the amount authorized for obligation or expenditure in appropriations Acts: Provided further, That the total amount available for obligation shall be reduced by the amount by which collections are less than the $6,350,000: Provided further, That of the total amount appropriated, $12,481,000 shall remain available until expended for the partial acquisition of books, periodicals, newspapers, and all other materials including subscriptions for bibliographic services for the Library, including $40,000 to be available solely for the purchase, when specifically approved by the Librarian, of special and unique materials for additions to the collections: Provided further, That of the total amount appropriated, not more than $12,000 may be expended, on the certification of the Librarian of Congress, in connection with official representation and reception expenses for the Overseas Field Offices: Provided further, That of the total amount appropriated, $2,250,000 shall remain available until expended for the purpose of teaching educators and librarians how to incorporate the Library's digital collections into school curricula and shall be trans-

ferred to the educational consortium formed to conduct the "Adventure of the American Mind" project as approved by the Library: Provided further, That of the total amount appropriated, $500,000 shall remain available until expended, and shall be transferred to the Abraham Lincoln Bicentennial Commission for carrying out the purposes of Public Law 106–173, of which $10,000 may be used for official representation and reception expenses of the Abraham Lincoln Bicentennial Commission: Provided further, That of the total amount appropriated, $15,620,000 shall remain available until expended for partial support of the National Audio-Visual Conservation Center: Provided further, That of the total amount appropriated, $2,795,000 shall remain available until expended for the development and maintenance of the Alternate Computer Facility: Provided further, That of the total amount appropriated, $500,000 shall be used to provide a grant to the Middle Eastern Text Initiative for translation and publishing of middle eastern text: Provided further, That, of the total amount appropriated, $100,000 shall be provided to the Association for Diplomatic Studies and Training to provide for the oral history of United States foreign affairs personnel: Provided further, That of the total amount appropriated, $300,000 shall be made available to initiate with the University of South Carolina a Cooperative Preservation and Conservation project for Movietone Newsreel collections.

COPYRIGHT OFFICE

SALARIES AND EXPENSES

For necessary expenses of the Copyright Office, $53,611,000, of which not more than $26,981,000, to remain available until expended, shall be derived from collections credited to this appropriation during fiscal year 2005 under section 708(d) of title 17, United States Code: Provided, That the Copyright Office may not obligate or expend any funds derived from collections under such section, in excess of the amount authorized for obligation or expenditure in appropriations Acts: Provided further, That not more than $6,496,000 shall be derived from collections during fiscal year 2005 under sections 111(d)(2), 119(b)(2), 802(h), 1005, and 1316 of such title: Provided further, That the total amount available for obligation shall be reduced by the amount by which collections are less than $33,477,000: Provided further, That not more than $100,000 of the amount appropriated is available for the maintenance of an "International Copyright Institute" in the Copyright Office of the Library of Congress for the purpose of training nationals of developing countries in intellectual property laws and policies: Provided further, That not more than $4,250 may be expended, on the certification of the Librarian of Congress, in connection with official representation and reception expenses for activities of the International Copyright Institute and for copyright delegations, visitors, and seminars.

CONGRESSIONAL RESEARCH SERVICE

SALARIES AND EXPENSES

For necessary expenses to carry out the provisions of section 203 of the Legislative Reorganization Act of 1946 (2 U.S.C. 166) and to revise and extend the Annotated Constitution of the United States

of America, $96,893,000: Provided, That no part of such amount may be used to pay any salary or expense in connection with any publication, or preparation of material therefor (except the Digest of Public General Bills), to be issued by the Library of Congress unless such publication has obtained prior approval of either the Committee on House Administration of the House of Representatives or the Committee on Rules and Administration of the Senate.

BOOKS FOR THE BLIND AND PHYSICALLY HANDICAPPED

SALARIES AND EXPENSES

For salaries and expenses to carry out the Act of March 3, 1931 (chapter 400; 46 Stat. 1487; 2 U.S.C. 135a), $54,412,000, of which $16,235,000 shall remain available until expended: Provided, That, of the total amount appropriated, $200,000 shall remain available until expended to reimburse the National Federation of the Blind for costs incurred in the operation of its "NEWSLINE" program.

ADMINISTRATIVE PROVISIONS

SEC. 1201. INCENTIVE AWARDS PROGRAM. Of the amounts appropriated to the Library of Congress in this Act, not more than $5,000 may be expended, on the certification of the Librarian of Congress, in connection with official representation and reception expenses for the incentive awards program.

SEC. 1202. REIMBURSABLE AND REVOLVING FUND ACTIVITIES. (a) IN GENERAL.—For fiscal year 2005, the obligational authority of the Library of Congress for the activities described in subsection (b) may not exceed $106,985,000.

(b) ACTIVITIES.—The activities referred to in subsection (a) are reimbursable and revolving fund activities that are funded from sources other than appropriations to the Library in appropriations Acts for the legislative branch.

(c) TRANSFER OF FUNDS.—During fiscal year 2005, the Librarian of Congress may temporarily transfer funds appropriated in this Act, under the heading "LIBRARY OF CONGRESS" under the subheading "SALARIES AND EXPENSES" to the revolving fund for the FEDLINK Program and the Federal Research Program established under section 103 of the Library of Congress Fiscal Operations Improvement Act of 2000 (Public Law 106–481; 2 U.S.C. 182c): Provided, That the total amount of such transfers may not exceed $1,900,000: Provided further, That the appropriate revolving fund account shall reimburse the Library for any amounts transferred to it before the period of availability of the Library appropriation expires.

SEC. 1203. NATIONAL DIGITAL INFORMATION INFRASTRUCTURE AND PRESERVATION PROGRAM. The Miscellaneous Appropriations Act, 2001 (enacted into law by section 1(a)(4) of Public Law 106–554, 114 Stat. 2763A–194) is amended in the first proviso under the subheading "SALARIES AND EXPENSES" under the heading "LIBRARY OF CONGRESS" in chapter 9 of division A—

(1) by inserting "and pledges" after "other than money"; and

(2) by striking "March 31, 2005" and inserting "March 31, 2010".

SEC. 1204. UNITED STATES DIPLOMATIC FACILITIES. Funds made available for the Library of Congress under this Act are available for transfer to the Department of State as remittance for a fee charged by the Department for fiscal year 2005 for the maintenance, upgrade, or construction of United States diplomatic facilities only to the extent that the amount of the fee so charged is equal to or less than the unreimbursed value of the services provided during fiscal year 2005 to the Library of Congress on State Department diplomatic facilities.

SEC. 1205. NATIONAL FILM PRESERVATION BOARD AND NATIONAL FILM PRESERVATION FOUNDATION. (a) EFFECTIVE DATES.—Notwithstanding the effective date under section 113 of the National Film Preservation Act of 1996 (2 U.S.C. 179w), title I of that Act shall be considered to be effective through fiscal year 2005.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 151711(a) of title 36, United States Code, is amended by striking "2003" and inserting "2005".

GOVERNMENT PRINTING OFFICE

CONGRESSIONAL PRINTING AND BINDING

(INCLUDING TRANSFER OF FUNDS)

For authorized printing and binding for the Congress and the distribution of Congressional information in any format; printing and binding for the Architect of the Capitol; expenses necessary for preparing the semimonthly and session index to the Congressional Record, as authorized by law (section 902 of title 44, United States Code); printing and binding of Government publications authorized by law to be distributed to Members of Congress; and printing, binding, and distribution of Government publications authorized by law to be distributed without charge to the recipient, $88,800,000: Provided, That this appropriation shall not be available for paper copies of the permanent edition of the Congressional Record for individual Representatives, Resident Commissioners or Delegates authorized under section 906 of title 44, United States Code: Provided further, That this appropriation shall be available for the payment of obligations incurred under the appropriations for similar purposes for preceding fiscal years: Provided further, That notwithstanding the 2-year limitation under section 718 of title 44, United States Code, none of the funds appropriated or made available under this Act or any other Act for printing and binding and related services provided to Congress under chapter 7 of title 44, United States Code, may be expended to print a document, report, or publication after the 27-month period beginning on the date that such document, report, or publication is authorized by Congress to be printed, unless Congress reauthorizes such printing in accordance with section 718 of title 44, United States Code: Provided further, That any unobligated or unexpended balances in this account or accounts for similar purposes for preceding fiscal years may be transferred to the Government Printing Office revolving fund for carrying out the purposes of this heading, subject to the approval of the Committees on Appropriations of the House of Representatives and Senate.

OFFICE OF SUPERINTENDENT OF DOCUMENTS

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For expenses of the Office of Superintendent of Documents necessary to provide for the cataloging and indexing of Government publications and their distribution to the public, Members of Congress, other Government agencies, and designated depository and international exchange libraries as authorized by law, $31,953,000: Provided, That amounts of not more than $2,000,000 from current year appropriations are authorized for producing and disseminating Congressional serial sets and other related publications for fiscal years 2003 and 2004 to depository and other designated libraries: Provided further, That any unobligated or unexpended balances in this account or accounts for similar purposes for preceding fiscal years may be transferred to the Government Printing Office revolving fund for carrying out the purposes of this heading, subject to the approval of the Committees on Appropriations of the House of Representatives and Senate.

GOVERNMENT PRINTING OFFICE REVOLVING FUND

The Government Printing Office may make such expenditures, within the limits of funds available and in accord with the law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 9104 of title 31, United States Code, as may be necessary in carrying out the programs and purposes set forth in the budget for the current fiscal year for the Government Printing Office revolving fund: Provided, That not more than $5,000 may be expended on the certification of the Public Printer in connection with official representation and reception expenses: Provided further, That the revolving fund shall be available for the hire or purchase of not more than 12 passenger motor vehicles: Provided further, That expenditures in connection with travel expenses of the advisory councils to the Public Printer shall be deemed necessary to carry out the provisions of title 44, United States Code: Provided further, That the revolving fund shall be available for temporary or intermittent services under section 3109(b) of title 5, United States Code, but at rates for individuals not more than the daily equivalent of the annual rate of basic pay for level V of the Executive Schedule under section 5316 of such title: Provided further, That the revolving fund and the funds provided under the headings "OFFICE OF SUPERINTENDENT OF DOCUMENTS" and "SALARIES AND EXPENSES" together may not be available for the full-time equivalent employment of more than 2,621 workyears (or such other number of workyears as the Public Printer may request, subject to the approval of the Committees on Appropriations of the House of Representatives and Senate): Provided further, That activities financed through the revolving fund may provide information in any format: Provided further, That not more than $10,000 may be expended from the revolving fund in support of the activities of the Benjamin Franklin Tercentenary Commission established by Public Law 107–202.

ADMINISTRATIVE PROVISION

SEC. 1301. DISCOUNTS FOR SALES COPIES. Section 1708 of title 44, United States Code, is amended by striking "of not to exceed 25 percent may be allowed to book dealers and quantity purchasers", and inserting in lieu thereof the following: "may be allowed as determined by the Superintendent of Documents".

GOVERNMENT ACCOUNTABILITY OFFICE

SALARIES AND EXPENSES

For necessary expenses of the Government Accountability Office, including not more than $12,500 to be expended on the certification of the Comptroller General of the United States in connection with official representation and reception expenses; temporary or intermittent services under section 3109(b) of title 5, United States Code, but at rates for individuals not more than the daily equivalent of the annual rate of basic pay for level IV of the Executive Schedule under section 5315 of such title; hire of one passenger motor vehicle; advance payments in foreign countries in accordance with section 3324 of title 31, United States Code; benefits comparable to those payable under section 901(5), (6), and (8) of the Foreign Service Act of 1980 (22 U.S.C. 4081(5), (6), and (8)); and under regulations prescribed by the Comptroller General of the United States, rental of living quarters in foreign countries, $470,973,000: Provided, That not more than $4,919,000 of payments received under section 782 of title 31, United States Code, shall be available for use in fiscal year 2005: Provided further, That not more than $2,500,000 of reimbursements received under section 9105 of title 31, United States Code, shall be available for use in fiscal year 2005: Provided further, That this appropriation and appropriations for administrative expenses of any other department or agency which is a member of the National Intergovernmental Audit Forum or a Regional Intergovernmental Audit Forum shall be available to finance an appropriate share of either Forum's costs as determined by the respective Forum, including necessary travel expenses of non-Federal participants: Provided further, That payments hereunder to the Forum may be credited as reimbursements to any appropriation from which costs involved are initially financed: Provided further, That this appropriation and appropriations for administrative expenses of any other department or agency which is a member of the American Consortium on International Public Administration (ACIPA) shall be available to finance an appropriate share of ACIPA costs as determined by the ACIPA, including any expenses attributable to membership of ACIPA in the International Institute of Administrative Sciences.

ADMINISTRATIVE PROVISIONS

SEC. 1401. REPORTS TO THE COMPTROLLER GENERAL. (a) LIMITATIONS ON EXPENDITURES, OBLIGATIONS, AND VOLUNTARY SERVICES.—Section 1351 of title 31, United States Code, is amended by inserting "A copy of each report shall also be transmitted to the Comptroller General on the same date the report is transmitted to the President and Congress." after the first sentence.

(b) PROHIBITED OBLIGATIONS AND EXPENDITURES.—Section 1517(b) of title 31, United States Code, is amended by inserting "A copy of each report shall also be transmitted to the Comptroller General on the same date the report is transmitted to the President and Congress." after the first sentence.

PAYMENT TO THE OPEN WORLD LEADERSHIP CENTER TRUST FUND

For a payment to the Open World Leadership Center Trust Fund for financing activities of the Open World Leadership Center, $13,500,000.

ADMINISTRATIVE PROVISIONS

SEC. 1501. EXPANSION OF OPEN WORLD LEADERSHIP COUNTRIES.—Section 313(j) of the Legislative Branch Appropriations Act, 2001 (2 U.S.C. 1151(j)) is amended—

(1) in paragraph (1), by striking "and" after the semicolon;

(2) in paragraph (2), by striking the period and inserting "; and"; and

(3) by adding at the end the following:

"(3) any other country that is designated by the Board, except that the Board shall notify the Committees on Appropriations of the Senate and the House of Representatives of the designation at least 90 days before the designation is to take effect.".

SEC. 1502. BOARD MEMBERSHIP. Section 313(a)(2) of the Legislative Branch Appropriations Act, 2001 (2 U.S.C. 1151(a)(2)), as enacted by reference in section 1(a)(2) of the Consolidated Appropriations Act, 2001, is amended—

(1) in the matter preceding subparagraph (A), by striking "nine members" and inserting "11 members"; and

(2) by inserting after subparagraph (D) the following new subparagraph:

"(E) The chair of the Subcommittee on Legislative Branch of the Committee on Appropriations of the House of Representatives and the chair of the Subcommittee on Legislative Branch of the Committee on Appropriations of the Senate.".

TITLE II—GENERAL PROVISIONS

SEC. 201. MAINTENANCE AND CARE OF PRIVATE VEHICLES. No part of the funds appropriated in this Act shall be used for the maintenance or care of private vehicles, except for emergency assistance and cleaning as may be provided under regulations relating to parking facilities for the House of Representatives issued by the Committee on House Administration and for the Senate issued by the Committee on Rules and Administration.

SEC. 202. FISCAL YEAR LIMITATION. No part of the funds appropriated in this Act shall remain available for obligation beyond fiscal year 2005 unless expressly so provided in this Act.

SEC. 203. RATES OF COMPENSATION AND DESIGNATION. Whenever in this Act any office or position not specifically established by the Legislative Pay Act of 1929 (46 Stat. 32 et seq.) is appropriated for or the rate of compensation or designation of any office or posi-

tion appropriated for is different from that specifically established by such Act, the rate of compensation and the designation in this Act shall be the permanent law with respect thereto: Provided, That the provisions in this Act for the various items of official expenses of Members, officers, and committees of the Senate and House of Representatives, and clerk hire for Senators and Members of the House of Representatives shall be the permanent law with respect thereto.

SEC. 204. CONSULTING SERVICES. The expenditure of any appropriation under this Act for any consulting service through procurement contract, under section 3109 of title 5, United States Code, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued under existing law.

SEC. 205. AWARDS AND SETTLEMENTS. Such sums as may be necessary are appropriated to the account described in subsection (a) of section 415 of the Congressional Accountability Act of 1995 (2 U.S.C. 1415(a)) to pay awards and settlements as authorized under such subsection.

SEC. 206. COSTS OF LBFMC. Amounts available for administrative expenses of any legislative branch entity which participates in the Legislative Branch Financial Managers Council (LBFMC) established by charter on March 26, 1996, shall be available to finance an appropriate share of LBFMC costs as determined by the LBFMC, except that the total LBFMC costs to be shared among all participating legislative branch entities (in such allocations among the entities as the entities may determine) may not exceed $2,000.

SEC. 207. LANDSCAPE MAINTENANCE. The Architect of the Capitol, in consultation with the District of Columbia, is authorized to maintain and improve the landscape features, excluding streets and sidewalks, in the irregular shaped grassy areas bounded by Washington Avenue, SW on the northeast, Second Street SW on the west, Square 582 on the south, and the beginning of the I–395 tunnel on the southeast.

SEC. 208. LIMITATION ON TRANSFERS. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriation Act.

SEC. 209. ETRAVEL SERVICE. Notwithstanding any other provision of law, no entity within the legislative branch shall be required to use the eTravel Service established by the Administrator of General Services for official travel by officers or employees of the entity during fiscal year 2005 or any succeeding fiscal year.

SEC. 210. VOLUNTARY SEPARATION INCENTIVE PAYMENTS. (a) AUTHORITY TO OFFER PAYMENTS.—Notwithstanding any other provision of law, the head of any office in the legislative branch may establish a program under which voluntary separation incentive payments may be offered to eligible employees of the office to encourage such employees to separate from service voluntarily (whether by retirement or resignation), in accordance with this section.

(b) AMOUNT AND ADMINISTRATION OF PAYMENTS.—A voluntary separation incentive payment made under this section—

(1) shall be paid in a lump sum after the employee's separation;

(2) shall be equal to the lesser of—

(A) an amount equal to the amount the employee would be entitled to receive under section 5595(c) of title 5, United States Code, if the employee were entitled to payment under such section (without adjustment for any previous payment made); or

(B) an amount determined by the head of the office involved, not to exceed $25,000;

(3) may be made only in the case of an employee who voluntarily separates (whether by retirement or resignation) under this section;

(4) shall not be a basis for payment, and shall not be included in the computation, of any other type of Government benefit;

(5) shall not be taken into account in determining the amount of any severance pay to which the employee may be entitled under section 5595 of title 5, United States Code, based on any other separation; and

(6) shall be paid from appropriations or funds available for the payment of the basic pay of the employee.

(c) PLAN.—

(1) PLAN REQUIRED FOR MAKING PAYMENTS.—No voluntary separation incentive payment may be paid under this section with respect to an office unless the head of the office submits a plan described in paragraph (2) to each applicable committee described in paragraph (3), and each applicable committee approves the plan.

(2) CONTENTS OF PLAN.—A plan described in this paragraph with respect to an office is a plan containing the following information:

(A) The specific positions and functions to be reduced or eliminated.

(B) A description of which categories of employees will be offered incentives.

(C) The time period during which incentives may be paid.

(D) The number and amounts of voluntary separation incentive payments to be offered.

(E) A description of how the office will operate without the eliminated positions and functions.

(3) APPLICABLE COMMITTEE.—For purposes of this subsection, the "applicable committee" with respect to an office means any committee of the House of Representatives or Senate with jurisdiction over the activities of the office under the applicable rules of the House of Representatives and the Senate (as determined by the head of the office), but does not include the Committees on Appropriations of the House of Representatives and the Senate.

(d) EXCLUSION OF CERTAIN OFFICES.—This section shall not apply to any office which is an Executive agency under section 105 of title 5, United States Code, or any employee of such an office.

(e) ELIGIBLE EMPLOYEE DEFINED.—

(1) IN GENERAL.—In this section, an "eligible employee" is an employee (as defined in section 2105, United States Code) or a Congressional employee (as defined in section 2107, United States Code) who—

(A) is serving under an appointment without time limitation; and

(B) has been currently employed for a continuous period of at least 3 years.

(2) EXCLUSIONS.—An "eligible employee" does not include any of the following:

(A) A reemployed annuitant under subchapter III of chapter 83 or 84 of title 5, United States Code, or another retirement system for employees of the Government.

(B) An employee having a disability on the basis of which such employee is or would be eligible for disability retirement under subchapter III of chapter 83 or 84 of title 5, United States Code, or another retirement system for employees of the Government.

(C) An employee who is in receipt of a decision notice of involuntary separation for misconduct or unacceptable performance.

(D) An employee who has previously received any voluntary separation incentive payment from the Federal Government under this section or any other authority.

(E) An employee covered by statutory reemployment rights who is on transfer employment with another organization.

(F) Any employee who—

(i) during the 36-month period preceding the date of separation of that employee, performed service for which a student loan repayment benefit was or is to be paid under section 5379 of title 5, United States Code, or any other authority;

(ii) during the 24-month period preceding the date of separation of that employee, performed service for which a recruitment or relocation bonus was or is to be paid under section 5753 of such title or any other authority; or

(iii) during the 12-month period preceding the date of separation of that employee, performed service for which a retention bonus was or is to be paid under section 5754 of such title or any other authority.

(f) REPAYMENT FOR INDIVIDUALS RETURNING TO GOVERNMENT EMPLOYMENT.—

(1) IN GENERAL.—Subject to paragraph (2), an employee who has received a voluntary separation incentive payment under this section and accepts employment with the Government of the United States within 5 years after the date of the separation on which the payment is based shall be required to repay the entire amount of the incentive payment to the office that paid the incentive payment.

(2) WAIVER FOR INDIVIDUALS POSSESSING UNIQUE ABILITIES.—

(A) If the employment is with an Executive agency (as defined by section 105 of title 5, United States Code), the

Director of the Office of Personnel Management may, at the request of the head of the agency, waive the repayment required under this subsection if the individual involved possesses unique abilities and is the only qualified applicant available for the position.

(B) If the employment is with an entity in the legislative branch, the head of the entity or the appointing official may waive the repayment required under this subsection if the individual involved possesses unique abilities and is the only qualified applicant available for the position.

(C) If the employment is with the judicial branch, the Director of the Administrative Office of the United States Courts may waive the repayment required under this subsection if the individual involved possesses unique abilities and is the only qualified applicant available for the position.

(3) TREATMENT OF PERSONAL SERVICES CONTRACTS.—For purposes of paragraph (1) (but not paragraph (2)), the term "employment" includes employment under a personal services contract with the United States.

(g) EFFECTIVE DATE.—This section shall take effect on the date of the enactment of this Act, and shall apply with respect to the portion of fiscal year 2005 occurring on and after such date and to each succeeding fiscal year.

SEC. 211. CAPITOL GROUNDS ENCLOSURE. None of the funds contained in this Act may be used to study, design, plan, or otherwise further the construction or consideration of a fence to enclose the perimeter of the grounds of the United States Capitol.

SEC. 212. CONGRESSIONAL RECOGNITION FOR EXCELLENCE IN ARTS EDUCATION. Section 210 of the Legislative Branch Appropriations Act, 2003 is amended—

(1) by striking the first proviso; and

(2) by striking "Provide further," and inserting "Provided,".

SEC. 213. TRANSFER OF JURISDICTION OVER REAL PROPERTY NEAR JAPANESE AMERICAN PATRIOTISM MEMORIAL. (a) TRANSFER OF JURISDICTION.—

(1) IN GENERAL.—Jurisdiction over the parcels of Federal real property described under paragraph (2) (over which jurisdiction was transferred under section 514(b)(2)(C) of the Omnibus Parks and Public Lands Management Act of 1996 (40 U.S.C. 5102 note; Public Law 104–333)) is transferred to the Architect of the Capitol, without consideration.

(2) PARCELS.—The parcels of Federal real property referred to under paragraph (1) are the following:

(A) That portion of New Jersey Avenue, N.W., between the northernmost point of the intersection of New Jersey Avenue, N.W., and D Street, N.W., and the northernmost point of the intersection of New Jersey Avenue, N.W., and Louisiana Avenue, N.W., between squares 631 and W632, which remains Federal property, and whose maintenance and repair shall be the responsibility of the District of Columbia.

(B) That portion of D Street, N.W., between its intersection with New Jersey Avenue, N.W., and its intersection

with Louisiana Avenue, N.W., between squares 630 and W632, which remains Federal property.

(b) MISCELLANEOUS.—

(1) COMPLIANCE WITH OTHER LAWS.—Compliance with this section shall be deemed to satisfy the requirements of all laws otherwise applicable to transfers of jurisdiction over parcels of Federal real property.

(2) UNITED STATES CAPITOL GROUNDS.—

(A) DEFINITION.—Section 5102 of title 40, United States Code, is amended to include within the definition of the United States Capitol Grounds the parcels of Federal real property described in subsection (a)(2).

(B) JURISDICTION OF CAPITOL POLICE.—The United States Capitol Police shall have jurisdiction over the parcels of Federal real property described in subsection (a)(2) in accordance with section 9 of the Act entitled "An Act to define the United States Capitol Grounds, to regulate the use thereof, and for other purposes", approved July 31, 1946 (2 U.S.C. 1961).

(3) EFFECT OF TRANSFER.—A person relinquishing jurisdiction over any parcel of Federal real property transferred by subsection (a) shall not retain any interest in the parcel except as specifically provided in this section.

(c) EFFECTIVE DATE.—This Act shall apply to fiscal year 2005 and each fiscal year thereafter.

This division may be cited as the "Legislative Branch Appropriations Act, 2005".

SEC. 214. COMMISSION ON THE ABRAHAM LINCOLN STUDY ABROAD FELLOWSHIP PROGRAM. EXTENSION OF REPORT AND TERMINATION DATES.—Section 104 of division H of the Consolidated Appropriations Act, 2004 (Public Law 108–199; 118 Stat. 435) is amended—

(1) in subsection (f), by striking "December 1, 2004" and inserting "December 1, 2005"; and

(2) in subsection (g), by striking "December 31, 2004" and inserting "December 31, 2005".

SEC. 215. (a) The Chief Administrative Officer of the House of Representatives and the Sergeant at Arms and Doorkeeper of the Senate may enter into a memorandum of understanding under which the Sergeant at Arms and Doorkeeper shall provide all services of the United States Capitol telephone exchange for the House of Representatives, in accordance with such terms and conditions as may be provided in the memorandum of understanding.

(b) For any period during which a memorandum of understanding is in effect pursuant to this section—

(1) all positions in the United States Capitol telephone exchange for which the employing authority is the Chief Administrative Officer shall be transferred to the Sergeant at Arms and Doorkeeper;

(2) all employees in the United States Capitol telephone exchange for whom the employing authority is the Chief Administrative Officer shall be transferred to an appointed by the Sergeant at Arms and Doorkeeper; and

(3) the Sergeant at Arms and Doorkeeper shall serve as the employing authority for all personnel of United States Capitol telephone exchange.

(c) In carrying out a memorandum of understanding pursuant to this section, the Sergeant at Arms and Doorkeeper shall ensure that, with respect to any employee of the United States Capitol telephone exchange whose employing authority prior to the effective date of the memorandum was the Chief Administrative Officer—

(1) the rate of pay and leave accrual for the employee shall not be less than the employee's rate of pay and leave accrual for the most recent pay period prior to such date, unless—

(A) the employee does not remain in the same position with the exchange; or

(B) the rate of pay or leave accrual is reduced for cause; and

(2) any leave accrued by the employee that remains unused as of such date shall be transferred to the employee and made available for the employee to use under the same terms and conditions that applied to the use of the leave prior to such date.

(d) The last sentence of section 4(b) of the House Employees Position Classification Act (2 U.S.C. 293(b)) is amended by striking "succeeding year," and inserting the following: "succeeding year (other than any period during which a memorandum of understanding described in section 215(a) of the Legislative Branch Appropriation Act, 2005 is in effect),".

(e)(1) A memorandum of understanding under this section may include a provision requiring the reimbursement by the House of Representatives during s fiscal year (paid out of the applicable accounts of the House) of the expenses incurred by the Sergeant at Arms and Door-keeper during the fiscal year in carrying out the memorandum with respect to the employees of the United States Capitol telephone exchange whose employing authority prior to the effective date of the memorandum was the Chief Administrative Officer.

(2) Any reimbursement made pursuant to this subsection—

(A) in the case of a reimbursement for salaries or agency contributions and related expenses, shall be deposited in the account under the heading "OFFICE OF THE SERGEANT AT ARMS AND DOORKEEPER" or "AGENCY CONTRIBUTIONS AND RELATED EXPENSES", under the heading "SALARIES, OFFICERS AND EMPLOYEES"; and

(B) in the case of a reimbursement for expenses, shall be deposited in the account under the heading "SERGEANT AT ARMS AND DOORKEEPER OF THE SENATE" under the heading "CONTINGENT EXPENSES OF THE SENATE."

(3) Any funds deposited under paragraph (2) shall be available in like manner and for the same purposes as are other funds in the account to which the funds were deposited.

(f) This section and the amendment made by the this section shall apply with respect to fiscal year 2005 and each succeeding fiscal year.

DIVISION H—TRANSPORTATION, TREASURY, INDEPENDENT AGENCIES, AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 2005

TITLE I

DEPARTMENT OF TRANSPORTATION

OFFICE OF THE SECRETARY

SALARIES AND EXPENSES

For necessary expenses of the Office of the Secretary, $87,234,000, of which not to exceed $2,220,000 shall be available for the immediate Office of the Secretary; not to exceed $705,000 shall be available for the immediate Office of the Deputy Secretary; not to exceed $15,395,000 shall be available for the Office of the General Counsel; not to exceed $12,627,000 shall be available for the Office of the Under Secretary of Transportation for Policy; not to exceed $8,573,000 shall be available for the Office of the Assistant Secretary for Budget and Programs; not to exceed $2,316,000 shall be available for the Office of the Assistant Secretary for Governmental Affairs; not to exceed $23,436,000 shall be available for the Office of the Assistant Secretary for Administration; not to exceed $1,929,000 shall be available for the Office of Public Affairs; not to exceed $1,456,000 shall be available for the Office of the Executive Secretariat; not to exceed $704,000 shall be available for the Board of Contract Appeals; not to exceed $1,278,000 shall be available for the Office of Small and Disadvantaged Business Utilization; not to exceed $2,053,000 for the Office of Intelligence and Security; not to exceed $3,150,000 shall be available for the Office of Emergency Transportation; and not to exceed $11,392,000 shall be available for the Office of the Chief Information Officer: Provided, That the Secretary of Transportation is authorized to transfer funds appropriated for any office of the Office of the Secretary to any other office of the Office of the Secretary: Provided further, That no appropriation for any office shall be increased or decreased by more than 5 percent by all such transfers: Provided further, That any change in funding greater than 5 percent shall be submitted for approval to the House and Senate Committees on Appropriations: Provided further, That not to exceed $60,000 shall be for allocation within the Department for official reception and representation expenses as the Secretary may determine: Provided further, That notwithstanding any other provision of law, excluding fees authorized in Public Law 107–71, there may be credited to this appropriation up to $2,500,000 in funds received in user fees: Provided further, That none of the funds provided in this Act shall be available for the position of Assistant Secretary for Public Affairs.

OFFICE OF CIVIL RIGHTS

For necessary expenses of the Office of Civil Rights, $8,700,000.

COMPENSATION FOR AIR CARRIERS

(RESCISSION)

Of the funds made available under section 101(a)(2) of Public Law 107–42, $235,000,000 are rescinded.

TRANSPORTATION PLANNING, RESEARCH, AND DEVELOPMENT

For necessary expenses for conducting transportation planning, research, systems development, development activities, and making grants, to remain available until expended, $20,000,000.

WORKING CAPITAL FUND

Necessary expenses for operating costs and capital outlays of the Working Capital Fund, not to exceed $151,054,000, shall be paid from appropriations made available to the Department of Transportation: Provided, That such services shall be provided on a competitive basis to entities within the Department of Transportation: Provided further, That the above limitation on operating expenses shall not apply to non-DOT entities: Provided further, That no funds appropriated in this Act to an agency of the Department shall be transferred to the Working Capital Fund without the approval of the agency modal administrator: Provided further, That no assessments may be levied against any program, budget activity, subactivity or project funded by this Act unless notice of such assessments and the basis therefor are presented to the House and Senate Committees on Appropriations and are approved by such Committees.

MINORITY BUSINESS RESOURCE CENTER PROGRAM

For the cost of guaranteed loans, $500,000, as authorized by 49 U.S.C. 332: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That these funds are available to subsidize total loan principal, any part of which is to be guaranteed, not to exceed $18,367,000. In addition, for administrative expenses to carry out the guaranteed loan program, $400,000.

MINORITY BUSINESS OUTREACH

For necessary expenses of Minority Business Resource Center outreach activities, $3,000,000, to remain available until September 30, 2006: Provided, That notwithstanding 49 U.S.C. 332, these funds may be used for business opportunities related to any mode of transportation.

NEW HEADQUARTERS BUILDING

For necessary expenses of the Department of Transportation's new headquarters building and related services, $68,000,000, to remain available until expended.

PAYMENTS TO AIR CARRIERS

(AIRPORT AND AIRWAY TRUST FUND)

In addition to funds made available from any other source to carry out the essential air service program under 49 U.S.C. 41731 through 41742, $52,000,000, to be derived from the Airport and Airway Trust Fund, to remain available until expended.

FEDERAL AVIATION ADMINISTRATION

OPERATIONS

For necessary expenses of the Federal Aviation Administration, not otherwise provided for, including operations and research activities related to commercial space transportation, administrative expenses for research and development, establishment of air navigation facilities, the operation (including leasing) and maintenance of aircraft, subsidizing the cost of aeronautical charts and maps sold to the public, lease or purchase of passenger motor vehicles for replacement only, in addition to amounts made available by Public Law 108–176, $7,775,000,000, of which $4,918,073,000 shall be derived from the Airport and Airway Trust Fund, of which not to exceed $6,234,417,600 shall be available for air traffic services activities; not to exceed $916,894,000 shall be available for aviation regulation and certification activities; not to exceed $224,039,000 shall be available for research and acquisition activities; not to exceed $11,674,000 shall be available for commercial space transportation activities; not to exceed $52,124,000 shall be available for financial services activities; not to exceed $69,821,600 shall be available for human resources program activities; not to exceed $149,569,800 shall be available for region and center operations and regional coordination activities; not to exceed $139,302,000 shall be available for staff offices; and not to exceed $36,254,000 shall be available for information services: Provided, That none of the funds in this Act shall be available for the Federal Aviation Administration to finalize or implement any regulation that would promulgate new aviation user fees not specifically authorized by law after the date of the enactment of this Act: Provided further, That there may be credited to this appropriation funds received from States, counties, municipalities, foreign authorities, other public authorities, and private sources, for expenses incurred in the provision of agency services, including receipts for the maintenance and operation of air navigation facilities, and for issuance, renewal or modification of certificates, including airman, aircraft, and repair station certificates, or for tests related thereto, or for processing major repair or alteration forms: Provided further, That of the funds appropriated under this heading, not less than $7,000,000 shall be for the contract tower cost-sharing program: Provided further, That funds may be used to enter into a grant agreement with a nonprofit standard-setting organization to assist in the development of aviation safety standards: Provided further, That none of the funds in this Act shall be available for new applicants for the second career training program: Provided further, That none of the funds in this Act shall be available for paying premium pay under 5 U.S.C. 5546(a) to any Federal Aviation Administration employee unless such employee actually performed work during the time corresponding to such premium

pay: Provided further, That none of the funds in this Act may be obligated or expended to operate a manned auxiliary flight service station in the contiguous United States: Provided further, That none of the funds in this Act for aeronautical charting and cartography are available for activities conducted by, or coordinated through, the Working Capital Fund: Provided further, That of the funds provided under this heading, $4,000,000 is available only for recruitment, personnel compensation and benefits, and related costs to raise the level of operational air traffic control supervisors to the level of 1,846: Provided further, That none of the funds in this Act may be obligated or expended for an employee of the Federal Aviation Administration to purchase a store gift card or gift certificate through use of a Government-issued credit card.

FACILITIES AND EQUIPMENT

(AIRPORT AND AIRWAY TRUST FUND)

For necessary expenses, not otherwise provided for, for acquisition, establishment, technical support services, improvement by contract or purchase, and hire of air navigation and experimental facilities and equipment, as authorized under part A of subtitle VII of title 49, United States Code, including initial acquisition of necessary sites by lease or grant; engineering and service testing, including construction of test facilities and acquisition of necessary sites by lease or grant; construction and furnishing of quarters and related accommodations for officers and employees of the Federal Aviation Administration stationed at remote localities where such accommodations are not available; and the purchase, lease, or transfer of aircraft from funds available under this heading; to be derived from the Airport and Airway Trust Fund, $2,540,000,000, of which $2,119,000,000 shall remain available until September 30, 2007, and of which $421,000,000 shall remain available until September 30, 2005: Provided, That there may be credited to this appropriation funds received from States, counties, municipalities, other public authorities, and private sources, for expenses incurred in the establishment and modernization of air navigation facilities: Provided further, That upon initial submission to the Congress of the fiscal year 2006 President's budget, the Secretary of Transportation shall transmit to the Congress a comprehensive capital investment plan for the Federal Aviation Administration which includes funding for each budget line item for fiscal years 2006 through 2010, with total funding for each year of the plan constrained to the funding targets for those years as estimated and approved by the Office of Management and Budget.

RESEARCH, ENGINEERING, AND DEVELOPMENT

(AIRPORT AND AIRWAY TRUST FUND)

For necessary expenses, not otherwise provided for, for research, engineering, and development, as authorized under part A of subtitle VII of title 49, United States Code, including construction of experimental facilities and acquisition of necessary sites by lease or grant, $130,927,000, to be derived from the Airport and Airway Trust Fund and to remain available until September 30, 2007: Provided, That there may be credited to this appropriation funds re-

ceived from States, counties, municipalities, other public authorities, and private sources, for expenses incurred for research, engineering, and development.

GRANTS-IN-AID FOR AIRPORTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(AIRPORT AND AIRWAY TRUST FUND)

For liquidation of obligations incurred for grants-in-aid for airport planning and development, and noise compatibility planning and programs as authorized under subchapter I of chapter 471 and subchapter I of chapter 475 of title 49, United States Code, and under other law authorizing such obligations; for procurement, installation, and commissioning of runway incursion prevention devices and systems at airports of such title; for grants authorized under section 41743 of title 49, United States Code; and for inspection activities and administration of airport safety programs, including those related to airport operating certificates under section 44706 of title 49, United States Code, $2,800,000,000 to be derived from the Airport and Airway Trust Fund and to remain available until expended: Provided, That none of the funds under this heading shall be available for the planning or execution of programs the obligations for which are in excess of $3,500,000,000 in fiscal year 2005, notwithstanding section 47117(g) of title 49, United States Code: Provided further, That none of the funds under this heading shall be available for the replacement of baggage conveyor systems, reconfiguration of terminal baggage areas, or other airport improvements that are necessary to install bulk explosive detection systems: Provided further, That notwithstanding any other provision of law, not more than $68,802,000 of funds limited under this heading shall be obligated for administration and not less than $20,000,000 shall be for the Small Community Air Service Development Program.

GRANTS-IN-AID FOR AIRPORTS

(AIRPORT AND AIRWAY TRUST FUND)

(RESCISSION OF CONTRACT AUTHORIZATION)

Of the amount authorized for the fiscal year ending September 30, 2004, under sections 48103 and 48112 of title 49, United States Code, $265,000,000 are rescinded.

GENERAL PROVISIONS—FEDERAL AVIATION ADMINISTRATION

SEC. 101. Notwithstanding any other provision of law, airports may transfer, without consideration, to the Federal Aviation Administration (FAA) instrument landing systems (along with associated approach lighting equipment and runway visual range equipment) which conform to FAA design and performance specifications, the purchase of which was assisted by a Federal airport-aid program, airport development aid program or airport improvement program grant: Provided, That, the Federal Aviation Administration shall

accept such equipment, which shall thereafter be operated and maintained by FAA in accordance with agency criteria.

SEC. 102. None of the funds in this Act may be used to compensate in excess of 375 technical staff-years under the federally funded research and development center contract between the Federal Aviation Administration and the Center for Advanced Aviation Systems Development during fiscal year 2005.

SEC. 103. None of the funds made available in this Act may be used for engineering work related to an additional runway at Louis Armstrong New Orleans International Airport.

SEC. 104. None of the funds in this Act shall be used to pursue or adopt guidelines or regulations requiring airport sponsors to provide to the Federal Aviation Administration without cost building construction, maintenance, utilities and expenses, or space in airport sponsor-owned buildings for services relating to air traffic control, air navigation, or weather reporting: Provided, That the prohibition of funds in this section does not apply to negotiations between the agency and airport sponsors to achieve agreement on "below-market" rates for these items or to grant assurances that require airport sponsors to provide land without cost to the FAA for air traffic control facilities.

SEC. 105. None of the funds appropriated or limited by this Act may be used to change weight restrictions or prior permission rules at Teterboro Airport in Teterboro, New Jersey.

SEC. 106. (a) Section 44302(f)(1) of title 49, United States Code, is amended by striking "2004," each place it appears and inserting "2005,".

(b) Section 44303(b) of such title is amended by striking "2004," and inserting "2005,".

SEC. 107. Notwithstanding any provision of law, the Secretary of Transportation is authorized and directed to make project grants under chapter 471 of title 49, United States Code from funds available under 49 U.S.C. 48103, for the cost of acquisition of land, or reimbursement of the cost of land if purchased prior to enactment of this provision and prior to a grant agreement, for non-exclusive use aeronautical purposes on an airport layout plan that has been approved by the Secretary on January 23, 2004, pursuant to section 49 U.S.C. 47107(a)(16), for any small hub airport as defined in 49 U.S.C. 47102, and had scheduled or chartered direct international flights totaling at least 200 million pounds gross aircraft landed weight for calendar year 2002.

FEDERAL HIGHWAY ADMINISTRATION

LIMITATION ON ADMINISTRATIVE EXPENSES

Necessary expenses for administration and operation of the Federal Highway Administration, not to exceed $346,500,000, shall be paid in accordance with law from appropriations made available by this Act to the Federal Highway Administration together with advances and reimbursements received by the Federal Highway Administration.

FEDERAL-AID HIGHWAYS

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

None of the funds in this Act shall be available for the implementation or execution of programs, the obligations for which are in excess of $34,700,000,000 for Federal-aid highways and highway safety construction programs for fiscal year 2005: Provided, That within the $34,700,000,000 obligation limitation on Federal-aid highways and highway safety construction programs, not more than $462,500,000 shall be available for the implementation or execution of programs for transportation research (sections 502, 503, 504, 506, 507, and 508 of title 23, United States Code, as amended; section 5505 of title 49, United States Code, as amended; and sections 5112 and 5204–5209 of Public Law 105–178) for fiscal year 2005: Provided further, That this limitation on transportation research programs shall not apply to any authority previously made available for obligation: Provided further, That within the $232,000,000 obligation limitation on Intelligent Transportation Systems, the following sums shall be made available for Intelligent Transportation System projects that are designed to achieve the goals and purposes set forth in section 5203 of the Intelligent Transportation Systems Act of 1998 (subtitle C of title V of Public Law 105–178; 112 Stat. 453; 23 U.S.C. 502 note) in the following specified areas:

Project Name	*Amount*
Alameda Corridor—East Project, San Gabriel Valley, California	*$2,000,000*
Alexandria Fiber Optic Cable for Traffic Signal Coordination, Virginia	*2,000,000*
Alliance for Transportation Research, Transportation Technology Center, New Mexico	*750,000*
Appalachian Transportation Institute and U3C, West Virginia	*1,000,000*
Atlanta Construction and Traffic Management Project, Georgia	*2,000,000*
Baltimore City Intelligent Transportation System, Maryland	*1,000,000*
Bay County Regional ITS, Florida	*2,000,000*
Calmar Research Vehicle Communication Systems, New York	*1,150,000*
Center for Injury Sciences, Alabama	*2,000,000*
Central Florida Regional Transportation Authority (LYNX): North Orange/South Seminole ITS Enhanced Circulator	*500,000*
Cicero Avenue Smart Corridor, Illinois	*1,000,000*
City of Boston Directional Signage Program, Massachusetts	*1,000,000*
City of Elk Grove ITS Project, California	*1,500,000*
City of Fort Worth Intelligent Transportation Systems, Texas	*1,800,000*
City of San Antonio Municipal ITS Technologies, Texas	*1,300,000*
Clark County ITS, Washington	*2,000,000*
Commercial Vehicle Information Systems Network, Illinois	*500,000*
COTA ITS Integration Project Phases II and III, Ohio	*800,000*
DeKalb Co. Signal System Improvements, Georgia	*500,000*
Downtown Signalization Project, Mechanicsburg, Pennsylvania	*750,000*
FAST–TRAC Signal Expansion, Michigan	*1,000,000*
Florida State University System Center for Intermodal Transportation Safety	*3,000,000*
Freeway Incident Management Program, Houston, Texas	*3,250,000*
Ft. Lauderdale Intelligent Trans System Improvement, Florida	*1,000,000*
GEARS Demonstration Project, Cumberland County, Pennsylvania	*150,000*
Germantown ITS, Tennessee	*500,000*
GMU ITS Appropriations, Virginia	*2,000,000*
Highway Speed E-ZPass, Outerbridge Crossing, New York	*350,000*
Hillsborough Area Regional Transit Authority: Bus Tracking, Communication and Security, Florida	*750,000*
I–70 Incident Management Plan, Colorado	*1,250,000*
I–91 Fiber and ITS Construction, Massachusetts	*2,500,000*

Project Name	*Amount*
Intelligent Transportation at George Washington University, Virginia	*1,000,000*
Intelligent Transportation System feasibility study and implementation plan, Edmond, OK	*100,000*
Intelligent Transportation System, Jackson, Tennessee	*385,000*
Intelligent Transportation System, Wichita, Kansas	*1,250,000*
Intelligent Transportation Systems—Nebraska	*450,000*
Intelligent Transportation Systems, City of Jackson, Tennessee	*1,000,000*
Intelligent Transportation Systems, Illinois	*5,000,000*
Intercity Transit ITS (Thurston County), Washington	*2,000,000*
Interurban Transit Partnership, Grand Rapids, MI	*2,000,000*
Iowa ITS	*2,000,000*
ITS—Commercial Vehicle Safety and Integration Statewide, Utah	*500,000*
ITS—Northwest Arkansas Regional Architecture, Arkansas	*250,000*
ITS—Rural Recreation & Tourism, Statewide, Utah	*750,000*
ITS—Springfield, Illinois	*650,000*
ITS Deployment Project, Inglewood, California	*400,000*
ITS Statewide, Maryland	*1,000,000*
Jacksonville Transportation Authority: Intelligent Transportation Systems Regional Planning, Florida	*750,000*
JAXPORT Intermodal Cargo Tracking Project, Florida	*900,000*
Kansas City SmartPort, Missouri	*750,000*
King County, County-Wide Signal Program, Washington	*2,000,000*
Lake County Passage, Lake County, Illinois	*1,250,000*
Laredo ITS Multi-Agency Integration and Incidence Project, Texas	*500,000*
Los Angeles Union Station Communication System	*1,000,000*
Lynnwood Traffic Management Center of Multi-Jurisdictional ITS, Washington	*1,000,000*
MARTA Automated Fare Collection/Smart Card System, Georgia	*500,000*
Missouri Statewide Rural ITS	*2,500,000*
Montgomery County Integrated ITS Program, Maryland	*750,000*
Montgomery Intelligent Transportation System Acquisition and Implementation, Alabama	*1,000,000*
Nepperhan Traffic Improvements, City of Yonkers, New York	*300,000*
Northwest Arkansas Regional Planning Commission—ITS Regional Architecture	*300,000*
Park Avenue Corridor Improvements, New Jersey	*1,000,000*
Park Avenue Corridor Improvements, Union County, NJ	*765,000*
Pennsylvania Turnpike ITS Initiative, Pennsylvania	*2,000,000*
PSU's Center for Transportation Studies ITS Initiative, Oregon	*400,000*
Puget Sound In-Vehicle Traffic Map Expansion Program, Washington	*2,000,000*
Pulaski at Irving Park Intersection Improvement, Illinois	*500,000*
PVTA ITS, Massachusetts	*1,000,000*
Regional ITS, Springfield, Missouri	*2,000,000*
Reston Traffic Signal Prioritization, Virginia	*750,000*
Route 28 traffic light synchronization	*500,000*
Route 50 signalization improvement, Virginia	*1,000,000*
Route 7 signalization improvements, Virginia	*500,000*
Rural Highway Information System, Kentucky	*2,000,000*
San Diego Joint Transportation Operations Center, California	*750,000*
SCDOT InRoads, South Carolina	*2,500,000*
Signal Preemption Upgrades, Culver City, California	*110,000*
South Boulevard Signal System, North Carolina	*470,000*
Springfield Regional Intelligent Transportation System, Missouri	*2,000,000*
Stamford Urban Transitway Phase II, Connecticut	*1,000,000*
State Transportation Incident Management Center, Wisconsin	*500,000*
STRAP 3 Transportation Program Tracking	*1,500,000*
The Mass Country Roads Traveler Information System, Massachusetts	*200,000*
TMC Transportation Operations Center, Texas	*500,000*
Traffic Operations Center, City of Fresno, California	*500,000*
Traffic Response and Information, Partnership Center, Maryland	*1,500,000*
Transportation Management & Emergency Ops Center/Oakland, California	*750,000*
Transportation Research Center, Georgia	*1,000,000*
Traveler Information System, Seattle, Washington	*1,000,000*
Tri-County ITS Coordination Initiative, Michigan	*500,000*

Project Name	*Amount*
Twin Cities, Minnesota Redundant Communications Pilot	*750,000*
University of Alaska Arctic Transportation Engineering Research Center, Alaska	*1,500,000*
University of Kentucky Transportation Center	*1,500,000*
US 2 Lohman Rail Crossing Advance Warning, Montana	*1,000,000*
US 280 Corridor ITS, Alabama	*800,000*
US 280, Jefferson County, ITS, Alabama	*4,000,000*
US 98 Widening from Bayshore Road to Portside Road, Florida	*500,000*
Variable Message Signs and 511 Implementation, Idaho	*2,250,000*
Ventura County Intelligent Transportation Systems, California	*750,000*
Vermont Roadway Weather Information System	*1,000,000*
Village of Tarrytown, New York	*320,000*
West Baton Rouge Emergency Communications Center, Louisiana	*1,500,000*
Wisconsin State Patrol Mobile Data Communications Network—Phase III	*3,400,000*

FEDERAL-AID HIGHWAYS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(HIGHWAY TRUST FUND)

Notwithstanding any other provision of law, for carrying out the provisions of title 23, United States Code, that are attributable to Federal-aid highways, including the National Scenic and Recreational Highway as authorized by 23 U.S.C. 148, not otherwise provided, including reimbursement for sums expended pursuant to the provisions of 23 U.S.C. 308, $35,000,000,000 or so much thereof as may be available in and derived from the Highway Trust Fund, to remain available until expended.

FEDERAL-AID HIGHWAYS

(HIGHWAY TRUST FUND)

(RESCISSION)

Of the unobligated balances of funds apportioned to each State under chapter 1 of title 23, United States Code, $520,277,000 are rescinded: Provided, That such rescission shall not apply to the funds distributed in accordance with 23 U.S.C. 133(d)(1) and the first sentence of 23 U.S.C. 133(d)(3)(A) or to the funds apportioned to the program authorized under section 163 of title 23, United States Code.

FEDERAL-AID HIGHWAYS

EMERGENCY RELIEF PROGRAM

(HIGHWAY TRUST FUND)

(INCLUDING RESCISSION)

For an additional amount for the "Emergency Relief Program" as authorized under section 125 of title 23, United States Code, $741,000,000, to be derived from the Highway Trust Fund (other than the Mass Transit Account) and to remain available until expended: Provided, That of the unobligated balances of funds apportioned to each state under chapter 1 of title 23, United States Code, $741,000,000 are rescinded: Provided further, That such rescission shall not apply to the funds distributed in accordance with 23 U.S.C. 133(d)(1) and the first sentence of 23 U.S.C. 133(d)(3)(A) or

to the funds apportioned to the program authorized under section 163 of title 23, United States Code.

APPALACHIAN DEVELOPMENT HIGHWAY SYSTEM

For necessary expenses for the Appalachian Development Highway System as authorized under section 1069(y) of Public Law 102–240, as amended, $80,000,000, to remain available until expended.

GENERAL PROVISIONS—FEDERAL HIGHWAY ADMINISTRATION

SEC. 110. (a) For fiscal year 2005, the Secretary of Transportation shall—

(1) not distribute from the obligation limitation for Federal-aid Highways amounts authorized for administrative expenses and programs funded from the administrative takedown authorized by section 104(a)(1)(A) of title 23, United States Code, for the highway use tax evasion program, for the Bureau of Transportation Statistics, and for the programs, projects, and activities funded from the takedown authorized by section 117 of this Act;

(2) not distribute an amount from the obligation limitation for Federal-aid Highways that is equal to the unobligated balance of amounts made available from the Highway Trust Fund (other than the Mass Transit Account) for Federal-aid highways and highway safety programs for the prior fiscal years the funds for which are allocated by the Secretary;

(3) determine the ratio that—

(A) the obligation limitation for Federal-aid Highways less the aggregate of amounts not distributed under paragraphs (1) and (2), bears to

(B) the total of the sums authorized to be appropriated for Federal-aid highways and highway safety construction programs (other than sums authorized to be appropriated for sections set forth in paragraphs (1) through (7) of subsection (b) and sums authorized to be appropriated for section 105 of title 23, United States Code, equal to the amount referred to in subsection (b)(8)) for such fiscal year less the aggregate of the amounts not distributed under paragraph (1) of this subsection;

(4) distribute the obligation limitation for Federal-aid Highways less the aggregate amounts not distributed under paragraphs (1) and (2) for section 201 of the Appalachian Regional Development Act of 1965 and $2,000,000,000 for such fiscal year under section 105 of title 23, United States Code (relating to minimum guarantee) so that the amount of obligation authority available for each of such sections is equal to the amount determined by multiplying the ratio determined under paragraph (3) by the sums authorized to be appropriated for such section (except in the case of section 105, $2,000,000,000) for such fiscal year;

(5) distribute the obligation limitation provided for Federal-aid Highways less the aggregate amounts not distributed under paragraphs (1) and (2) and amounts distributed under paragraph (4) for each of the programs that are allocated by the Secretary under title 23, United States Code (other than activities to which paragraph (1) applies and programs to which

paragraph (4) applies) by multiplying the ratio determined under paragraph (3) by the sums authorized to be appropriated for such program for such fiscal year; and

(6) distribute the obligation limitation provided for Federal-aid Highways less the aggregate amounts not distributed under paragraphs (1) and (2) and amounts distributed under paragraphs (4) and (5) for Federal-aid highways and highway safety construction programs (other than the minimum guarantee program, but only to the extent that amounts apportioned for the minimum guarantee program for such fiscal year exceed $2,639,000,000, and the Appalachian development highway system program) that are apportioned by the Secretary under title 23, United States Code, in the ratio that—

(A) sums authorized to be appropriated for such programs that are apportioned to each State for such fiscal year, bear to

(B) the total of the sums authorized to be appropriated for such programs that are apportioned to all States for such fiscal year.

(b) EXCEPTIONS FROM OBLIGATION LIMITATION.—The obligation limitation for Federal-aid Highways shall not apply to obligations: (1) under section 125 of title 23, United States Code; (2) under section 147 of the Surface Transportation Assistance Act of 1978; (3) under section 9 of the Federal-Aid Highway Act of 1981; (4) under sections 131(b) and 131(j) of the Surface Transportation Assistance Act of 1982; (5) under sections 149(b) and 149(c) of the Surface Transportation and Uniform Relocation Assistance Act of 1987; (6) under sections 1103 through 1108 of the Intermodal Surface Transportation Efficiency Act of 1991; (7) under section 157 of title 23, United States Code, as in effect on the day before the date of the enactment of the Transportation Equity Act for the 21st Century; (8) under section 105 of title 23, United States Code (but, only in an amount equal to $639,000,000 for such fiscal year); and (9) for Federal-aid highway programs for which obligation authority was made available under the Transportation Equity Act for the 21st Century or subsequent public laws for multiple years or to remain available until used, but only to the extent that such obligation authority has not lapsed or been used.

(c) REDISTRIBUTION OF UNUSED OBLIGATION AUTHORITY.—Notwithstanding subsection (a), the Secretary shall after August 1 for such fiscal year revise a distribution of the obligation limitation made available under subsection (a) if a State will not obligate the amount distributed during that fiscal year and redistribute sufficient amounts to those States able to obligate amounts in addition to those previously distributed during that fiscal year, giving priority to those States having large unobligated balances of funds apportioned under sections 104 and 144 of title 23, United States Code, section 160 (as in effect on the day before the enactment of the Transportation Equity Act for the 21st Century) of title 23, United States Code, and under section 1015 of the Intermodal Surface Transportation Efficiency Act of 1991.

(d) APPLICABILITY OF OBLIGATION LIMITATIONS TO TRANSPORTATION RESEARCH PROGRAMS.—The obligation limitation shall apply to transportation research programs carried out under chapter 5 of title 23, United States Code, except that obligation authority

made available for such programs under such limitation shall remain available for a period of 3 fiscal years.

(e) REDISTRIBUTION OF CERTAIN AUTHORIZED FUNDS.—Not later than 30 days after the date of the distribution of obligation limitation under subsection (a), the Secretary shall distribute to the States any funds: (1) that are authorized to be appropriated for such fiscal year for Federal-aid highways programs (other than the program under section 160 of title 23, United States Code) and for carrying out subchapter I of chapter 311 of title 49, United States Code, and highway-related programs under chapter 4 of title 23, United States Code; and (2) that the Secretary determines will not be allocated to the States, and will not be available for obligation, in such fiscal year due to the imposition of any obligation limitation for such fiscal year. Such distribution to the States shall be made in the same ratio as the distribution of obligation authority under subsection (a)(6). The funds so distributed shall be available for any purposes described in section 133(b) of title 23, United States Code.

(f) SPECIAL RULE.—Obligation limitation distributed for a fiscal year under subsection (a)(4) of this section for a section set forth in subsection (a)(4) shall remain available until used and shall be in addition to the amount of any limitation imposed on obligations for Federal-aid highway and highway safety construction programs for future fiscal years.

SEC. 111. Notwithstanding 31 U.S.C. 3302, funds received by the Bureau of Transportation Statistics from the sale of data products, for necessary expenses incurred pursuant to 49 U.S.C. 111 may be credited to the Federal-aid highways account for the purpose of reimbursing the Bureau for such expenses: Provided, That such funds shall be subject to the obligation limitation for Federal-aid highways and highway safety construction.

SEC. 112. Of the funds made available to the Bureau of Transportation Statistics in fiscal year 2005, $400,000 shall be available to administer section 5402 of title 39, United States Code.

SEC. 113. (a) Notwithstanding any other provision of law, in section 1602 of the Transportation Equity Act for the 21st Century, item number 89 is amended by striking "Construct I–495/Route 2 interchange east of existing interchange to provide access to commuter rail station, Littleton" and inserting "Ayer commuter rail station improvements, land acquisition and parking improvements".

(b) Of the $6,000,000 portion of the funds appropriated under the heading "Highway Demonstration Projects" in title I of Public Law 102–143 (105 Stat. 929) that was allocated for Routes 70/38 Circle Elimination, NJ, $4,500,000 shall be transferred to, and made available for, the following projects in the specified amounts: Mantua Creek Overpass in Paulsboro, NJ, $2,000,000; Delsea Drive Route 47 Timber Creek in Westville, NJ, $787,000; Camden Waterfront Parking Garage in Camden, NJ, $1,213,000; and Route 47 Chapel Heights Avenue in Gloucester, NJ, $500,000.

(c) Of the amount made available under item number 89 of the table contained in section 1107(b) of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2052), $3,300,000 shall be used to carry out a comprehensive regional transportation study on the multimodal transportation needs in Grand Traverse County, Michigan, and to implement recommendations resulting from the study.

(d) Of the funds provided for under "Transportation and Community and System Preservation Program" in Public Law 106–69 and Public Law 106–346 for the project known as "Utah-Colorado 'Isolated Empire' Rail Connector Study" as referenced in House Report 106–355 and House Report 106–940, any remaining unobligated balance as of October 1, 2004, shall be made available to the Central Utah Rail Line (Sigurd/Salina to Levan) Project.

(e) Section 378 of the Department of Transportation and Related Agencies Appropriations Act, 2001 (114 Stat. 1356A–38) is amended by striking "an extension of Highway 180 from the City of Mendota" and inserting "an extension of Highway 180 from the City of Fresno".

SEC. 114. None of the funds made available in this Act may be used to require a State or local government to post a traffic control device or variable message sign, or any other type of traffic warning sign, in a language other than English, except with respect to the names of cities, streets, places, events, or signs related to an international border.

SEC. 115. Division F, title I, section 115 of Public Law 108–199 is amended by inserting before the period at the end the following: ": Provided further, That notwithstanding any other provision of law and the preceding clauses of this provision, the Secretary of Transportation may use amounts made available by this section to make grants for any surface transportation project otherwise eligible for funding under title 23 or title 49, United States Code".

SEC. 116. Of the funds available under section 104(a)(1)(A) of title 23, United States Code, $5,000,000 shall be available for environmental streamlining activities, which may include making grants to, or entering into contracts, cooperative agreements, and other transactions, with a Federal agency, State agency, local agency, authority, association, non-profit or for-profit corporation, or institution of higher education.

SEC. 117. Notwithstanding any other provision of law, whenever an allocation is made of the sums authorized to be appropriated for expenditure on the Federal lands highway program, and whenever an apportionment is made of the sums authorized to be appropriated for the surface transportation program, the congestion mitigation and air quality improvement program, the National Highway System, the Interstate maintenance program, the bridge program, the Appalachian development highway system, and the minimum guarantee program, the Secretary of Transportation shall deduct a sum in such amount not to exceed 4.1 percent of all sums so authorized: Provided, That of the amount so deducted in accordance with this section, $25,000,000 shall be made available to make grants to support planning, highway corridor development, and highway construction projects in the area that comprises the Delta Regional Authority; and $1,211,360,000 shall be made available for surface transportation projects as identified under this section in the statement of the managers accompanying this Act: Provided further, That notwithstanding any other provision of law and the preceding clauses of this provision, the Secretary of Transportation may use amounts made available by this section to make grants for any surface transportation project otherwise eligible for funding under title 23 or title 49, United States Code: Provided further, That funds made available under this section, at the request of a

State, shall be transferred by the Secretary to another Federal agency; Provided further, That the Federal share payable on account of any program, project, or activity carried out with funds made available under this section shall be 100 percent: Provided further, That the sum deducted in accordance with this section shall remain available until expended: Provided further, That all funds made available under this section shall be subject to any limitation on obligations for Federal-aid highways and highway safety construction programs set forth in this Act or any other Act: Provided further, That the obligation limitation made available for the programs, projects, and activities for which funds are made available under this section shall remain available until used and shall be in addition to the amount of any limitation imposed on obligations for Federal-aid highway and highway safety construction programs for future fiscal years.

SEC. 118. Of the funds made available under section 188(a)(1) of title 23, United States Code, $100,000,000 are rescinded.

SEC. 119. For the purposes of 23 U.S.C. 181(9)(D) the project described in section 626 of Division B, title VI of Public Law 108–7 is eligible as a publicly owned intermodal surface freight transfer facility.

SEC. 120. Notwithstanding any other provision of law, the Department of Transportation shall complete approval of the proposed surety substitution for one-half of the bond debt service reserve amount for the RETRAC project within 30 days after receiving from RETRAC a binding commitment from a qualified provider to deliver a surety at an acceptable price. Such bond debt service funds so released shall be deposited into the RETRAC project contingency fund for payment of RETRAC project costs in the event current project cost projections are exceeded.

SEC. 121. DESIGNATION OF MIKE O'CALLAGHAN-PAT TILLMAN MEMORIAL BRIDGE. (a) IN GENERAL.—The Hoover Dam Bypass Bridge in the Lake Mead National Recreation Area between Nevada and Arizona is designated as the "Mike O'Callaghan-Pat Tillman Memorial Bridge".

(b) REFERENCES IN LAW.—Any reference in a law (including regulations), map, document, paper, or other record of the United States to the bridge described in subsection (a) shall be considered to be a reference to the Mike O'Callaghan-Pat Tillman Memorial Bridge.

SEC. 122. BYPASS BRIDGE AT HOOVER DAM. (a) IN GENERAL.—Subject to subsection (b), the Secretary of Transportation may expend from any funds appropriated for expenditure in accordance with title 23, United States Code, for payment of debt service by the States of Arizona and Nevada on notes issued for the bypass bridge project at Hoover Dam, pending appropriation or replenishment for that project.

(b) REIMBURSEMENT.—Funds expended under subsection (a) shall be reimbursed from the funds made available to the States of Arizona and Nevada for payment of debt service on notes issued for the bypass bridge project at Hoover Dam.

SEC. 123. None of the funds made available in this Act shall be available for the development or dissemination by the Federal Highway Administration of any version of a programmatic agreement which regards the Dwight D. Eisenhower National System of

Interstate and Defense Highways as eligible for inclusion on the National Register of Historic Places.

SEC. 124. Of the unobligated balances made available under Public Law 100–17, Public Law 100–457, Public Law 101–516, Public Law 102–143, Public Law 102–240, Public Law 102–388, Public Law 103–331, Public Law 105–178, and Public Law 106–346, $16,407,908.88 are rescinded.

SEC. 125. Notwithstanding any other provision of law, projects and activities described in the statement of managers accompanying this Act under the headings "Federal-Aid Highways" and "Federal Transit Administration" shall be eligible for fiscal year 2005 funds made available for the project for which each project or activity is so designated and projects and activities under the heading "Job Access and Reverse Commute Grants" shall be awarded those grants upon receipt of an application: Provided, That the Federal share payable on account of any such projects and activities subject to this section shall be the same as the share required by the Federal program under which each project or activity is designated unless otherwise provided in this Act.

SEC. 126. Notwithstanding any other provision of law, in addition to amounts provided in this or any other Act for fiscal year 2005, $34,000,000, to be derived from the Highway Trust Fund and to remain available until expended, shall be available for the replacement of the Belleair Causeway Bridge in Pinellas County, Florida.

SEC. 127. Of the amounts made available for the Federal-Aid Highways Emergency Relief Program under division B of the Military Construction Appropriations and Emergency Hurricane Supplemental Appropriations Act, 2005 (118 Stat. 1251), such sums as may be necessary shall be available for replacement of the Interstate-10 bridge spanning Escambia Bay in Escambia and Santa Rosa Counties, Florida.

SEC. 128. Amend Section 14003 of Public Law 108–287, the Department of Defense Appropriations Act, 2005 by adding a new subsection (c) at the end as follows:

"(c) Upon a request by a state to the Secretary that the state has an insufficient amount or type of apportionment to effectively utilize the funds provided in paragraph (b), the Secretary shall waive the requirement for apportionment. Such funds shall be eligible for any activity defined in section 133(b) of Title 23. Funds distributed to each state under this section shall not be subject to section 105 of Title 23.".

FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION

MOTOR CARRIER SAFETY

LIMITATION ON ADMINISTRATIVE EXPENSES

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(HIGHWAY TRUST FUND)

(INCLUDING TRANSFER OF FUNDS)

Notwithstanding any other provision of law, none of the funds in this Act shall be available for expenses for administration of motor carrier safety programs and motor carrier safety research,

and grants, the obligations for which are in excess of $257,547,000 for fiscal year 2005: Provided, That $33,000,000 shall be available to make grants to, or enter into contracts with, States, local governments, or other persons for carrying out border commercial motor vehicle safety programs and enforcement activities and projects for the purposes described in 49 U.S.C. 31104(f)(2)(B), and the Federal share payable under such grants shall be 100 percent; $20,000,000 shall be available to make grants to, or enter into contracts with, States, local governments, or other persons for commercial driver's licenses program improvements, and the Federal share payable under such grants shall be 100 percent; $13,200,000 shall be available to make grants to States for implementation of section 210 of the Motor Carrier Safety Improvement Act of 1999, and the Federal share payable under such grant shall be 100 percent; and $7,400,000 shall be available to make grants to, or enter into contracts with, States, local governments, or other persons for the commercial vehicle analysis reporting system, and the Federal share payable under such grants shall be 100 percent: Provided further, That notwithstanding any other provision of law, for payment of obligations incurred to pay administrative expenses of and grants by the Federal Motor Carrier Safety Administration, $257,547,000, to be derived from the Highway Trust Fund, together with advances and reimbursements received by the Federal Motor Carrier Safety Administration, the sum of which shall remain available until expended.

NATIONAL MOTOR CARRIER SAFETY PROGRAM

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

Notwithstanding any other provision of law, for payment of obligations incurred in carrying out 49 U.S.C. 31102, 31106, and 31309, $190,000,000 to be derived from the Highway Trust Fund and to remain available until expended: Provided, That none of the funds in this Act shall be available for the implementation or execution of programs the obligations for which are in excess of $190,000,000 for "Motor Carrier Safety Grants" and "Information Systems," and of which $17,000,000 shall be available for grants to States for implementation of section 210 of the Motor Carrier Safety Improvement Act of 1999 (113 Stat. 1764–1765) and $1,000,000 shall be available for grants to States, local governments, or other entities for commercial driver's license program improvements: Provided further, That for grants made to States for implementation of section 210 of the Motor Carrier Safety Improvement Act of 1999 (113 Stat. 1764–1765), and for grants to States, local governments, or other entities for commercial driver's license program improvements, the Federal share payable under such grants shall be 100 percent.

GENERAL PROVISIONS—FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION

SEC. 130. Funds appropriated or limited in this Act shall be subject to the terms and conditions stipulated in section 350 of Pub-

lic Law 107–87, including that the Secretary submit a report to the House and Senate Appropriations Committees annually on the safety and security of transportation into the United States by Mexico-domiciled motor carriers.

SEC. 131. None of the funds appropriated or otherwise made available by this Act may be used before December 31, 2005 to implement or enforce any provisions of the Final Rule, issued on April 16, 2003 (Docket No. FMCSA–97–2350), with respect to either of the following:

(1) The operators of utility service vehicles, as that term is defined in section 395.2 of title 49, Code of Federal Regulations.

(2) Maximum daily hours of service for drivers engaged in the transportation of property or passengers to or from a motion picture or television production site located within a 100-air mile radius of the work reporting location of such drivers.

SEC. 132. None of the funds made available under this Act may be used to issue or implement the Department of Transportation's proposed regulation entitled Parts and Accessories Necessary for Safe Operation; Certification of Compliance With Federal Motor Vehicle Safety Standards (FMVSSs), published in the Federal Register, volume 67, number 53, on March 19, 2002, relating to a phase-in period to bring vehicles into compliance with the requirements of the regulation.

NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION

OPERATIONS AND RESEARCH

(HIGHWAY TRUST FUND)

For expenses necessary to discharge the functions of the Secretary, with respect to traffic and highway safety under chapter 301 of title 49, United States Code, and part C of subtitle VI of title 49, United States Code, $157,386,000, to be derived from the sum authorized to be deducted under section 117 of this Act and transferred to the National Highway Traffic Safety Administration, to remain available until expended: Provided, That such funds shall be transferred to and administered by the National Highway Traffic Safety Administration: Provided further, That none of the funds in this Act may be used to augment information technology or computer support funds provided to NHTSA in excess of $2,900,000: Provided further, That none of the funds appropriated by this Act may be obligated or expended to plan, finalize, or implement any rulemaking to add to section 575.104 of title 49 of the Code of Federal Regulations any requirement pertaining to a grading standard that is different from the three grading standards (treadwear, traction, and temperature resistance) already in effect: Provided further, That all funds made available under this heading shall be subject to any limitation on obligations for Federal-aid highways and highway safety construction programs set forth in this Act or any other Act: Provided further, That the obligation limitation made available for the programs, projects, and activities for which funds are made available under this heading shall remain available until used and shall be in addition to the amount of any limitation imposed on obligations for Federal-aid highway and highway safety construction programs for future fiscal years.

OPERATIONS AND RESEARCH

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

Notwithstanding any other provision of law, for payment of obligations incurred in carrying out the provisions of 23 U.S.C. 403, to remain available until expended, $72,000,000, to be derived from the Highway Trust Fund: Provided, That none of the funds in this Act shall be available for the planning or execution of programs the total obligations for which, in fiscal year 2005, are in excess of $72,000,000 for programs authorized under 23 U.S.C. 403.

NATIONAL DRIVER REGISTER

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

For payment of obligations incurred in carrying out chapter 303 of title 49, United States Code, $3,600,000, to be derived from the Highway Trust Fund: Provided, That none of the funds in this Act shall be available for the implementation or execution of programs the obligations for which are in excess of $3,600,000 for the National Driver Register authorized under chapter 303 of title 49, United States Code.

HIGHWAY TRAFFIC SAFETY GRANTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

Notwithstanding any other provision of law, for payment of obligations incurred in carrying out the provisions of 23 U.S.C. 402, 405, and 410, to remain available until expended, $225,000,000, to be derived from the Highway Trust Fund: Provided, That none of the funds in this Act shall be available for the planning or execution of programs the total obligations for which, in fiscal year 2005, are in excess of $225,000,000 for programs authorized under 23 U.S.C. 402, 405, and 410, of which $165,000,000 shall be for "Highway Safety Programs" under 23 U.S.C. 402, $20,000,000 shall be for "Occupant Protection Incentive Grants" under 23 U.S.C. 405, and $40,000,000 shall be for "Alcohol-Impaired Driving Countermeasures Grants" under 23 U.S.C. 410: Provided further, That none of these funds shall be used for construction, rehabilitation, or remodeling costs, or for office furnishings and fixtures for State, local, or private buildings or structures: Provided further, That not to exceed $10,000,000 of the funds made available for section 402, not to exceed $2,306,000 of the funds made available for section 405, and not to exceed $2,000,000 of the funds made available for section 410 shall be available to NHTSA for administering highway safety grants under chapter 4 of title 23, United States Code: Provided further, That not to exceed $1,000,000 of the funds subject to allocation

under section 157 of title 23, United States Code, and not to exceed $1,000,000 of the funds subject to apportionment under section 163 of that title, shall be available to the National Highway Traffic Safety Administration for administering highway safety grants under those sections: Provided further, That not to exceed $500,000 of the funds made available for section 410 "Alcohol-Impaired Driving Countermeasures Grants" shall be available for technical assistance to the States.

GENERAL PROVISIONS—NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION

SEC. 140. Notwithstanding any other provision of law, States may use funds provided in this Act under section 402 of title 23, United States Code, to produce and place highway safety public service messages in television, radio, cinema, and print media, and on the Internet in accordance with guidance issued by the Secretary of Transportation: Provided, That any State that uses funds for such public service messages shall submit to the Secretary a report describing and assessing the effectiveness of the messages: Provided further, That $10,000,000 of the funds allocated under section 157 of title 23, United States Code, shall be used as directed by the National Highway Traffic Safety Administrator to purchase national paid advertising (including production and placement) to support national safety belt mobilizations: Provided further, That, of the funds allocated under section 163 of title 23, United States Code, $6,000,000 shall be used as directed by the Administrator to support national impaired driving mobilizations and enforcement efforts, $14,000,000 shall be used as directed by the Administrator to purchase national paid advertising (including production and placement) to support such national impaired driving mobilizations and enforcement efforts.

SEC. 141. Notwithstanding any other provision of law, funds appropriated or limited in the Act to educate the motoring public on how to share the road safely with commercial motor vehicles shall be administered by the National Highway Traffic Safety Administration and shall not be used by or made available to any other Federal agency.

SEC. 142. Notwithstanding any other provision of law, for fiscal year 2005 the Secretary of Transportation is authorized to use amounts made available to carry out section 157 of title 23, United States Code, to make innovative project allocations, not to exceed the prior year's amounts for such allocations, before making incentive grants for use of seat belts.

FEDERAL RAILROAD ADMINISTRATION

SAFETY AND OPERATIONS

For necessary expenses of the Federal Railroad Administration, not otherwise provided for, $139,769,000, of which $15,350,000 shall remain available until expended.

RAILROAD RESEARCH AND DEVELOPMENT

For necessary expenses for railroad research and development, $36,025,000, to remain available until expended.

RAILROAD REHABILITATION AND IMPROVEMENT PROGRAM

The Secretary of Transportation is authorized to issue to the Secretary of the Treasury notes or other obligations pursuant to section 512 of the Railroad Revitalization and Regulatory Reform Act of 1976 (Public Law 94–210), as amended, in such amounts and at such times as may be necessary to pay any amounts required pursuant to the guarantee of the principal amount of obligations under sections 511 through 513 of such Act, such authority to exist as long as any such guaranteed obligation is outstanding: Provided, That pursuant to section 502 of such Act, as amended, no new direct loans or loan guarantee commitments shall be made using Federal funds for the credit risk premium during fiscal year 2005: Provided further, That the Secretary of Transportation and the National Railroad Passenger Corporation shall reach agreement on a schedule for the repayment of all principal and interest on their June 28, 2002 direct loan agreement that provides for repayment in five equal annual installments over a five-year period beginning in fiscal year 2005: Provided further, That each annual installment payment shall be made no later than thirty days after the enactment of the Departments of Transportation and Treasury, Independent Agencies, and General Government Appropriations Act for the fiscal year: Provided further, That in the event the Secretary and the National Railroad Passenger Corporation are unable to agree on the terms and conditions of such revised repayment schedule within sixty days after the enactment of this Act, then all principal and interest shall come due as provided for under the existing terms of the June 28, 2002 direct loan agreement.

NEXT GENERATION HIGH-SPEED RAIL

For necessary expenses for the Next Generation High-Speed Rail program as authorized under 49 U.S.C. 26101 and 26102, $19,650,000, to remain available until expended.

ALASKA RAILROAD REHABILITATION

To enable the Secretary of Transportation to make grants to the Alaska Railroad, $25,000,000, for capital rehabilitation and improvements benefiting its passenger operations, to remain available until expended.

GRANTS TO THE NATIONAL RAILROAD PASSENGER CORPORATION

To enable the Secretary of Transportation to make quarterly grants to the National Railroad Passenger Corporation, $1,217,000,000, to remain available until September 30, 2005: Provided, That not less than $500,000,000 shall be provided in quarterly grants for capital expenses: Provided further, That the Secretary of Transportation shall approve funding to cover operating losses and capital expenditures, including advance purchase orders, for the National Railroad Passenger Corporation only after receiving and reviewing a grant request for each specific train route: Provided further, That each such grant request shall be accompanied by a detailed financial analysis, revenue projection, and capital expenditure projection justifying the Federal support to the Secretary's satisfaction: Provided further, That the Secretary of Transportation shall reserve $60,000,000 of the funds provided under this heading

and is authorized to transfer such sums to the Surface Transportation Board, upon request from said Board, to carry out directed service orders issued pursuant to section 11123 of title 49, United States Code to respond to the cessation of commuter rail operations by the National Railroad Passenger Corporation: Provided further, That the Secretary of Transportation shall make the reserved funds available to the National Railroad Passenger Corporation through an appropriate grant instrument during the end of the fourth quarter of fiscal year 2005 to the extent that no directed service orders have been issued by the Surface Transportation Board as of the date of transfer or there is a balance of reserved funds not needed by the Board to pay for any directed service order issued through September 30, 2005: Provided further, That not later than 60 days after enactment of this Act, Amtrak shall transmit, in electronic format, to the Secretary of Transportation, the House and Senate Committees on Appropriations, the House Committee on Transportation and Infrastructure and the Senate Committee on Commerce, Science, and Transportation a comprehensive business plan approved by the Board of Directors for fiscal year 2005 under section 24104(a) of title 49, United States Code: Provided further, That the business plan shall include, as applicable, targets for ridership, revenues, and capital and operating expenses: Provided further, That the plan shall also include a separate accounting of such targets for the Northeast Corridor; commuter service; long-distance Amtrak service; state-supported service; each intercity train route; including Autotrain; and commercial activities including contract operations and mail and express: Provided further, That the business plan shall include a description of the work to be funded, along with cost estimates and an estimated timetable for completion of the projects covered by this business plan: Provided further, That not later than December 1, 2004 and no later than 30 days following the last business day of the previous month thereafter, Amtrak shall submit to the Secretary of Transportation and the House and Senate Committees on Appropriations a supplemental report, in electronic format, regarding the pending business plan, which shall describe the work completed to date, any changes to the business plan, and the reasons for such changes: Provided further, That none of the funds in this Act may be used for operating expenses, including advance purchase orders, and capital projects not approved by the Secretary of Transportation nor on the National Railroad Passenger Corporation's fiscal year 2005 business plan: Provided further, That Amtrak shall display the business plan and all subsequent supplemental plans on the Corporation's website within a reasonable timeframe following their submission to the appropriate entities: Provided further, That none of the funds under this heading may be obligated or expended until the National Railroad Passenger Corporation agrees to continue abiding by the provisions of paragraphs 1, 2, 3, 5, 9, and 11 of the summary of conditions for the direct loan agreement of June 28, 2002, in the same manner as in effect on the date of enactment of this Act: Provided further, That the Secretary of Transportation is authorized to retain up to $4,000,000 of the funds provided to be used to retain a consultant or consultants to assist the Secretary in preparing a comprehensive valuation of Amtrak's assets to be completed not later than September 30, 2005: Provided further, That these funds shall be available to the Secretary of

Transportation until expended: Provided further, That this valuation shall to be used to retain a consultant or consultants to develop to the Secretary's satisfaction a methodology for determining the avoidable and fully allocated costs of each Amtrak route: Provided further, That once the Secretary has approved the methodology for determining the avoidable and fully allocated costs of each Amtrak route, Amtrak shall apply that methodology in compiling an annual report to Congress on the avoidable and fully allocated costs of each of its routes, with the initial report for fiscal year 2005 to be submitted to the House and Senate Committees on Appropriations, the House Committee on Transportation and Infrastructure, and the Senate Committee on Commerce, Science, and Transportation before December 31, 2005, and each subsequent report to be submitted within ninety days after the end of the fiscal year to which the report pertains.

GENERAL PROVISIONS—FEDERAL RAILROAD ADMINISTRATION

SEC. 150. For the purpose of assisting State-supported intercity rail service, in order to demonstrate whether competition will provide higher quality rail passenger service at reasonable prices, the Secretary of Transportation, working with affected States, shall develop and implement a procedure for fair competitive bidding by Amtrak and non-Amtrak operators for State-supported routes: Provided, That in the event a State desires to select or selects a non-Amtrak operator for the route, the State may make an agreement with Amtrak to use facilities and equipment of, or have services provided by, Amtrak under terms agreed to by the State and Amtrak to enable the non-Amtrak operator to provide the State-supported service: Provided further, That if the parties cannot agree on terms, the Secretary shall, as a condition of receipt of Federal grant funds, order that the facilities and equipment be made available and the services be provided by Amtrak under reasonable terms and compensation: Provided further, That when prescribing reasonable compensation to Amtrak, the Secretary shall consider quality of service as a major factor when determining whether, and the extent to which, the amount of compensation shall be greater than the incremental costs of using the facilities and providing the services: Provided further, That the Secretary may reprogram up to $2,500,000 from the Amtrak operating grant funds for costs associated with the implementation of the fair bid procedure and demonstration of competition under this section.

SEC. 151. Notwithstanding any provisions of this or any other Act, during the fiscal year ending September 30, 2005, and hereafter, the Federal Railroad Administration may use funds appropriated by this or any other Act to provide for the installation of a broadband high speed internet service connection, including necessary equipment, for Federal Railroad Administration employees, and to either pay directly recurring monthly charges or to reimburse a percentage of such monthly charges which are paid by such employees: Provided, That the Federal Railroad Administration certifies that adequate safeguards against private misuse exist, and that the service is necessary for direct support of the agency's mission.

SEC. 152. Public Law 97–468 is amended—

(1) in section 608(a)(5) by inserting, ", including any amount appropriated or otherwise made available to the State-owned railroad," before "shall be retained";

(2) in section 608 by adding a new subsection (e) as follows: "(e) The State-owned railroad may take any necessary or appropriate action, consistent with federal railroad safety laws, to preserve and protect its rail properties in the interests of safety."; and

(3) in section 604(d)(2) by adding a new paragraph (D) as follows:

"(D) Any hazardous substance, petroleum or other contaminant release at or from the State-owned rail properties that began prior to January 5, 1985, shall be and remain the liability of the United States for damages and for the costs of investigation and cleanup. Such liability shall be enforceable under 42 U.S.C. 9601 et seq. for any release described in the preceding sentence.".

SEC. 153. Notwithstanding any other provision of law, from funds made available to the Federal Railroad Administration under the heading "Next Generation High-Speed Rail" in the Consolidated Appropriations Act of 2004 (Public Law 108–199), the Secretary of Transportation may award a grant in the amount of $400,000 to the Illinois Department of Transportation for KBS Railroad track and grade crossing improvements in Kankakee County and Northeastern Illinois.

SEC. 154. The Northern New England High Speed Rail Corridor is expanded to include the train routes from Boston, Massachusetts, to Albany, New York, and from Springfield, Massachusetts, to New Haven, Connecticut.

SEC. 155. Not later than March 1, 2005, Amtrak shall submit to the House and Senate Committees on Appropriations a report detailing Amtrak's obligations pursuant to 49 U.S.C. 24306(a), describing all investments made to develop mail and express, year-to-year operating results generated by mail and express, a detailed description of the impact on employees related to termination of mail and express, a detailed description of the proposed liquidation of assets related to mail and express, and an accounting of all incurred and estimated costs resulting from such termination, including legal and accounting costs, any contingent obligations that may result, and any other related costs. Before submission, both the Amtrak Board of Directors and the Department of Transportation shall review this report.

FEDERAL TRANSIT ADMINISTRATION

ADMINISTRATIVE EXPENSES

For necessary administrative expenses of the Federal Transit Administration's programs authorized by chapter 53 of title 49, United States Code, $9,750,000: Provided, That no more than $78,000,000 of budget authority shall be available for these purposes: Provided further, That of the funds available not to exceed $900,000 shall be available for the Office of the Administrator; not to exceed $6,520,000 shall be available for the Office of Administration; not to exceed $4,100,000 shall be available for the Office of the Chief Counsel; not to exceed $1,243,000 shall be available for the Office of Communication and Congressional Affairs; not to exceed

$7,396,000 shall be available for the Office of Program Management; not to exceed $6,929,000 shall be available for the Office of Budget and Policy; not to exceed $4,645,000 shall be available for the Office of Demonstration and Innovation; not to exceed $3,013,000 shall be available for the Office of Civil Rights; not to exceed $4,171,000 shall be available for the Office of Planning; not to exceed $20,150,000 shall be available for regional offices; and not to exceed $16,433,000 shall be available for the central account: Provided further, That the Administrator is authorized to transfer funds appropriated for an office of the Federal Transit Administration: Provided further, That no appropriation for an office shall be increased or decreased by more than a total of 5 percent during the fiscal year by all such transfers: Provided further, That any change in funding greater than 5 percent shall be submitted for approval to the House and Senate Committees on Appropriations: Provided further, That any funding transferred from the central account shall be submitted for approval to the House and Senate Committees on Appropriations: Provided further, That none of the funds provided or limited in this Act may be used to create a permanent office of transit security under this heading: Provided further, That of the funds in this Act available for the execution of contracts under section 5327(c) of title 49, United States Code, $2,000,000 shall be reimbursed to the Department of Transportation's Office of Inspector General for costs associated with audits and investigations of transit-related issues, including reviews of new fixed guideway systems: Provided further, That up to $2,500,000 for the National transit database shall remain available until expended: Provided further, That upon submission to the Congress of the fiscal year 2006 President's budget, the Secretary of Transportation shall transmit to Congress the annual report on new starts, proposed allocations of funds for fiscal year 2006: Provided further, That the amount herein appropriated shall be reduced by $20,000 per day for each day after initial submission of the President's budget that the report has not been submitted to the Congress.

FORMULA GRANTS

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses to carry out 49 U.S.C. 5307, 5308, 5310, 5311, 5327, and section 3038 of Public Law 105–178, $504,022,000, to remain available until expended: Provided, That no more than $4,032,175,000 of budget authority shall be available for these purposes: Provided further, That notwithstanding any other provision of law, $50,000,000 of the funds to carry out 49 U.S.C. 5308 shall be transferred to and merged with funding provided for the replacement, rehabilitation, and purchase of buses and related equipment and the construction of bus-related facilities under "Federal Transit Administration, Capital investment grants".

UNIVERSITY TRANSPORTATION RESEARCH

For necessary expenses to carry out 49 U.S.C. 5505, $750,000, to remain available until expended: Provided, That no more than $6,000,000 of budget authority shall be available for these purposes.

TRANSIT PLANNING AND RESEARCH

For necessary expenses to carry out 49 U.S.C. 5303, 5304, 5305, 5311(b)(2), 5312, 5313(a), 5314, 5315, and 5322, $16,000,000, to remain available until expended: Provided, That no more than $128,000,000 of budget authority shall be available for these purposes: Provided further, That $5,250,000 is available to provide rural transportation assistance (49 U.S.C. 5311(b)(2)), $4,000,000 is available to carry out programs under the National Transit Institute (49 U.S.C. 5315), $8,250,000 is available to carry out transit cooperative research programs (49 U.S.C. 5313(a)), $60,385,600 is available for metropolitan planning (49 U.S.C. 5303, 5304, and 5305), $12,614,400 is available for State planning (49 U.S.C. 5313(b)); and $37,500,000 is available for the national planning and research program (49 U.S.C. 5314).

TRUST FUND SHARE OF EXPENSES

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(HIGHWAY TRUST FUND)

Notwithstanding any other provision of law, for payment of obligations incurred in carrying out 49 U.S.C. 5303–5308, 5310–5315, 5317(b), 5322, 5327, 5334, 5505, and sections 3037 and 3038 of Public Law 105–178, $6,744,500,000, to remain available until expended, and to be derived from the Mass Transit Account of the Highway Trust Fund: Provided, That $3,528,153,000 shall be paid to the Federal Transit Administration's formula grants account: Provided further, That $112,000,000 shall be paid to the Federal Transit Administration's transit planning and research account: Provided further, That $68,250,000 shall be paid to the Federal Transit Administration's administrative expenses account: Provided further, That $5,250,000 shall be paid to the Federal Transit Administration's university transportation research account: Provided further, That $109,375,000 shall be paid to the Federal Transit Administration's job access and reverse commute grants program: Provided further, That $2,921,472,000 shall be paid to the Federal Transit Administration's capital investment grants account.

CAPITAL INVESTMENT GRANTS

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses to carry out 49 U.S.C. 5308, 5309, 5318, and 5327, $417,353,000, to remain available until expended: Provided, That no more than $3,338,825,000 of budget authority shall be available for these purposes: Provided further, That there shall be available for fixed guideway modernization, $1,214,400,000; there shall be available for the replacement, rehabilitation, and purchase of buses and related equipment and the construction of bus-related facilities, $675,000,000, which shall include $50,000,000 made available under 5309(m)(3)(C) of this title, plus $50,000,000 transferred from "Federal Transit Administration, Formula Grants"; and there shall be available for new fixed guideway systems $1,449,425,000, together with $3,591,548 in unobligated balances made available in Public Law 106–346, and $22,554,144 in unobligated balances made available in Public Law 107–87, to be

available as follows:

Atlanta, Georgia/North Springs (North Line Extension)	*$265,410*
Baltimore, Maryland, Central Light Rail Double Track	*29,010,000*
Birmingham-Transit Corridor, Alabama	*1,000,000*
Boston, Massachusetts, Silver Line III	*3,000,000*
Capital Metro-Bus Rapid Transit, Texas	*1,000,000*
CATRAIL RTC Rail Project, Nevada	*1,000,000*
Charlotte, North Carolina, South Corridor Light Rail Project	*30,000,000*
Chicago, Illinois, Douglas Branch Reconstruction	*85,000,000*
Chicago, Illinois, Ravenswood Line Extension	*40,000,000*
Cleveland, Ohio, Euclid Corridor Transportation Project	*25,000,000*
Dallas, Texas NW/SE Extension	*8,500,000*
Denver, Colorado, Southeast Corridor LRT	*80,000,000*
Dulles Corridor Rapid Transit Project, Virginia	*25,000,000*
Fort Lauderdale, Florida, South Florida Commuter Rail Upgrades	*11,409,506*
Harrisburg, Pennsylvania, Corridor One Rail MOS	*2,000,000*
Hawaii and Alaska Ferry Boats	*10,296,000*
Houston Advanced Metro Transit Plan, Texas	*8,500,000*
I–5/I–205/SR50, Transit Loop, Washington and Oregon	*1,500,000*
Las Vegas, Nevada, Resort Corridor Fixed Guideway Project	*30,000,000*
Little Rock River Rail, Arkansas	*3,500,000*
Los Angeles, California/MOS3 Metro Rail (North Hollywood)	*675,103*
Los Angeles, California, Eastside Light Rail Transit Project	*60,000,000*
Los Angeles, California, Gold Line Foothill Extension	*500,000*
Metra Commuter Rail Expansions and Extensions, Illinois	*52,000,000*
Minneapolis, Minnesota, Hiawatha Light Rail Project	*33,698,453*
Minneapolis, Minnesota, Northstar Commuter Rail Project	*5,000,000*
Nashville, Tennessee, East Corridor Commuter Rail	*2,000,000*
New Jersey Trans-Hudson Midtown Corridor	*1,200,000*
New Orleans, Louisiana, Canal Street Corridor Project	*16,747,023*
New York, New York Long Island Rail Road East Side Access	*100,000,000*
Norfolk, Virginia, Light Rail Transit Project	*2,000,000*
Northern New Jersey Hudson-Bergen Light Rail MOS2	*100,000,000*
Northern New Jersey Newark Rail Link MOS 1	*319,463*
Northern New Jersey Newark-Elizabeth Rail Line MOS1	*1,365,876*
Philadelphia, Pennsylvania, Schuylkill Valley MetroRail	*10,000,000*
Phoenix, Arizona, Central Phoenix/East Valley Light Rail	*75,000,000*
Pittsburgh, Pennsylvania, North Shore Light Rail Connector	*55,000,000*
Pittsburgh, Pennsylvania, Stage II Light Rail	*1,140,792*
Portland, Oregon, Interstate Max Light Rail Extension	*23,480,000*
Raleigh, North Carolina, Triangle Transit Authority Regional Rail Project	*20,000,000*
Rhode Island Integrated Commuter Rail Project	*6,000,000*
Regional Commuter Rail (Weber County to Salt Lake City), Utah	*8,000,000*
Salt Lake City, Utah/CBD to University LRT	*1,147,398*
Salt Lake City, Utah/Medical Center Extension	*8,836,110*
San Diego, California, Mid-Coast Light Rail Extension	*1,000,000*
San Diego, California, Mission Valley East Light Rail Extension	*81,640,000*
San Diego, California, Oceanside-Escondido Rail Corridor	*55,000,000*
San Francisco, California, BART Extension to San Fran International Airport	*100,000,000*
San Francisco, California, Muni Third Street Light Rail Project	*10,000,000*
San Juan, Puerto Rico, Tren Urbano Rapid Transit System	*44,620,000*
Santa Clara County, California, Silicon Valley Rapid Transit Corridor Project	*2,500,000*
Seattle, Washington, Central Link Initial Segment	*80,000,000*
Sound Transit Sounder Commuter Rail, Lakewood to Nisqually, Washington	*4,000,000*
South Shore Commuter Rail, Indiana	*2,500,000*
St. Louis, Missouri/Metrolink St. Clair Extension	*60,436*
Stamford, Connecticut Urban Transitway, Phase 2	*3,000,000*
Washington County, Oregon, Wilsonville to Beaverton Commuter Rail Project	*9,000,000*
Washington, DC/Largo Extension, Maryland	*76,770,615*

JOB ACCESS AND REVERSE COMMUTE GRANTS

For necessary expenses to carry out section 3037 of the Federal Transit Act of 1998, $15,625,000, to remain available until expended: Provided, That no more than $125,000,000 of budget authority shall be available for these purposes: Provided further, That up to $300,000 of the funds provided under this heading may be used by the Federal Transit Administration for technical assistance and support and performance reviews of the Job Access and Reverse Commute Grants program.

GENERAL PROVISIONS—FEDERAL TRANSIT ADMINISTRATION

SEC. 160. The limitations on obligations for the programs of the Federal Transit Administration shall not apply to any authority under 49 U.S.C. 5338, previously made available for obligation, or to any other authority previously made available for obligation.

SEC. 161. Notwithstanding any other provision of law, and except for fixed guideway modernization projects, funds made available by this Act under "Federal Transit Administration, Capital investment grants" for projects specified in this Act or identified in reports accompanying this Act not obligated by September 30, 2007, and other recoveries, shall be made available for other projects under 49 U.S.C. 5309.

SEC. 162. Notwithstanding any other provision of law, any funds appropriated before October 1, 2004, under any section of chapter 53 of title 49, United States Code, that remain available for expenditure may be transferred to and administered under the most recent appropriation heading for any such section.

SEC. 163. None of the funds in this Act shall be available to any Federal transit grantee after February 1, 2004, involved directly or indirectly, in any activity that promotes the legalization or medical use of any substance listed in schedule I of section 202 of the Controlled Substances Act (21 U.S.C. 812 et seq.).

SEC. 164. From unobligated balances in the Federal Transit Administration's Discretionary Grants account, not to exceed $72,792,311 shall be transferred as follows: to the Federal Transit Administration's Formula Grants account, not to exceed $42,190,828; and to the Interstate Transfer Grants—Transit account, not to exceed $30,601,483: Provided, That these unobligated balances are used, together with Formula Grant funds that are available for reapportionment in such account, to restore obligation authority reduced due to a prior deficiency.

SEC. 165. Funds made available for Alaska or Hawaii ferry boats or ferry terminal facilities pursuant to 49 U.S.C. 5309(m)(2)(B) may be used to construct new vessels and facilities, or to improve existing vessels and facilities, including both the passenger and vehicle-related elements of such vessels and facilities, and for repair facilities: Provided, That not more than $3,000,000 of the funds made available pursuant to 49 U.S.C. 5309(m)(2)(B) may be used by the State of Hawaii to initiate and operate a passenger ferryboat services demonstration project to test the viability of different intra-island and inter-island ferry boat routes and technology: Provided further, That notwithstanding 49 U.S.C. 5302(a)(7), funds made available for Alaska or Hawaii ferry boats may be used to acquire passenger ferry boats and to provide pas-

senger ferry transportation services within areas of the State of Hawaii under the control or use of the National Park Service.

SEC. 166. Notwithstanding any other provision of law, unobligated funds made available for a new fixed guideway systems projects under the heading "Federal Transit Administration, Capital Investment Grants" in any appropriations act prior to this Act may be used during this fiscal year to satisfy expenses incurred for such projects.

SEC. 167. The Secretary shall continue the pilot program authorized under section 166 of the Consolidated Appropriations Act, 2004, Public Law 108–199, 118 STAT. 309, for cooperative procurement of major capital equipment under sections 5307, 5309, and 5311. The program shall be administered as required under subsections (b) through (g) of section 166, except that there shall be five pilot projects: Provided, That the Secretary shall evaluate all proposals based on selection criteria set forth in the announcement of the program and request for proposals (Federal Register Notice—Vol. 69, No. 120, Page 35127, June 23, 2004). All proposed projects shall be evaluated and the proposing party shall receive notification of acceptance or denial by no later than 90 days after the Secretary receives a request for review of a proposed project: Provided further, That not later than 30 days after delivery of the base order under each of the five pilot projects, the Secretary shall submit to the House and Senate Committees on Appropriations a report on the results of that pilot project. Each report shall evaluate any savings realized through the cooperative procurement and the benefits of incorporating cooperative procurement, as shown by that project, into the mass transit program as a whole.

SEC. 168. Amounts made available under Chapter 53 of title 49, United States Code and section 1108 of Public Law 102–240 to the Port Authority of Allegheny County for the Airport Busway/Wabash HOV Facility project that remain unexpended may be used by the Port Authority for the purchase of buses and bus-related equipment in accordance with 49 U.S.C. 5309.

SEC. 169. Notwithstanding any other provision of law, any unobligated funds made available under the bus category of the Capital Investment Account in prior fiscal year Appropriations Act for the Greater New Haven Transit District Fuel Cell and Electric Bus project or CNG/alternative fuel vehicle project shall be transferred to and administered under the Transit Planning and Research account, subject to such terms and conditions as the Secretary deems appropriate.

SEC. 170. Notwithstanding any other provision of law, any unobligated funds made available to the Matanuska Susitna Borough under "Federal Transit Administration, Buses and Bus Facilities" shall be available for expenditure on ferry boat and ferry facilities and related expenses as part of the Port MacKenzie Intermodal Facility project.

SEC. 171. Notwithstanding any other provision of law, $8,900,000 of the funds made available under the new fixed guideway systems category of the Capital Investment Grants account in Public Law 107–87 for the "Honolulu, Hawaii, bus rapid transit project" shall be made available to the City and County of Honolulu for replacement, rehabilitation, and purchase of buses and related equipment and the construction of bus-related facilities under 49

U.S.C. 5309 and shall remain available to the City and County of Honolulu for those purposes until expended: Provided, That any remaining unobligated balance from said project in Public Law 107–87 shall be transferred for any eligible activity under Title 23 of the United States Code, and administered under that Title, for use on improvements to the Kapolei Interchange Complex and shall remain available until expended: Provided further, That funds made available in Public Law 108–10 for "Hawaii: BRT Systems, Appurtenances and Facilities" shall be generally available for bus and bus facilities by the City and County of Honolulu.

SEC. 172. Notwithstanding any other provision of law, the Navy may receive funds from the State of Hawaii for the procurement of passenger ferry boats to provide passenger ferry transportation services for the Arizona War Memorial.

SEC. 173. The Federal Transit Administration is directed to comply with Section 3042 of the Federal Transit Act of 1998 (Public Law 105–178, as amended; 112 Stat. 338) and is further directed to comply with the associated Committee report language contained in House Report 108–401, accompanying H.R. 2673, pages 997–998.

SEC. 174. Hereafter, notwithstanding any other provision of law, for the purpose of calculating the non-New Starts share of the total project cost of both phases of San Francisco Muni's Third Street Light Rail Transit project, the Secretary of Transportation shall include all non-New Starts contributions made towards Phase 1 of the two-phase project for engineering, final design and construction, and also shall allow non-New Starts funds expended on one element or phase of the project to be used to meet the non-New Starts share requirement of any element or phase of the project: Provided further, That none of the funds provided in this Act for the San Francisco Muni Third Street Light Rail Transit Project shall be obligated if the Federal Transit Administration determines that the project is found to be "not recommended" after evaluation and computation of revised transportation system user benefit data.

SEC. 175. Funds made available for the Burlington-Bennington, Vermont Commuter Rail project in Public Law 106–346, the Burlington-Middlebury, Vermont Commuter Rail project and Vermont Transportation Authority Rolling Stock in Public Law 108–7 that remain unobligated, and funds made available for the Burlington-Essex, Vermont commuter rail project in Public Laws 105–277 and 105–66 that remain unexpended shall be transferred to the Federal Railroad Administration and made available to upgrade and improve the publicly-owned Vermont Rail Infrastructure from Bennington to Burlington with a northern terminus in Essex Junction: Provided, That the Federal share shall be 80 percent of the total cost of the project and funds shall remain available until expended.

SEC. 176. Notwithstanding any other provision of law, any unobligated funds designated to the Oklahoma Transit Association on pages 1305 through 1307 of the Joint Explanatory Statement of the Committee of Conference for Public Law 108–7 may be made available to the Metropolitan Tulsa Transit Authority and the Central Oklahoma Transportation and Parking Authority for any project or activity authorized under section 3037 of Public Law 105–178 upon receipt of an application.

SEC. 177. Notwithstanding 49 U.S.C. 5336, any funds remaining available under Federal Transit Administration grant numbers NY–03–345–00, NY–03–0325–00, NY–03–0405, NY–90–X398–00, NY–90–X373–00; NY–90–X418–00, NY–90–X465–00 together with an amount not to exceed $19,200,000 in urbanized area formula funds that were allocated by the New York Metropolitan Transportation Council to the New York City Department of Transportation as a designated recipient under 49 U.S.C. 5307 may be made available to the New York Metropolitan Transportation Authority for eligible capital projects authorized under 49 U.S.C. 5307 and 5309 subject to the agreements, obligations, and responsibilities as set forth in the contracts of assistance applicable to these grants.

SEC. 178. Hereafter, fixed guideway extensions and new segments included in Metropolitan Transit Authority of Harris County, Texas, Resolutions 2003–77 and 2003–93, and approved by the voters on November 4, 2003, shall be considered as the preferred alternatives for purposes of 49 USC 5309(e)(1)(A), 23 CFR 771.123, and 49 CFR 611.7.

SEC. 179. Of the funds made available under the heading "Federal Transit Administration—Discretionary Grants" in Public Laws 102–388 and 103–122 for the Hawthorne-Warwick Commuter Rail Project, $4,000,000 shall be available for the Scranton, Pennsylvania, NY City Rail Service Fixed Guideway Project to be carried out in accordance with 49 U.S.C. 5309, $1,100,000 shall be made available to study the feasibility of utilizing diesel multiple unit rolling stock on MOS–3 of the Hudson Bergen Light Rail Transit System to be carried out in accordance with 49 U.S.C. 5309, and $6,000,000 shall be transferred to the Federal Railroad Administration and made available for the New York and Susquehanna and Western Rail Road Diesel Multiple Unit Compliance and Demonstration Project to be carried out under terms and conditions as determined by the Secretary: Provided, That the Federal share shall be 80 percent of the net project cost of that demonstration project and funds for that project shall remain available until expended.

SAINT LAWRENCE SEAWAY DEVELOPMENT CORPORATION

The Saint Lawrence Seaway Development Corporation is hereby authorized to make such expenditures, within the limits of funds and borrowing authority available to the Corporation, and in accord with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act, as amended, as may be necessary in carrying out the programs set forth in the Corporation's budget for the current fiscal year.

OPERATIONS AND MAINTENANCE

(HARBOR MAINTENANCE TRUST FUND)

For necessary expenses for operations and maintenance of those portions of the Saint Lawrence Seaway operated and maintained by the Saint Lawrence Seaway Development Corporation, $15,900,000, to be derived from the Harbor Maintenance Trust Fund, pursuant to Public Law 99–662: Provided, That, of this amount, $1,500,000 shall be for the concrete replacement project and related expenses at the Eisenhower and Snell Locks.

MARITIME ADMINISTRATION

MARITIME SECURITY PROGRAM

For necessary expenses to maintain and preserve a U.S.-flag merchant fleet to serve the national security needs of the United States, $98,700,000, to remain available until expended.

OPERATIONS AND TRAINING

For necessary expenses of operations and training activities authorized by law, $109,478,000, of which $23,753,000 shall remain available until September 30, 2005, for salaries and benefits of employees of the United States Merchant Marine Academy; of which $13,138,000 shall remain available until expended for capital improvements at the United States Merchant Marine Academy; and of which $8,090,000 shall remain available until expended for the State Maritime Schools Schoolship Maintenance and Repair.

SHIP DISPOSAL

For necessary expenses related to the disposal of obsolete vessels in the National Defense Reserve Fleet of the Maritime Administration, $21,616,000, to remain available until expended.

MARITIME GUARANTEED LOAN (TITLE XI) PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For administrative expenses to carry out the guaranteed loan program, not to exceed $4,764,000, which shall be transferred to and merged with the appropriation for Operations and Training: Provided, That of the $25,000,000 authorized for the cost of guaranteed loans in Chapter 10 of Public Law 108–11, Making Emergency Wartime Supplemental Appropriations for the Fiscal Year 2003, and for Other Purposes, available until September 30, 2005, and pursuant to the Department of Transportation Inspector General report CR–2004–095 certifying that the recommendations of report CR–2003–031 have been implemented to the Inspector General's satisfaction, up to $2,000,000 shall be used by the Department of Transportation to develop a comprehensive computer based financial monitoring system.

NATIONAL DEFENSE TANK VESSEL CONSTRUCTION PROGRAM

For necessary expenses to carry out the program of financial assistance for the construction of new product tank vessels as authorized by section 53101 of title 46, United States Code, as amended, $75,000,000, to remain available until expended.

SHIP CONSTRUCTION

(RESCISSION)

Of the unobligated balances available under this heading, $1,979,000 are rescinded.

GENERAL PROVISIONS—MARITIME ADMINISTRATION

SEC. 180. Notwithstanding any other provision of this Act, the Maritime Administration is authorized to furnish utilities and serv-

ices and make necessary repairs in connection with any lease, contract, or occupancy involving Government property under control of the Maritime Administration, and payments received therefore shall be credited to the appropriation charged with the cost thereof: Provided, That rental payments under any such lease, contract, or occupancy for items other than such utilities, services, or repairs shall be covered into the Treasury as miscellaneous receipts.

SEC. 181. No obligations shall be incurred during the current fiscal year from the construction fund established by the Merchant Marine Act, 1936, or otherwise, in excess of the appropriations and limitations contained in this Act or in any prior appropriations Act.

RESEARCH AND SPECIAL PROGRAMS ADMINISTRATION

RESEARCH AND SPECIAL PROGRAMS

For expenses necessary to discharge the functions of the Research and Special Programs Administration, $47,115,000, of which $645,000 shall be derived from the Pipeline Safety Fund, and of which $3,425,000 shall remain available until September 30, 2007: Provided, That up to $1,200,000 in fees collected under 49 U.S.C. 5108(g) shall be deposited in the general fund of the Treasury as offsetting receipts: Provided further, That there may be credited to this appropriation, to be available until expended, funds received from States, counties, municipalities, other public authorities, and private sources for expenses incurred for training, for reports publication and dissemination, and for travel expenses incurred in performance of hazardous materials exemptions and approvals functions.

PIPELINE SAFETY

(PIPELINE SAFETY FUND)

(OIL SPILL LIABILITY TRUST FUND)

For expenses necessary to conduct the functions of the pipeline safety program, for grants-in-aid to carry out a pipeline safety program, as authorized by 49 U.S.C. 60107, and to discharge the pipeline program responsibilities of the Oil Pollution Act of 1990, $69,769,000, of which $15,000,000 shall be derived from the Oil Spill Liability Trust Fund and shall remain available until September 30, 2007; of which $54,769,000 shall be derived from the Pipeline Safety Fund, of which $23,105,000 shall remain available until September 30, 2007: Provided further, That not less than $1,000,000 of the funds provided under this heading shall be for the one-call state grant program.

EMERGENCY PREPAREDNESS GRANTS

(EMERGENCY PREPAREDNESS FUND)

For necessary expenses to carry out 49 U.S.C. 5127(c), $200,000, to be derived from the Emergency Preparedness Fund, to remain available until September 30, 2006: Provided, That not more than $14,300,000 shall be made available for obligation in fiscal year 2005 from amounts made available by 49 U.S.C. 5116(i) and 5127(d): Provided further, That none of the funds made available by 49 U.S.C. 5116(i), 5127(c), and 5127(d) shall be made available

for obligation by individuals other than the Secretary of Transportation, or his designee.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

For necessary expenses of the Office of Inspector General to carry out the provisions of the Inspector General Act of 1978, as amended, $59,000,000: Provided, That the Inspector General shall have all necessary authority, in carrying out the duties specified in the Inspector General Act, as amended (5 U.S.C. App. 3) to investigate allegations of fraud, including false statements to the government (18 U.S.C. 1001), by any person or entity that is subject to regulation by the Department: Provided further, That the funds made available under this heading shall be used to investigate, pursuant to section 41712 of title 49, United States Code: (1) unfair or deceptive practices and unfair methods of competition by domestic and foreign air carriers and ticket agents; and (2) the compliance of domestic and foreign air carriers with respect to item (1) of this proviso.

SURFACE TRANSPORTATION BOARD

SALARIES AND EXPENSES

For necessary expenses of the Surface Transportation Board, including services authorized by 5 U.S.C. 3109, $21,250,000: Provided, That notwithstanding any other provision of law, not to exceed $1,050,000 from fees established by the Chairman of the Surface Transportation Board shall be credited to this appropriation as offsetting collections and used for necessary and authorized expenses under this heading: Provided further, That the sum herein appropriated from the general fund shall be reduced on a dollar-for-dollar basis as such offsetting collections are received during fiscal year 2005, to result in a final appropriation from the general fund estimated at no more than $20,200,000.

GENERAL PROVISIONS—DEPARTMENT OF TRANSPORTATION

(INCLUDING TRANSFERS OF FUNDS)

SEC. 185. During the current fiscal year applicable appropriations to the Department of Transportation shall be available for maintenance and operation of aircraft; hire of passenger motor vehicles and aircraft; purchase of liability insurance for motor vehicles operating in foreign countries on official department business; and uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901–5902).

SEC. 186. Appropriations contained in this Act for the Department of Transportation shall be available for services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the rate for an Executive Level IV.

SEC. 187. None of the funds in this Act shall be available for salaries and expenses of more than 106 political and Presidential appointees in the Department of Transportation: Provided, That none of the personnel covered by this provision may be assigned on temporary detail outside the Department of Transportation.

SEC. 188. None of the funds in this Act shall be used to implement section 404 of title 23, United States Code.

SEC. 189. (a) No recipient of funds made available in this Act shall disseminate personal information (as defined in 18 U.S.C. 2725(3)) obtained by a State department of motor vehicles in connection with a motor vehicle record as defined in 18 U.S.C. 2725(1), except as provided in 18 U.S.C. 2721 for a use permitted under 18 U.S.C. 2721.

(b) Notwithstanding subsection (a), the Secretary shall not withhold funds provided in this Act for any grantee if a State is in noncompliance with this provision.

SEC. 190. Funds received by the Federal Highway Administration, Federal Transit Administration, and Federal Railroad Administration from States, counties, municipalities, other public authorities, and private sources for expenses incurred for training may be credited respectively to the Federal Highway Administration's "Federal-Aid Highways" account, the Federal Transit Administration's "Transit Planning and Research" account, and to the Federal Railroad Administration's "Safety and Operations" account, except for State rail safety inspectors participating in training pursuant to 49 U.S.C. 20105.

SEC. 191. Notwithstanding any other provisions of law, rule or regulation, the Secretary of Transportation is authorized to allow the issuer of any preferred stock heretofore sold to the Department to redeem or repurchase such stock upon the payment to the Department of an amount determined by the Secretary.

SEC. 192. None of the funds in this Act to the Department of Transportation may be used to make a grant unless the Secretary of Transportation notifies the House and Senate Committees on Appropriations not less than 3 full business days before any discretionary grant award, letter of intent, or full funding grant agreement totaling $1,000,000 or more is announced by the department or its modal administrations from: (1) any discretionary grant program of the Federal Highway Administration other than the emergency relief program; (2) the airport improvement program of the Federal Aviation Administration; or (3) any program of the Federal Transit Administration other than the formula grants and fixed guideway modernization programs: Provided, That no notification shall involve funds that are not available for obligation.

SEC. 193. Rebates, refunds, incentive payments, minor fees and other funds received by the Department of Transportation from travel management centers, charge card programs, the subleasing of building space, and miscellaneous sources are to be credited to appropriations of the Department of Transportation and allocated to elements of the Department of Transportation using fair and equitable criteria and such funds shall be available until expended.

SEC. 194. Amounts made available in this or any other Act that the Secretary determines represent improper payments by the Department of Transportation to a third party contractor under a financial assistance award, which are recovered pursuant to law, shall be available—

(1) to reimburse the actual expenses incurred by the Department of Transportation in recovering improper payments; and

(2) to pay contractors for services provided in recovering improper payments: Provided, That amounts in excess of that required for paragraphs (1) and (2)—

(A) shall be credited to and merged with the appropriation from which the improper payments were made, and shall be available for the purposes and period for which such appropriations are available; or

(B) if no such appropriation remains available, shall be deposited in the Treasury as miscellaneous receipts: Provided, That prior to the transfer of any such recovery to an appropriations account, the Secretary shall notify the House and Senate Committees on Appropriations of the amount and reasons for such transfer: Provided further, That for purposes of this section, the term "improper payments", has the same meaning as that provided in section 2(d)(2) of Public Law 107–300.

SEC. 195. The Secretary of Transportation is authorized to transfer the unexpended balances available for the bonding assistance program from "Office of the Secretary, Salaries and expenses" to "Minority Business Outreach".

SEC. 196. None of the funds made available in this Act to the Department of Transportation may be obligated for the Office of the Secretary of Transportation to approve assessments or reimbursable agreements pertaining to funds appropriated to the modal administrations in this Act, except for activities underway on the date of enactment of this Act, unless such assessments or agreements have completed the normal reprogramming process for Congressional notification.

SEC. 197. Funds provided in this Act for the Working Capital Fund shall be reduced by $20,844,000, which limits fiscal year 2005 Working Capital Fund obligational authority for elements of the Department of Transportation funded in this Act to no more than $130,210,000: Provided, That such reductions from the budget request shall be allocated by the Department of Transportation to each appropriations account in proportion to the amount included in each account for the Working Capital Fund.

SEC. 198. For the purpose of any applicable law, for fiscal years 2004 and 2005, the city of Norman, Oklahoma, shall be considered to be part of the Oklahoma City urbanized area.

SEC. 199. Section 41716(b) of title 49, United States Code, is amended by adding before the period at the end the following: "; except that the Secretary may grant not to exceed 4 additional slot exemptions at LaGuardia Airport to an incumbent air carrier operating at least 20 but not more than 28 slots at such airport as of October 1, 2004, to provide air transportation between LaGuardia Airport and a small hub airport or nonhub airport".

TITLE II

DEPARTMENT OF THE TREASURY

DEPARTMENTAL OFFICES

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Departmental Offices including operation and maintenance of the Treasury Building and Annex; hire of passenger motor vehicles; maintenance, repairs, and improvements of, and purchase of commercial insurance policies for, real properties leased or owned overseas, when necessary for the performance of official business, $157,559,000, of which not to exceed $7,274,000 for executive direction program activities; not to exceed $7,200,000 for general counsel program activities; not to exceed $31,657,000 for economic policies and programs activities; not to exceed $26,072,000 for financial policies and programs activities; not to exceed $10,633,000 for terrorism and financial intelligence policies and programs activities; not to exceed $16,760,000 for Treasury-wide management policies and programs activities; not to exceed $57,963,000 for administration programs activities: Provided, That the Secretary of the Treasury is authorized to transfer funds appropriated for any program activity of the Departmental Offices to any other program activity of the Departmental Offices upon notification to the House and Senate Committees on Appropriations: Provided further, That no appropriation for any program activity shall be increased or decreased by more than 2.5 percent by all such transfers: Provided further, That any change in funding greater than 2.5 percent shall be submitted for approval to the House and Senate Committees on Appropriations: Provided further, That the funds identified within the administration program activity to support the Office of Foreign Assets Control shall be transferred to "Office of Foreign Assets Control": Provided further, That this transfer authority shall be in addition to any other provided in this Act: Provided further, That of the amount appropriated under this heading, not to exceed $3,000,000, to remain available until September 30, 2006, for information technology modernization requirements; not to exceed $100,000 for official reception and representation expenses; and not to exceed $258,000 for unforeseen emergencies of a confidential nature, to be allocated and expended under the direction of the Secretary of the Treasury and to be accounted for solely on his certificate: Provided further, That of the amount appropriated under this heading, $3,393,000, to remain available until September 30, 2006, is for the Treasury-wide Financial Statement Audit Program, of which such amounts as may be necessary may be transferred to accounts of the Department's offices and bureaus to conduct audits: Provided further, That this transfer authority shall be in addition to any other provided in this Act.

OFFICE OF FOREIGN ASSETS CONTROL

SALARIES AND EXPENSES

For necessary expenses of the Office of Foreign Assets Control, $22,291,000: Provided, That the funding available shall support no less than 138 full time equivalent positions.

DEPARTMENT-WIDE SYSTEMS AND CAPITAL INVESTMENTS PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

For development and acquisition of automatic data processing equipment, software, and services for the Department of the Treasury, $32,260,000, to remain available until September 30, 2007: Provided, That these funds shall be transferred to accounts and in amounts as necessary to satisfy the requirements of the Department's offices, bureaus, and other organizations: Provided further, That this transfer authority shall be in addition to any other transfer authority provided in this Act: Provided further, That none of the funds appropriated shall be used to support or supplement "Internal Revenue Service, Information Systems" or "Internal Revenue Service, Business Systems Modernization".

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, not to exceed $2,000,000 for official travel expenses, including hire of passenger motor vehicles; and not to exceed $100,000 for unforeseen emergencies of a confidential nature, to be allocated and expended under the direction of the Inspector General of the Treasury, $16,500,000, of which not to exceed $2,500 shall be available for official reception and representation expenses.

TREASURY INSPECTOR GENERAL FOR TAX ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses of the Treasury Inspector General for Tax Administration in carrying out the Inspector General Act of 1978, as amended, including purchase (not to exceed 150 for replacement only for police-type use) and hire of passenger motor vehicles (31 U.S.C. 1343(b)); services authorized by 5 U.S.C. 3109, at such rates as may be determined by the Inspector General for Tax Administration; not to exceed $6,000,000 for official travel expenses; and not to exceed $500,000 for unforeseen emergencies of a confidential nature, to be allocated and expended under the direction of the Inspector General for Tax Administration, $129,126,000; and of which not to exceed $1,500 shall be available for official reception and representation expenses.

AIR TRANSPORTATION STABILIZATION PROGRAM ACCOUNT

For necessary expenses to administer the Air Transportation Stabilization Board established by section 102 of the Air Transportation Safety and System Stabilization Act (Public Law 107–42), $2,000,000, to remain available until expended.

TREASURY BUILDING AND ANNEX REPAIR AND RESTORATION

For the repair, alteration, and improvement of the Treasury Building and Annex, $12,316,000, to remain available until September 30, 2007.

EXPANDED ACCESS TO FINANCIAL SERVICES

(RESCISSION)

Of the unobligated balances available under this heading, $4,000,000 are rescinded.

VIOLENT CRIME REDUCTION PROGRAM

(RESCISSION)

Of the unobligated balances available under this heading, $1,200,000 are rescinded.

FINANCIAL CRIMES ENFORCEMENT NETWORK

SALARIES AND EXPENSES

For necessary expenses of the Financial Crimes Enforcement Network, including hire of passenger motor vehicles; travel expenses of non-Federal law enforcement personnel to attend meetings concerned with financial intelligence activities, law enforcement, and financial regulation; not to exceed $14,000 for official reception and representation expenses; and for assistance to Federal law enforcement agencies, with or without reimbursement, $72,502,000, of which $7,500,000 shall be available for BSA Direct; of which not to exceed $7,000,000 shall remain available until September 30, 2007; and of which $8,354,000 shall remain available until September 30, 2006: Provided, That funds appropriated in this account may be used to procure personal services contracts: Provided further, That up to $350,000 of the funds under this heading may be available for planning, sponsoring, administering, receiving, and such other expenses as the Director deems necessary, including reception and representation expenses, to host the 2005 Annual Plenary of the Egmont Group.

FINANCIAL MANAGEMENT SERVICE

SALARIES AND EXPENSES

For necessary expenses of the Financial Management Service, $230,930,000, of which not to exceed $9,220,000 shall remain available until September 30, 2007, for information systems modernization initiatives; and of which not to exceed $2,500 shall be available for official reception and representation expenses.

ALCOHOL AND TOBACCO TAX AND TRADE BUREAU

SALARIES AND EXPENSES

For necessary expenses of carrying out section 1111 of the Homeland Security Act of 2002, including hire of passenger motor vehicles, $83,000,000; of which not to exceed $6,000 for official reception and representation expenses; not to exceed $50,000 for cooperative research and development programs for laboratory services;

and provision of laboratory assistance to State and local agencies with or without reimbursement.

UNITED STATES MINT

UNITED STATES MINT PUBLIC ENTERPRISE FUND

Pursuant to section 5136 of title 31, United States Code, the United States Mint is provided funding through the United States Mint Public Enterprise Fund for costs associated with the production of circulating coins, numismatic coins, and protective services, including both operating expenses and capital investments. The aggregate amount of new liabilities and obligations incurred during fiscal year 2005 under such section 5136 for circulating coinage and protective service capital investments of the United States Mint shall not exceed $24,000,000.

BUREAU OF THE PUBLIC DEBT

ADMINISTERING THE PUBLIC DEBT

For necessary expenses connected with any public-debt issues of the United States, $179,566,000, of which not to exceed $2,500 shall be available for official reception and representation expenses, and of which not to exceed $2,000,000 shall remain available until expended for systems modernization: Provided, That the sum appropriated herein from the General Fund for fiscal year 2005 shall be reduced by not more than $4,400,000 as definitive security issue fees and Treasury Direct Investor Account Maintenance fees are collected, so as to result in a final fiscal year 2005 appropriation from the general fund estimated at $175,166,000. In addition, $60,000 to be derived from the Oil Spill Liability Trust Fund to reimburse the Bureau for administrative and personnel expenses for financial management of the Fund, as authorized by section 1012 of Public Law 101–380.

INTERNAL REVENUE SERVICE

PROCESSING, ASSISTANCE, AND MANAGEMENT

For necessary expenses of the Internal Revenue Service for prefiling taxpayer assistance and education, filing and account services, shared services support, general management and administration; and services as authorized by 5 U.S.C. 3109, at such rates as may be determined by the Commissioner, $4,089,574,000, of which up to $4,100,000 shall be for the Tax Counseling for the Elderly Program, of which $8,000,000 shall be available for low-income taxpayer clinic grants, and of which not to exceed $25,000 shall be for official reception and representation expenses.

TAX LAW ENFORCEMENT

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Internal Revenue Service for determining and establishing tax liabilities; providing litigation support; conducting criminal investigation and enforcement activities; securing unfiled tax returns; collecting unpaid accounts; conducting a document matching program; resolving taxpayer problems

through prompt identification, referral and settlement; expanded customer service and public outreach programs, strengthened enforcement activities, and enhanced research efforts to reduce erroneous filings associated with the earned income tax credit; compiling statistics of income and conducting compliance research; purchase (for police-type use, not to exceed 850) and hire of passenger motor vehicles (31 U.S.C. 1343(b)); and services as authorized by 5 U.S.C. 3109, at such rates as may be determined by the Commissioner, $4,398,729,000, of which not to exceed $1,000,000 shall remain available until September 30, 2007, for research: Provided, That up to $10,000,000 may be transferred as necessary from this account to the IRS Processing, Assistance, and Management appropriation or the IRS Information Systems appropriation solely for the purposes of management of the Earned Income Tax Credit compliance program and to reimburse the Social Security Administration for the cost of implementing section 1090 of the Taxpayer Relief Act of 1997 (Public Law 105–33): Provided further, That this transfer authority shall be in addition to any other transfer authority provided in this Act.

INFORMATION SYSTEMS

For necessary expenses of the Internal Revenue Service for information systems and telecommunications support, including developmental information systems and operational information systems; the hire of passenger motor vehicles (31 U.S.C. 1343(b)); and services as authorized by 5 U.S.C. 3109, at such rates as may be determined by the Commissioner, $1,590,492,000, of which $200,000,000 shall remain available until September 30, 2006.

BUSINESS SYSTEMS MODERNIZATION

For necessary expenses of the Internal Revenue Service, $205,000,000, to remain available until September 30, 2007, for the capital asset acquisition of information technology systems, including management and related contractual costs of said acquisitions, including contractual costs associated with operations authorized by 5 U.S.C. 3109: Provided, That none of these funds may be obligated until the Internal Revenue Service submits to the Committees on Appropriations, and such Committees approve, a plan for expenditure that: (1) meets the capital planning and investment control review requirements established by the Office of Management and Budget, including Circular A–11 part 3; (2) complies with the Internal Revenue Service's enterprise architecture, including the modernization blueprint; (3) conforms with the Internal Revenue Service's enterprise life cycle methodology; (4) is approved by the Internal Revenue Service, the Department of the Treasury, and the Office of Management and Budget; (5) has been reviewed by the Government Accountability Office; and (6) complies with the acquisition rules, requirements, guidelines, and systems acquisition management practices of the Federal Government.

HEALTH INSURANCE TAX CREDIT ADMINISTRATION

For expenses necessary to implement the health insurance tax credit included in the Trade Act of 2002 (Public Law 107–210), $34,841,000.

GENERAL PROVISIONS—INTERNAL REVENUE SERVICE

SEC. 201. Not to exceed 5 percent of any appropriation made available in this Act to the Internal Revenue Service or not to exceed 3 percent of appropriations under the heading "Tax Law Enforcement" may be transferred to any other Internal Revenue Service appropriation upon the advance approval of the Committees on Appropriations.

SEC. 202. The Internal Revenue Service shall maintain a training program to ensure that Internal Revenue Service employees are trained in taxpayers' rights, in dealing courteously with the taxpayers, and in cross-cultural relations.

SEC. 203. The Internal Revenue Service shall institute and enforce policies and procedures that will safeguard the confidentiality of taxpayer information.

SEC. 204. Funds made available by this or any other Act to the Internal Revenue Service shall be available for improved facilities and increased manpower to provide sufficient and effective 1–800 help line service for taxpayers. The Commissioner shall continue to make the improvement of the Internal Revenue Service 1–800 help line service a priority and allocate resources necessary to increase phone lines and staff to improve the Internal Revenue Service 1–800 help line service.

GENERAL PROVISIONS—DEPARTMENT OF THE TREASURY

SEC. 210. Appropriations to the Department of the Treasury in this Act shall be available for uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901), including maintenance, repairs, and cleaning; purchase of insurance for official motor vehicles operated in foreign countries; purchase of motor vehicles without regard to the general purchase price limitations for vehicles purchased and used overseas for the current fiscal year; entering into contracts with the Department of State for the furnishing of health and medical services to employees and their dependents serving in foreign countries; and services authorized by 5 U.S.C. 3109.

SEC. 211. Not to exceed 2 percent of any appropriations in this Act made available to the Departmental Offices—Salaries and Expenses, Office of Inspector General, Financial Management Service, Alcohol and Tobacco Tax and Trade Bureau, Financial Crimes Enforcement Network, and Bureau of the Public Debt, may be transferred between such appropriations upon the advance approval of the Committees on Appropriations: Provided, That no transfer may increase or decrease any such appropriation by more than 2 percent.

SEC. 212. Not to exceed 2 percent of any appropriation made available in this Act to the Internal Revenue Service may be transferred to the Treasury Inspector General for Tax Administration's appropriation upon the advance approval of the Committees on Appropriations: Provided, That no transfer may increase or decrease any such appropriation by more than 2 percent.

SEC. 213. Of the funds available for the purchase of law enforcement vehicles, no funds may be obligated until the Secretary of the Treasury certifies that the purchase by the respective Treasury bureau is consistent with Departmental vehicle management principles: Provided, That the Secretary may delegate this authority to the Assistant Secretary for Management.

SEC. 214. None of the funds appropriated in this Act or otherwise available to the Department of the Treasury or the Bureau of Engraving and Printing may be used to redesign the $1 Federal Reserve note.

SEC. 215. The Secretary of the Treasury may transfer funds from "Financial management service, salaries and expenses" to "Debt services" as necessary to cover the costs of debt collection: Provided, That such amounts shall be reimbursed to such salaries and expenses account from debt collections received in the Debt Services Account.

SEC. 216. Section 122(g)(1) of Public Law 105–119 (5 U.S.C. 3104 note), is further amended by striking "6 years" and inserting "7 years".

SEC. 217. None of the funds appropriated or otherwise made available by this or any other Act may be used by the United States Mint to construct or operate any museum without the explicit approval of the House Committee on Financial Services and the Senate Committee on Banking, Housing, and Urban Affairs.

SEC. 218. None of the funds appropriated or otherwise made available by this or any other Act or source to the Department of the Treasury, the Bureau of Engraving and Printing, and the United States Mint, individually or collectively, may be used to consolidate any or all functions of the Bureau of Engraving and Printing and the United States Mint without the explicit approval of the House Committee on Financial Services; the Senate Committee on Banking, Housing, and Urban Affairs; the House Committee on Appropriations; and the Senate Committee on Appropriations.

SEC. 219. Section 101(f) of the Treasury Department Appropriations Act, 1997 (division A of Public Law 104–208), as amended, is further amended by striking "hereby" and "until October 1, 2004," and inserting "Hereafter" before the phrase "there is established".

SEC. 220. (a) Section 3333 of title 31, United States Code, is amended as follows:

(1) By revising paragraph (a)(1) to read as follows:

"(a)(1) The Secretary of the Treasury is not liable for a payment made by the Secretary or depositary in due course and without negligence, of—

"(A) a check, draft, or warrant drawn on the Treasury or the depositary;

"(B) an electronic payment issued by the Treasury or the depositary; and

"(C) a debt obligation guaranteed or assumed by the United States Government.";

(2) By inserting after paragraph (a)(2) the following new paragraph:

"(3) The amount of the relief shall be charged to the Check Forgery Insurance Fund (31 U.S.C. 3343). A recovery or repayment of a loss for which replacement is made out of the fund shall be credited to the fund and is available for the purposes for which the fund was established.".

(b) The Check Forgery Insurance Fund (31 U.S.C. 3343) shall be available to fund amounts relating to the payment of items listed in 31 U.S.C. 3333(a)(1), as amended above, prior to the enactment of this Act.

SEC. 221. Not later than 60 days after enactment of this Act, the Secretary of the Treasury shall submit to the Committees on Appropriations a report describing how statutory provisions addressing currency manipulation by America's trading partners contained in, and relating to, Title 22 U.S.C. 5304, 5305, and 286y can be better clarified administratively to provide for improved and more predictable evaluation, and to enable the problem of currency manipulation to be better understood by the American people and the Congress.

SEC. 222. Hereafter, notwithstanding any other provision of law governing the disclosure of income tax returns or return information, upon written request of the Chairman of the House or Senate Committee on Appropriations, the Commissioner of the Internal Revenue Service shall allow agents designated by such Chairman access to Internal Revenue Service facilities and any tax returns or return information contained therein.

SEC. 223. TERRORISM AND FINANCIAL INTELLIGENCE. (a) IN GENERAL.—Subchapter I of chapter 3 of title 31, United States Code, is amended by adding at the end the following:

"§ 313. Terrorism and financial intelligence

"(a) OFFICE OF TERRORISM AND FINANCIAL INTELLIGENCE.—

"(1) ESTABLISHMENT.—There is established within the Department of the Treasury the Office of Terrorism and Financial Intelligence (in this section referred to as 'OTFI'), which shall be the successor to any such office in existence on the date of enactment of this section.

"(2) LEADERSHIP.—

"(A) UNDERSECRETARY.—There is established within the Department of the Treasury, the Office of the Undersecretary for Terrorism and Financial Crimes, who shall serve as the head of the OTFI, and shall report to the Secretary of the Treasury through the Deputy Secretary of the Treasury. The Office of the Undersecretary for Terrorism and Financial Crimes shall be the successor to the Office of the Undersecretary for Enforcement.

"(B) APPOINTMENT.—The Undersecretary for Terrorism and Financial Crimes shall be appointed by the President, by and with the advice and consent of the Senate.

"(3) ASSISTANT SECRETARY FOR TERRORIST FINANCING.—

"(A) ESTABLISHMENT.—There is established within the OTFI the position of Assistant Secretary for Terrorist Financing.

"(B) APPOINTMENT.—The Assistant Secretary for Terrorist Financing shall be appointed by the President, by and with the advice and consent of the Senate.

"(C) DUTIES.—The Assistant Secretary for Terrorist Financing shall be responsible for formulating and coordinating the counter terrorist financing and anti-money laundering efforts of the Department of the Treasury, and shall report directly to the Undersecretary for Terrorism and Financial Crimes.

"(4) FUNCTIONS.—The functions of the OTFI include providing policy, strategic, and operational direction to the Department on issues relating to—

"(A) implementation of titles I and II of the Bank Secrecy Act;

"(B) United States economic sanctions programs;

"(C) combating terrorist financing;

"(D) combating financial crimes, including money laundering, counterfeiting, and other offenses threatening the integrity of the banking and financial systems;

"(E) other enforcement matters;

"(F) those intelligence analysis and coordination functions described in subsection (b); and

"(G) the security functions and programs of the Department of the Treasury.

"(5) REPORTS TO CONGRESS ON PROPOSED MEASURES.—The Undersecretary for Terrorism and Financial Crimes and the Assistant Secretary for Terrorist Financing shall report to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives not later than 72 hours after proposing by rule, regulation, order, or otherwise, any measure to reorganize the structure of the Department for combatting money laundering and terrorist financing, before any such proposal becomes effective.

"(6) OTHER OFFICES WITHIN OTFI.—Notwithstanding any other provision of law, the following offices of the Department of the Treasury shall be within the OTFI:

"(A) The Office of the Assistant Secretary for Intelligence and Analysis, which shall report directly to the Undersecretary for Terrorism and Financial Crimes.

"(B) The Office of the Assistant Secretary for Terrorist Financing, which shall report directly to the Undersecretary for Terrorism and Financial Crimes.

"(C) The Office of Foreign Assets Control (in this section referred to as the 'OFAC'), which shall report directly to the Undersecretary for Terrorism and Financial Crimes.

"(D) The Executive Office for Asset Forfeiture, which shall report to the Undersecretary for Terrorism and Financial Crimes.

"(E) The Office of Intelligence and Analysis (in this section referred to as the 'OIA'), which shall report to the Assistant Secretary for Intelligence and Analysis.

"(F) The Office of Terrorist Financing, which shall report to the Assistant Secretary for Terrorist Financing.

"(7) FINCEN.—

"(A) REPORTING TO UNDERSECRETARY.—The Financial Crimes Enforcement Network (in this section referred to as 'FinCEN'), a bureau of the Department of the Treasury, shall report to the Undersecretary for Terrorism and Financial Crimes. The Undersecretary for Terrorism and Financial Crimes may not redelegate its reporting authority over FinCEN.

"(B) OFFICE OF COMPLIANCE.—There is established within FinCEN, an Office of Compliance.

"(b) OFFICE OF INTELLIGENCE AND ANALYSIS.—

"(1) ASSISTANT SECRETARY FOR INTELLIGENCE AND ANALYSIS.—The Assistant Secretary for Intelligence and Analysis shall head the OIA.

"(2) RESPONSIBILITIES.—The OIA shall be responsible for the receipt, analysis, collation, and dissemination of intelligence and counterintelligence information related to the operations and responsibilities of the entire Department of the Treasury, including all components and bureaus of the Department.

"(3) PRIMARY FUNCTIONS.—The primary functions of the OIA are—

"(A) to build a robust analytical capability on terrorist finance by coordinating and overseeing work involving intelligence analysts in all components of the Department of the Treasury, focusing on the highest priorities of the Department, as well as ensuring that the existing intelligence needs of the OFAC and FinCEN are met; and

"(B) to provide intelligence support to senior officials of the Department on a wide range of international economic and other relevant issues.

"(4) OTHER FUNCTIONS AND DUTIES.—The OIA shall—

"(A) carry out the intelligence support functions that are assigned, to the Office of Intelligence Support under section 311 (pursuant to section 105 of the Intelligence Authorization Act for Fiscal Year 2004);

"(B) serve in a liaison capacity with the intelligence community; and

"(C) represent the Department in various intelligence related activities.

"(5) DUTIES OF THE ASSISTANT SECRETARY.—The Assistant Secretary for Intelligence and Analysis shall serve as the Senior Officer Intelligence Community, and shall represent the Department in intelligence community fora, including the National Foreign Intelligence Board committees and the Intelligence Community Management Staff.

"(c) DELEGATION.—To the extent that any authorities, powers, and responsibilities over enforcement matters delegated to the Undersecretary for Terrorism and Financial Crimes, or the positions of Assistant Secretary for Terrorism and Financial Crimes, Assistant Secretary for Enforcement and Operations, or Deputy Assistant Secretary for Terrorist Financing and Financial Crimes, have not been transferred to the Department of Homeland Security, the Department of Justice, or the Assistant Secretary for Tax Policy (related to the customs revenue functions of the Bureau of Alcohol and Tobacco Tax and Trade), those remaining authorities, powers, and responsibilities are delegated to the Undersecretary for Terrorism and Financial Crimes.

"(d) DESIGNATION AS ENFORCEMENT ORGANIZATION.—The Office of Terrorism and Financial Intelligence (including any components thereof) is designated as a law enforcement organization of the Department of the Treasury for purposes of section 9703 of title 31, United States Code, and other relevant authorities.

"(e) USE OF EXISTING RESOURCES.—The Secretary may employ personnel, facilities, and other Department of the Treasury resources available to the Secretary on the date of enactment of this section in carrying out this section, except as otherwise prohibited by law.

"(f) REFERENCES.—References in this section to the 'Secretary', 'Undersecretary', 'Deputy Secretary', 'Deputy Assistant Secretary', 'Office', 'Assistant Secretary', and 'Department' are references to positions and offices of the Department of the Treasury, unless otherwise specified.".

(b) CONFORMING AMENDMENTS.—

(1) TITLE 31.—Section 311 of title 31, United States Code, is amended—

(A) in subsection (a)—

(i) by redesignating paragraphs (1) and (2) as paragraphs (2) and (3), respectively; and

(ii) by inserting before paragraph (2), as so redesignated, the following:

"(1) be within the Office of Terrorism and Financial Intelligence;"; and

(B) in subsection (b), by striking "Enforcement" and inserting "Terrorism and Financial Crimes".

(2) OTHER OFFICE ABOLISHED.—The Office of the Undersecretary for Enforcement of the Department of the Treasury, established in accordance with section 103 of the Treasury Department Appropriations Act, 1994 (Public Law 103-123) is abolished, and all rights, duties, and responsibilities of that office are transferred on the date of enactment of this Act to the Office of the Undersecretary for Terrorism and Financial Crimes of the Department of the Treasury in accordance with this section and the amendments made by this section, except as otherwise specifically provided in this section or the amendments made by this section, or other applicable law.

TITLE III

EXECUTIVE OFFICE OF THE PRESIDENT AND FUNDS APPROPRIATED TO THE PRESIDENT

COMPENSATION OF THE PRESIDENT

For compensation of the President, including an expense allowance at the rate of $50,000 per annum as authorized by 3 U.S.C. 102, $450,000: Provided, That none of the funds made available for official expenses shall be expended for any other purpose and any unused amount shall revert to the Treasury pursuant to section 1552 of title 31, United States Code.

WHITE HOUSE OFFICE

SALARIES AND EXPENSES

For necessary expenses for the White House as authorized by law, including not to exceed $3,850,000 for services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 105; subsistence expenses as authorized by 3 U.S.C. 105, which shall be expended and accounted for as provided in that section; hire of passenger motor vehicles, newspapers, periodicals, teletype news service, and travel (not to exceed $100,000 to be expended and accounted for as provided by 3 U.S.C. 103); and not to exceed $19,000 for official entertainment expenses, to be available for allocation within the Executive Office of the President, $62,000,000: Provided, That of the funds appropriated under this

heading, up to $9,975,000 shall be available for reimbursements to the White House Communications Agency: Provided further, That of the funds appropriated under this heading, $2,475,000 shall be for the Homeland Security Council.

EXECUTIVE RESIDENCE AT THE WHITE HOUSE

OPERATING EXPENSES

For the care, maintenance, repair and alteration, refurnishing, improvement, heating, and lighting, including electric power and fixtures, of the Executive Residence at the White House and official entertainment expenses of the President, $12,760,000, to be expended and accounted for as provided by 3 U.S.C. 105, 109, 110, and 112–114.

REIMBURSABLE EXPENSES

For the reimbursable expenses of the Executive Residence at the White House, such sums as may be necessary: Provided, That all reimbursable operating expenses of the Executive Residence shall be made in accordance with the provisions of this paragraph: Provided further, That, notwithstanding any other provision of law, such amount for reimbursable operating expenses shall be the exclusive authority of the Executive Residence to incur obligations and to receive offsetting collections, for such expenses: Provided further, That the Executive Residence shall require each person sponsoring a reimbursable political event to pay in advance an amount equal to the estimated cost of the event, and all such advance payments shall be credited to this account and remain available until expended: Provided further, That the Executive Residence shall require the national committee of the political party of the President to maintain on deposit $25,000, to be separately accounted for and available for expenses relating to reimbursable political events sponsored by such committee during such fiscal year: Provided further, That the Executive Residence shall ensure that a written notice of any amount owed for a reimbursable operating expense under this paragraph is submitted to the person owing such amount within 60 days after such expense is incurred, and that such amount is collected within 30 days after the submission of such notice: Provided further, That the Executive Residence shall charge interest and assess penalties and other charges on any such amount that is not reimbursed within such 30 days, in accordance with the interest and penalty provisions applicable to an outstanding debt on a United States Government claim under section 3717 of title 31, United States Code: Provided further, That each such amount that is reimbursed, and any accompanying interest and charges, shall be deposited in the Treasury as miscellaneous receipts: Provided further, That the Executive Residence shall prepare and submit to the Committees on Appropriations, by not later than 90 days after the end of the fiscal year covered by this Act, a report setting forth the reimbursable operating expenses of the Executive Residence during the preceding fiscal year, including the total amount of such expenses, the amount of such total that consists of reimbursable official and ceremonial events, the amount of such total that consists of reimbursable political events, and the portion of each such amount that has been reimbursed as of the date of the report: Provided further, That the Exec-

utive Residence shall maintain a system for the tracking of expenses related to reimbursable events within the Executive Residence that includes a standard for the classification of any such expense as political or nonpolitical: Provided further, That no provision of this paragraph may be construed to exempt the Executive Residence from any other applicable requirement of subchapter I or II of chapter 37 of title 31, United States Code.

WHITE HOUSE REPAIR AND RESTORATION

For the repair, alteration, and improvement of the Executive Residence at the White House, $1,900,000, to remain available until expended, for required maintenance, safety and health issues, and continued preventative maintenance.

COUNCIL OF ECONOMIC ADVISERS

SALARIES AND EXPENSES

For necessary expenses of the Council of Economic Advisers in carrying out its functions under the Employment Act of 1946 (15 U.S.C. 1021), $4,040,000.

OFFICE OF POLICY DEVELOPMENT

SALARIES AND EXPENSES

For necessary expenses of the Office of Policy Development, including services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 107, $2,300,000.

NATIONAL SECURITY COUNCIL

SALARIES AND EXPENSES

For necessary expenses of the National Security Council, including services as authorized by 5 U.S.C. 3109, $8,932,000.

OFFICE OF ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses of the Office of Administration, including services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 107, and hire of passenger motor vehicles, $92,269,000, of which $12,075,000 shall remain available until expended for the Capital Investment Plan for continued modernization of the information technology infrastructure within the Executive Office of the President: Provided, That $4,000,000 of Capital Investment Plan funds may not be obligated until the Executive Office of the President has submitted a report to the Committees on Appropriations that includes an Enterprise Architecture, as defined in OMB Circular A–130 and the Federal Chief Information Officers Council guidance, that is reviewed and approved by the Office of Management and Budget, reviewed by the U.S. Government Accountability Office, and approved by the Committees on Appropriations.

Office of Management and Budget

SALARIES AND EXPENSES

For necessary expenses of the Office of Management and Budget, including hire of passenger motor vehicles and services as authorized by 5 U.S.C. 3109 and to carry out the provisions of chapter 35 of title 44, United States Code, $68,411,000, of which not to exceed $1,500 shall be available for official representation expenses: Provided, That, as provided in 31 U.S.C. 1301(a), appropriations shall be applied only to the objects for which appropriations were made except as otherwise provided by law: Provided further, That none of the funds appropriated in this Act for the Office of Management and Budget may be used for the purpose of reviewing any agricultural marketing orders or any activities or regulations under the provisions of the Agricultural Marketing Agreement Act of 1937 (7 U.S.C. 601 et seq.): Provided further, That none of the funds made available for the Office of Management and Budget by this Act may be expended for the altering of the transcript of actual testimony of witnesses, except for testimony of officials of the Office of Management and Budget, before the Committees on Appropriations or their subcommittees: Provided further, That the preceding shall not apply to printed hearings released by the Committees on Appropriations: Provided further, That none of the funds appropriated in this Act may be available to pay the salary or expenses of any employee of the Office of Management and Budget who calculates, prepares, or approves any tabular or other material that proposes the sub-allocation of budget authority or outlays by the Committees on Appropriations among their subcommittees: Provided further, That none of the funds provided in this or prior Acts shall be used, directly or indirectly, by the Office of Management and Budget, for evaluating or determining if water resource project or study reports submitted by the Chief of Engineers acting through the Secretary of the Army are in compliance with all applicable laws, regulations, and requirements relevant to the Civil Works water resource planning process: Provided further, That the Office of Management and Budget shall have not more than 60 days in which to perform budgetary policy reviews of water resource matters on which the Chief of Engineers has reported. The Director of the Office of Management and Budget shall notify the appropriate authorizing and Appropriations Committees when the 60-day review is initiated. If water resource reports have not been transmitted to the appropriate authorizing and appropriating committees within 15 days of the end of the OMB review period based on the notification from the Director, Congress shall assume OMB concurrence with the report and act accordingly.

Office of National Drug Control Policy

SALARIES AND EXPENSES

For necessary expenses of the Office of National Drug Control Policy; for research activities pursuant to the Office of National Drug Control Policy Reauthorization Act of 1998 (21 U.S.C. 1701 et seq.); not to exceed $10,000 for official reception and representation expenses; and for participation in joint projects or in the provision of services on matters of mutual interest with nonprofit, research, or

public organizations or agencies, with or without reimbursement, $27,000,000; of which $1,350,000 shall remain available until expended for policy research and evaluation: Provided, That the Office is authorized to accept, hold, administer, and utilize gifts, both real and personal, public and private, without fiscal year limitation, for the purpose of aiding or facilitating the work of the Office.

COUNTERDRUG TECHNOLOGY ASSESSMENT CENTER

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses for the Counterdrug Technology Assessment Center for research activities pursuant to the Office of National Drug Control Policy Reauthorization Act of 1998 (21 U.S.C. 1701 et seq.), $42,000,000, which shall remain available until expended, consisting of $18,000,000 for counternarcotics research and development projects, and $24,000,000 for the continued operation of the technology transfer program: Provided, That the $18,000,000 for counternarcotics research and development projects shall be available for transfer to other Federal departments or agencies.

FEDERAL DRUG CONTROL PROGRAMS

HIGH INTENSITY DRUG TRAFFICKING AREAS PROGRAM

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Office of National Drug Control Policy's High Intensity Drug Trafficking Areas Program, $228,350,000, for drug control activities consistent with the approved strategy for each of the designated High Intensity Drug Trafficking Areas, of which no less than 51 percent shall be transferred to State and local entities for drug control activities, which shall be obligated within 120 days of the date of the enactment of this Act: Provided, That up to 49 percent, to remain available until September 30, 2006, may be transferred to Federal agencies and departments at a rate to be determined by the Director, of which not less than $2,000,000 shall be used for auditing services and associated activities, and at least $500,000 of the $2,000,000 shall be used to develop and implement a data collection system to measure the performance of the High Intensity Drug Trafficking Areas Program: Provided further, That High Intensity Drug Trafficking Areas Programs designated as of September 30, 2004, shall be funded at no less than the fiscal year 2004 initial allocation levels unless the Director submits to the Committees on Appropriations, and the Committees approve, justification for changes in those levels based on clearly articulated priorities for the High Intensity Drug Trafficking Areas Programs, as well as published Office of National Drug Control Policy performance measures of effectiveness: Provided further, That a request shall be submitted in compliance with the reprogramming guidelines to the Committees on Appropriations for approval prior to the obligation of funds of an amount in excess of the fiscal year 2005 budget request: Provided further, That not to exceed $2,000,000 of the funds made available under this heading in excess of the fiscal year 2005 budget request shall be available for the Consolidated Priority Organization Target program.

OTHER FEDERAL DRUG CONTROL PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

For activities to support a national anti-drug campaign for youth, and for other purposes, authorized by the Office of National Drug Control Policy Reauthorization Act of 1998 (21 U.S.C. 1701 et seq.), $213,700,000, to remain available until expended, of which the following amounts are available as follows: $120,000,000 to support a national media campaign, as authorized by the Drug-Free Media Campaign Act of 1998; $80,000,000 to continue a program of matching grants to drug-free communities, of which $2,000,000 shall be a directed grant to the Community Anti-Drug Coalitions of America for the National Community Anti-Drug Coalition Institute, as authorized in chapter 2 of the National Narcotics Leadership Act of 1988, as amended; $2,000,000 for the Counterdrug Intelligence Executive Secretariat; $750,000 for the National Drug Court Institute; $1,000,000 for the National Alliance for Model State Drug Laws; $7,500,000 for the United States Anti-Doping Agency for anti-doping activities; $1,450,000 for the United States membership dues to the World Anti-Doping Agency; and $1,000,000 for evaluations and research related to National Drug Control Program performance measures: Provided, That such funds may be transferred to other Federal departments and agencies to carry out such activities: Provided further, That of the amounts appropriated for a national media campaign, not to exceed 10 percent shall be for administration, advertising production, research and testing, labor and related costs of the national media campaign.

UNANTICIPATED NEEDS

For expenses necessary to enable the President to meet unanticipated needs, in furtherance of the national interest, security, or defense which may arise at home or abroad during the current fiscal year, as authorized by 3 U.S.C. 108, $1,000,000.

SPECIAL ASSISTANCE TO THE PRESIDENT

SALARIES AND EXPENSES

For necessary expenses to enable the Vice President to provide assistance to the President in connection with specially assigned functions; services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 106, including subsistence expenses as authorized by 3 U.S.C. 106, which shall be expended and accounted for as provided in that section; and hire of passenger motor vehicles, $4,571,000.

OFFICIAL RESIDENCE OF THE VICE PRESIDENT

OPERATING EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For the care, operation, refurnishing, improvement, and to the extent not otherwise provided for, heating and lighting, including electric power and fixtures, of the official residence of the Vice President; the hire of passenger motor vehicles; and not to exceed $90,000 for official entertainment expenses of the Vice President, to be accounted for solely on his certificate, $333,000: Provided, That ad-

vances or repayments or transfers from this appropriation may be made to any department or agency for expenses of carrying out such activities.

TITLE IV

INDEPENDENT AGENCIES

ARCHITECTURAL AND TRANSPORTATION BARRIERS COMPLIANCE BOARD

SALARIES AND EXPENSES

For expenses necessary for the Architectural and Transportation Barriers Compliance Board, as authorized by section 502 of the Rehabilitation Act of 1973, as amended, $5,686,000: Provided, That, notwithstanding any other provision of law, there may be credited to this appropriation funds received for publications and training expenses.

ELECTION ASSISTANCE COMMISSION

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses to carry out the Help America Vote Act of 2002, $14,000,000, of which $2,800,000 shall be transferred to the National Institute of Standards and Technology for election reform activities authorized under the Help America Vote Act of 2002.

FEDERAL ELECTION COMMISSION

SALARIES AND EXPENSES

For necessary expenses to carry out the provisions of the Federal Election Campaign Act of 1971, as amended, $52,159,000, of which no less than $4,700,000 shall be available for internal automated data processing systems, and of which not to exceed $5,000 shall be available for reception and representation expenses.

FEDERAL LABOR RELATIONS AUTHORITY

SALARIES AND EXPENSES

For necessary expenses to carry out functions of the Federal Labor Relations Authority, pursuant to Reorganization Plan Numbered 2 of 1978, and the Civil Service Reform Act of 1978, including services authorized by 5 U.S.C. 3109, and including hire of experts and consultants, hire of passenger motor vehicles, and rental of conference rooms in the District of Columbia and elsewhere, $25,673,000: Provided, That public members of the Federal Service Impasses Panel may be paid travel expenses and per diem in lieu of subsistence as authorized by law (5 U.S.C. 5703) for persons employed intermittently in the Government service, and compensation as authorized by 5 U.S.C. 3109: Provided further, That notwithstanding 31 U.S.C. 3302, funds received from fees charged to non-Federal participants at labor-management relations conferences shall be credited to and merged with this account, to be available

without further appropriation for the costs of carrying out these conferences.

(RESCISSION)

Of the unobligated balances under this heading from prior year appropriations, $3,000,000 are rescinded.

FEDERAL MARITIME COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Federal Maritime Commission as authorized by section 201(d) of the Merchant Marine Act, 1936, as amended (46 U.S.C. App. 1111), including services as authorized by 5 U.S.C. 3109; hire of passenger motor vehicles as authorized by 31 U.S.C. 1343(b); and uniforms or allowances therefor, as authorized by 5 U.S.C. 5901–5902, $19,496,000: Provided, That not to exceed $2,000 shall be available for official reception and representation expenses.

GENERAL SERVICES ADMINISTRATION

REAL PROPERTY ACTIVITIES

FEDERAL BUILDINGS FUND

LIMITATIONS ON AVAILABILITY OF REVENUE

(INCLUDING TRANSFER OF FUNDS)

To carry out the purposes of the Fund established pursuant to section 210(f) of the Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. 592), the revenues and collections deposited into the Fund shall be available for necessary expenses of real property management and related activities not otherwise provided for, including operation, maintenance, and protection of federally owned and leased buildings; rental of buildings in the District of Columbia; restoration of leased premises; moving governmental agencies (including space adjustments and telecommunications relocation expenses) in connection with the assignment, allocation and transfer of space; contractual services incident to cleaning or servicing buildings, and moving; repair and alteration of federally owned buildings including grounds, approaches and appurtenances; care and safeguarding of sites; maintenance, preservation, demolition, and equipment; acquisition of buildings and sites by purchase, condemnation, or as otherwise authorized by law; acquisition of options to purchase buildings and sites; conversion and extension of federally owned buildings; preliminary planning and design of projects by contract or otherwise; construction of new buildings (including equipment for such buildings); and payment of principal, interest, and any other obligations for public buildings acquired by installment purchase and purchase contract; in the aggregate amount of $7,217,043,000, of which: (1) $708,542,000 shall remain available until expended for construction (including funds for sites and expenses and associated design and construction services) of additional projects at the following locations:

New Construction:

California:

Los Angeles, Federal Bureau of Investigation Facility, $14,054,000
Los Angeles, United States Courthouse, $314,385,000
San Diego, United States Courthouse, $3,068,000
District of Columbia:
Southeast Federal Center Site Remediation, $2,650,000
Illinois:
Chicago, 10 West Jackson Place (Purchase), $53,170,000
Maine:
Calais, Border Station, $3,269,000
Madawaska, Border Station, $1,760,000
Maryland:
Montgomery County, Food and Drug Administration Consolidation, $88,710,000
Minnesota:
Warroad, Border Station, $1,837,000
New Mexico:
Las Cruces, United States Courthouse, $60,600,000
New York:
Alexandria Bay, Border Station, $8,884,000
Massena, Border Station, $15,000,000
North Dakota:
Dunseith, Border Station, $2,301,000
Portal, Border Station, $22,351,000
Texas:
El Paso, Paso Del Norte Border Station, $26,191,000
El Paso, United States Courthouse, $63,462,000
El Paso, Ysleta Border Station, $2,491,000
Vermont:
Derby Line, Border Station, $3,190,000
Norton, Border Station, $580,000
Richford, Border Station, $589,000
Nonprospectus Construction, $10,000,000
Judgment Fund repayment, $10,000,000:

Provided, That each of the foregoing limits of costs on new construction projects may be exceeded to the extent that savings are effected in other such projects, but not to exceed 10 percent of the amounts included in an approved prospectus, if required, unless advance approval is obtained from the Committees on Appropriations of a greater amount: Provided further, That all funds for direct construction projects shall expire on September 30, 2006, and remain in the Federal Buildings Fund except for funds for projects as to which funds for design or other funds have been obligated in whole or in part prior to such date; (2) $980,222,000 shall remain available until expended for repairs and alterations, which includes associated design and construction services:

Repairs and Alterations:
District of Columbia:
Eisenhower Executive Office Building, $5,000,000
Federal Office Building 6, $8,267,000
Hoover FBI Building, $10,242,000
Mary E. Switzer Building, $80,335,000
New Executive Office Building, $6,262,000
Steam Distribution System, $2,000,000

Theodore Roosevelt Building, $9,730,000
Georgia:
Atlanta, Martin Luther King, Jr. Federal Building, $14,800,000
Atlanta, United States Court of Appeals, $32,004,000
Hawaii:
Hilo, Federal Building, $5,133,000
Louisiana:
New Orleans, Boggs Federal Building, $22,581,000
New Orleans, Wisdom Courthouse of Appeals, $8,005,000
Maryland:
Baltimore, George H. Fallon Federal Building, $46,163,000
Suitland, National Record Center, $7,989,000
Woodlawn, SSA Altmeyer Building, $6,300,000
Minnesota:
St. Paul, Warren E. Burger Federal Building—Courthouse, $36,644,000
Missouri:
Kansas City, Richard Bolling Federal Building, $40,048,000
New York:
New York, Foley Square Courthouse, $2,505,000
Queens, Joseph P. Addabbo Federal Building, $5,455,000
Ohio:
Cincinnati, Potter Stewart Courthouse, $37,975,000
Cleveland, Celebreeze Federal Building, $37,375,000
Washington:
Seattle, William Nakamura Courthouse, $50,210,000
Special Emphasis Programs:
Chlorofluorocarbons Program, $13,000,000
Energy Program, $30,000,000
Glass Fragment Retention, $20,000,000
Design Program, $48,699,000
Basic Repairs and Alterations, $393,500,000:

Provided further, That funds made available in this or any previous Act in the Federal Buildings Fund for Repairs and Alterations shall, for prospectus projects, be limited to the amount identified for each project, except each project in this or any previous Act may be increased by an amount not to exceed 10 percent unless advance approval is obtained from the Committees on Appropriations of a greater amount: Provided further, That additional projects for which prospectuses have been fully approved may be funded under this category only if advance approval is obtained from the Committees on Appropriations: Provided further, That the amounts provided in this or any prior Act for "Repairs and Alterations" may be used to fund costs associated with implementing security improvements to buildings necessary to meet the minimum standards for security in accordance with current law and in compliance with the reprogramming guidelines of the appropriate Committees of the House and Senate: Provided further, That the difference between the funds appropriated and expended on any projects in this or any prior Act, under the heading "Repairs and Alterations", may be

transferred to Basic Repairs and Alterations or used to fund authorized increases in prospectus projects: Provided further, That all funds for repairs and alterations prospectus projects shall expire on September 30, 2006 and remain in the Federal Buildings Fund except funds for projects as to which funds for design or other funds have been obligated in whole or in part prior to such date: Provided further, That the amount provided in this or any prior Act for Basic Repairs and Alterations may be used to pay claims against the Government arising from any projects under the heading "Repairs and Alterations" or used to fund authorized increases in prospectus projects; (3) $161,442,000 for installment acquisition payments including payments on purchase contracts which shall remain available until expended; (4) $3,657,315,000 for rental of space which shall remain available until expended; and (5) $1,709,522,000 for building operations which shall remain available until expended: Provided further, That funds available to the General Services Administration shall not be available for expenses of any construction, repair, alteration and acquisition project for which a prospectus, if required by the Public Buildings Act of 1959, as amended, has not been approved, except that necessary funds may be expended for each project for required expenses for the development of a proposed prospectus: Provided further, That funds available in the Federal Buildings Fund may be expended for emergency repairs when advance approval is obtained from the Committees on Appropriations: Provided further, That notwithstanding any other provision of law, the Administrator of General Services is authorized and directed to proceed with site acquisition, design, and subject to availability of funds, construction and management and inspection, of a new Federal Building in Tuscaloosa, Alabama for which funds for site acquisition and design were provided in Public Law 108–199: Provided further, That amounts necessary to provide reimbursable special services to other agencies under section 210(f)(6) of the Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. 592(b)(2)) and amounts to provide such reimbursable fencing, lighting, guard booths, and other facilities on private or other property not in Government ownership or control as may be appropriate to enable the United States Secret Service to perform its protective functions pursuant to 18 U.S.C. 3056, shall be available from such revenues and collections: Provided further, That revenues and collections and any other sums accruing to this Fund during fiscal year 2005, excluding reimbursements under section 210(f)(6) of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 592(b)(2)) in excess of the aggregate new obligational authority authorized for Real Property Activities of the Federal Buildings Fund in this Act shall remain in the Fund and shall not be available for expenditure except as authorized in appropriations Acts.

GENERAL ACTIVITIES

GOVERNMENT-WIDE POLICY

For expenses authorized by law, not otherwise provided for, for Government-wide policy and evaluation activities associated with the management of real and personal property assets and certain administrative services; Government-wide policy support responsibilities relating to acquisition, telecommunications, information

technology management, and related technology activities; and services as authorized by 5 U.S.C. 3109, $62,100,000.

OPERATING EXPENSES

For expenses authorized by law, not otherwise provided for, for Government-wide activities associated with utilization and donation of surplus personal property; disposal of real property; providing Internet access to Federal information and services; agency-wide policy direction and management, and Board of Contract Appeals; accounting, records management, and other support services incident to adjudication of Indian Tribal Claims by the United States Court of Federal Claims; services as authorized by 5 U.S.C. 3109; and not to exceed $7,500 for official reception and representation expenses, $92,175,000.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General and services authorized by 5 U.S.C. 3109, $42,351,000: Provided, That not to exceed $15,000 shall be available for payment for information and detection of fraud against the Government, including payment for recovery of stolen Government property: Provided further, That not to exceed $2,500 shall be available for awards to employees of other Federal agencies and private citizens in recognition of efforts and initiatives resulting in enhanced Office of Inspector General effectiveness.

ELECTRONIC GOVERNMENT FUND

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses in support of interagency projects that enable the Federal Government to expand its ability to conduct activities electronically, through the development and implementation of innovative uses of the Internet and other electronic methods, $3,000,000, to remain available until expended: Provided, That these funds may be transferred to Federal agencies to carry out the purposes of the Fund: Provided further, That this transfer authority shall be in addition to any other transfer authority provided in this Act: Provided further, That such transfers may not be made until 10 days after a proposed spending plan and justification for each project to be undertaken has been submitted to the Committees on Appropriations.

ALLOWANCES AND OFFICE STAFF FOR FORMER PRESIDENTS

(INCLUDING TRANSFER OF FUNDS)

For carrying out the provisions of the Act of August 25, 1958, as amended (3 U.S.C. 102 note), and Public Law 95–138, $3,106,000: Provided, That the Administrator of General Services shall transfer to the Secretary of the Treasury such sums as may be necessary to carry out the provisions of such Acts.

GENERAL PROVISIONS—GENERAL SERVICES ADMINISTRATION

(INCLUDING RESCISSION OF FUNDS)

SEC. 401. The appropriate appropriation or fund available to the General Services Administration shall be credited with the cost of operation, protection, maintenance, upkeep, repair, and improvement, included as part of rentals received from Government corporations pursuant to law (40 U.S.C. 129).

SEC. 402. Funds available to the General Services Administration shall be available for the hire of passenger motor vehicles.

SEC. 403. Funds in the Federal Buildings Fund made available for fiscal year 2005 for Federal Buildings Fund activities may be transferred between such activities only to the extent necessary to meet program requirements: Provided, That any proposed transfers shall be approved in advance by the Committees on Appropriations.

SEC. 404. No funds made available by this Act shall be used to transmit a fiscal year 2006 request for United States Courthouse construction that: (1) does not meet the design guide standards for construction as established and approved by the General Services Administration, the Judicial Conference of the United States, and the Office of Management and Budget; and (2) does not reflect the priorities of the Judicial Conference of the United States as set out in its approved 5-year construction plan: Provided, That the fiscal year 2006 request must be accompanied by a standardized courtroom utilization study of each facility to be constructed, replaced, or expanded.

SEC. 405. None of the funds provided in this Act may be used to increase the amount of occupiable square feet, provide cleaning services, security enhancements, or any other service usually provided through the Federal Buildings Fund, to any agency that does not pay the rate per square foot assessment for space and services as determined by the General Services Administration in compliance with the Public Buildings Amendments Act of 1972 (Public Law 92–313).

SEC. 406. From funds made available under the heading "Federal Buildings Fund, Limitations on Availability of Revenue", claims against the Government of less than $250,000 arising from direct construction projects and acquisition of buildings may be liquidated from savings effected in other construction projects with prior notification to the Committees on Appropriations.

SEC. 407. Notwithstanding 40 U.S.C. 524, 571, and 572, the Administrator of General Services may sell the Middle River Depot at Middle River, Maryland, and credit the proceeds of such sale as offsetting collections to the Federal Buildings Fund, to be available, in addition to amounts otherwise appropriated for such Fund, for such capital activities of the Fund as the Administrator may deem appropriate: Provided, That the Administrator shall, to the maximum extent practicable, cooperate and consult with Baltimore County, Maryland officials and other interested persons in communities located near the Middle River Depot so that the sale and use of the property is compatible with local economic development plans and is not inconsistent with local land use, environmental and zoning laws.

SEC. 408. Section 572(a)(2)(ii) of title 40, United States Code, is amended by inserting the following before the period: ", highest

and best use of property studies, utilization of property studies, deed compliance inspection, and the expenses incurred in a relocation".

SEC. 409. Of the amounts made available under the heading "Federal Buildings Fund" for New Construction and Repairs and Alterations in this or any prior Act, a total amount of $106,000,000 are rescinded: Provided, That the Administrator of General Services shall notify the Appropriations Committees of the House of Representatives and Senate of the specific projects, or parts thereof, from which funds have been rescinded within 30 days of enactment of this Act.

SEC. 410. In order to address heightened security requirements for the proposed Moss United States Courthouse Annex project, the Administrator of General Services is authorized to acquire and demolish the real property, including land and improvements, located in Salt Lake City, Utah, at the corner of 400 South Street and West Temple, said land and improvements commonly known as the Shubrick Building; to use previously appropriated project funds to immediately initiate compliance procedures in accordance with the National Historic Preservation Act and the National Environmental Policy Act; and to redesign the proposed courthouse expansion to incorporate this new site.

SEC. 411. CONVEYANCE OF LAND TO THE RECREATION AND PARK COMMISSION FOR THE PARISH OF EAST BATON ROUGE, LOUISIANA. (a) CONVEYANCE.—Not later than 60 days after the date of enactment of this Act, the Postmaster General of the United States Postal Service shall convey, for the consideration specified in subsection (b), the land described in subsection (d), including any improvements thereon, to the General Services Administration.

(b) PURCHASE PRICE.—Upon the conveyance described in subsection (a), the Administrator of General Services shall pay the United States Postal Service a purchase price equaling the fair market value not to exceed $975,000, which price may be paid by cash or credited to the existing USPS/GSA property swap program.

(c) RECONVEYANCE.—Not later than 10 days after the conveyance described in subsection (a), the Administrator of General Services shall convey, without consideration by quitclaim deed and without recourse, the land described in subsection (d), including any improvements thereon, to the Recreation and Park Commission for the Parish of East Baton Rouge, Louisiana, for use as a downtown park or for other public purposes.

(d) DESCRIPTION OF PROPERTY.—The land referred to in subsections (a) and (c) is the property formerly used as the Main Postal Office Carrier Annex in Baton Rouge, Louisiana and located at 750 Florida Street. This land is situated north of Convention Street, south of Florida Street and west of 7th Street. This land comprises approximately 27,500 square feet and is improved by a one-story building.

SEC. 412. Notwithstanding any other provision of law, the Administrator of General Services may convey, by sale, lease, exchange or otherwise, including through leaseback arrangements, real and related personal property, or interests therein, and retain the net proceeds of such dispositions in an account within the Federal Buildings Fund to be used for the General Services Administration's real property capital needs: Provided, That all net proceeds realized under this section shall only be expended as authorized in annual

appropriations Acts: Provided further, That for the purposes of this section, the term "net proceeds" means the rental and other sums received less the costs of the disposition, and the term "real property capital needs" means any expenses necessary and incident to the agency's real property capital acquisitions, improvements, and dispositions.

SEC. 413. LAND CONVEYANCE, NAHANT, MASSACHUSETTS.—(a) CONVEYANCE AUTHORIZED.—Notwithstanding any other provision of law, the Administrator of the General Services Administration may sell all right, title, and interest of the United States in and to a parcel of real property, including improvements thereon, that is located at Castle Road, Gardner Road and Goddard Drive in Nahant, Massachusetts to the Town of Nahant. In the event a binding sales contract is not executed within 30 days of enactment the Administrator shall commence with a public, competitive sale of the property.

(b) CONSIDERATION.—As consideration for conveyance under subsection (a), the Town of Nahant shall pay, in a single lump sum payment, $2,000,000.

(c) DEPOSIT OF FUNDS.—Notwithstanding any other provision of law, the Administrator may deposit the net proceeds in the Real Property Relocation account of the General Services Administration. In the event proceeds exceed $2,000,000, the net amount in excess of $2,000,000 shall be deposited in the United States Coast Guard Housing Fund established under 14 U.S.C. Sec. 687.

(d) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the real property to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Administrator. The cost of the survey shall be borne by the purchaser.

(e) ADDITIONAL TERMS AND CONDITIONS.—The Administrator may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Administrator considers appropriate to protect the interests of the United States.

SEC. 414. None of the funds appropriated by this Act or any other Act may be used after July 1, 2005 for the provision of any telecommunications service for any federal government owned building, unless such building is in compliance with a regulation or Executive Order issued after the date of enactment of this section that requires, to the extent deemed appropriate by the President or his designee, the provision of telecommunications services using redundant and physically separate entry points to those buildings, and the use of physically diverse local network facilities for the provision of such telecommunications services.

MERIT SYSTEMS PROTECTION BOARD

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses to carry out functions of the Merit Systems Protection Board pursuant to Reorganization Plan Numbered 2 of 1978 and the Civil Service Reform Act of 1978, including services as authorized by 5 U.S.C. 3109, rental of conference rooms in the District of Columbia and elsewhere, hire of passenger motor vehicles, and direct procurement of survey printing, $34,677,000 together with not to exceed $2,626,000 for administrative expenses to

adjudicate retirement appeals to be transferred from the Civil Service Retirement and Disability Fund in amounts determined by the Merit Systems Protection Board.

MORRIS K. UDALL SCHOLARSHIP AND EXCELLENCE IN NATIONAL ENVIRONMENTAL POLICY FOUNDATION

MORRIS K. UDALL SCHOLARSHIP AND EXCELLENCE IN NATIONAL ENVIRONMENTAL POLICY TRUST FUND

(INCLUDING TRANSFER OF FUNDS)

For payment to the Morris K. Udall Scholarship and Excellence in National Environmental Policy Trust Fund, pursuant to the Morris K. Udall Scholarship and Excellence in National Environmental and Native American Public Policy Act of 1992 (20 U.S.C. 5601 et seq.), $1,996,000, to remain available until expended, of which up to $50,000 shall be used to conduct financial audits pursuant to the Accountability of Tax Dollars Act of 2002 (Public Law 107–289) notwithstanding sections 8 and 9 of Public Law 102–259: Provided, That up to 60 percent of such funds may be transferred by the Morris K. Udall Scholarship and Excellence in National Environmental Policy Foundation for the necessary expenses of the Native Nations Institute.

ENVIRONMENTAL DISPUTE RESOLUTION FUND

For payment to the Environmental Dispute Resolution Fund to carry out activities authorized in the Environmental Policy and Conflict Resolution Act of 1998, $1,309,000, to remain available until expended.

NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

OPERATING EXPENSES

For necessary expenses in connection with the administration of the National Archives and Records Administration (including the Information Security Oversight Office) and archived Federal records and related activities, as provided by law, and for expenses necessary for the review and declassification of documents, and for the hire of passenger motor vehicles, $266,945,000: Provided, That the Archivist of the United States is authorized to use any excess funds available from the amount borrowed for construction of the National Archives facility, for expenses necessary to provide adequate storage for holdings.

ELECTRONIC RECORDS ARCHIVES

For necessary expenses in connection with the development of the electronic records archives, to include all direct project costs associated with research, analysis, design, development, and program management, $35,914,000.

REPAIRS AND RESTORATION

For the repair, alteration, and improvement of archives facilities, and to provide adequate storage for holdings, $13,432,000, to remain available until expended, of which $3,000,000 is for site preparation and construction management to construct a new re-

gional archives and records facility in Anchorage, Alaska, and of which $2,000,000 is for the repair and restoration of the plaza that surrounds the Lyndon Baines Johnson Presidential Library that is under the joint control and custody of the University of Texas: Provided, That such funds may be transferred directly to the University and used, together with University funds, for repair and restoration of the plaza and remain available until expended for this purpose.

NATIONAL HISTORICAL PUBLICATIONS AND RECORDS COMMISSION

GRANTS PROGRAM

For necessary expenses for allocations and grants for historical publications and records as authorized by 44 U.S.C. 2504, as amended, $5,000,000, to remain available until expended.

NATIONAL TRANSPORTATION SAFETY BOARD

SALARIES AND EXPENSES

For necessary expenses of the National Transportation Safety Board, including hire of passenger motor vehicles and aircraft; services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the rate for a GS–15; uniforms, or allowances therefor, as authorized by law (5 U.S.C. 5901–5902) $76,700,000, of which not to exceed $2,000 may be used for official reception and representation expenses.

(RESCISSION)

Of the available unobligated balances made available under Public Law 106–246, $8,000,000 are rescinded.

OFFICE OF GOVERNMENT ETHICS

SALARIES AND EXPENSES

For necessary expenses to carry out functions of the Office of Government Ethics pursuant to the Ethics in Government Act of 1978, as amended and the Ethics Reform Act of 1989, including services as authorized by 5 U.S.C. 3109, rental of conference rooms in the District of Columbia and elsewhere, hire of passenger motor vehicles, and not to exceed $1,500 for official reception and representation expenses, $11,238,000.

OFFICE OF PERSONNEL MANAGEMENT

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF TRUST FUNDS)

For necessary expenses to carry out functions of the Office of Personnel Management pursuant to Reorganization Plan Numbered 2 of 1978 and the Civil Service Reform Act of 1978, including services as authorized by 5 U.S.C. 3109; medical examinations performed for veterans by private physicians on a fee basis; rental of conference rooms in the District of Columbia and elsewhere; hire of passenger motor vehicles; not to exceed $2,500 for official reception and representation expenses; advances for reimbursements to applicable funds of the Office of Personnel Management and the Federal

Bureau of Investigation for expenses incurred under Executive Order No. 10422 of January 9, 1953, as amended; and payment of per diem and/or subsistence allowances to employees where Voting Rights Act activities require an employee to remain overnight at his or her post of duty, $125,500,000, of which $12,000,000 shall remain available until September 30, 2007; and in addition $128,462,000 for administrative expenses, to be transferred from the appropriate trust funds of the Office of Personnel Management without regard to other statutes, including direct procurement of printed materials, for the retirement and insurance programs, of which $27,640,000 shall remain available until expended for the cost of automating the retirement recordkeeping systems: Provided, That the provisions of this appropriation shall not affect the authority to use applicable trust funds as provided by sections 8348(a)(1)(B), and 9004(f)(1)(A) and (2)(A) of title 5, United States Code: Provided further, That no part of this appropriation shall be available for salaries and expenses of the Legal Examining Unit of the Office of Personnel Management established pursuant to Executive Order No. 9358 of July 1, 1943, or any successor unit of like purpose: Provided further, That the President's Commission on White House Fellows, established by Executive Order No. 11183 of October 3, 1964, may, during fiscal year 2005, accept donations of money, property, and personal services: Provided further, That such donations, including those from prior years, may be used for the development of publicity materials to provide information about the White House Fellows, except that no such donations shall be accepted for travel or reimbursement of travel expenses, or for the salaries of employees of such Commission.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF TRUST FUNDS)

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act, as amended, including services as authorized by 5 U.S.C. 3109, hire of passenger motor vehicles, $1,627,000, and in addition, not to exceed $16,461,000 for administrative expenses to audit, investigate, and provide other oversight of the Office of Personnel Management's retirement and insurance programs, to be transferred from the appropriate trust funds of the Office of Personnel Management, as determined by the Inspector General: Provided, That the Inspector General is authorized to rent conference rooms in the District of Columbia and elsewhere.

GOVERNMENT PAYMENT FOR ANNUITANTS, EMPLOYEES HEALTH BENEFITS

For payment of Government contributions with respect to retired employees, as authorized by chapter 89 of title 5, United States Code, and the Retired Federal Employees Health Benefits Act (74 Stat. 849), as amended, such sums as may be necessary.

GOVERNMENT PAYMENT FOR ANNUITANTS, EMPLOYEE LIFE INSURANCE

For payment of Government contributions with respect to employees retiring after December 31, 1989, as required by chapter 87 of title 5, United States Code, such sums as may be necessary.

PAYMENT TO CIVIL SERVICE RETIREMENT AND DISABILITY FUND

For financing the unfunded liability of new and increased annuity benefits becoming effective on or after October 20, 1969, as authorized by 5 U.S.C. 8348, and annuities under special Acts to be credited to the Civil Service Retirement and Disability Fund, such sums as may be necessary: Provided, That annuities authorized by the Act of May 29, 1944, as amended, and the Act of August 19, 1950, as amended (33 U.S.C. 771–775), may hereafter be paid out of the Civil Service Retirement and Disability Fund.

OFFICE OF SPECIAL COUNSEL

SALARIES AND EXPENSES

For necessary expenses to carry out functions of the Office of Special Counsel pursuant to Reorganization Plan Numbered 2 of 1978, the Civil Service Reform Act of 1978 (Public Law 95–454), as amended, the Whistleblower Protection Act of 1989 (Public Law 101–12), as amended, Public Law 103–424, and the Uniformed Services Employment and Reemployment Act of 1994 (Public Law 103–353), including services as authorized by 5 U.S.C. 3109, payment of fees and expenses for witnesses, rental of conference rooms in the District of Columbia and elsewhere, and hire of passenger motor vehicles; $15,449,000.

UNITED STATES POSTAL SERVICE

PAYMENT TO THE POSTAL SERVICE FUND

For payment to the Postal Service Fund for revenue forgone on free and reduced rate mail, pursuant to subsections (c) and (d) of section 2401 of title 39, United States Code, $90,709,000, of which $61,709,000 shall not be available for obligation until October 1, 2005: Provided, That mail for overseas voting and mail for the blind shall continue to be free: Provided further, That 6-day delivery and rural delivery of mail shall continue at not less than the 1983 level: Provided further, That none of the funds made available to the Postal Service by this Act shall be used to implement any rule, regulation, or policy of charging any officer or employee of any State or local child support enforcement agency, or any individual participating in a State or local program of child support enforcement, a fee for information requested or provided concerning an address of a postal customer: Provided further, That none of the funds provided in this Act shall be used to consolidate or close small rural and other small post offices in fiscal year 2005.

EMERGENCY PREPAREDNESS

For an additional amount for "Payment to the Postal Service Fund" for emergency expenses to enable the Postal Service to protect postal employees and postal customers from exposure to hazardous

materials in the mail, $507,000,000, to remain available until expended: Provided, that the Postal Service shall submit a spending plan for funds under this heading to the Office of Management and Budget and the House and Senate Committees on Appropriations: Provided further, That the Government Accountability Office shall review the spending plan and capabilities of the systems to detect hazardous materials: Provided further, That $7,000,000 is for the mail irradiation facility in Washington, D.C.: Provided further, That the $7,000,000 specified for the mail irradiation facility is designated as an emergency requirement pursuant to section 402 of S. Con. Res. 95 (108th Congress), as made applicable to the House of Representatives by H. Res. 649 (108th Congress) and applicable to the Senate by section 14007 of Public Law 108–287.

UNITED STATES TAX COURT

SALARIES AND EXPENSES

For necessary expenses, including contract reporting and other services as authorized by 5 U.S.C. 3109, $41,180,000: Provided, That travel expenses of the judges shall be paid upon the written certificate of the judge.

TITLE V

GENERAL PROVISIONS

THIS ACT

(INCLUDING TRANSFERS OF FUNDS)

SEC. 501. Such sums as may be necessary for fiscal year 2005 pay raises for programs funded in this Act shall be absorbed within the levels appropriated in this Act or previous appropriations Acts.

SEC. 502. None of the funds in this Act shall be used for the planning or execution of any program to pay the expenses of, or otherwise compensate, non-Federal parties intervening in regulatory or adjudicatory proceedings funded in this Act.

SEC. 503. None of the funds appropriated in this Act shall remain available for obligation beyond the current fiscal year, nor may any be transferred to other appropriations, unless expressly so provided herein.

SEC. 504. The expenditure of any appropriation under this Act for any consulting service through procurement contract pursuant to section 3109 of title 5, United States Code, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued pursuant to existing law.

SEC. 505. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriations Act.

SEC. 506. None of the funds made available by this Act shall be available for any activity or for paying the salary of any Government employee where funding an activity or paying a salary to a

Government employee would result in a decision, determination, rule, regulation, or policy that would prohibit the enforcement of section 307 of the Tariff Act of 1930.

SEC. 507. No part of any appropriation contained in this Act shall be available to pay the salary for any person filling a position, other than a temporary position, formerly held by an employee who has left to enter the Armed Forces of the United States and has satisfactorily completed his period of active military or naval service, and has within 90 days after his release from such service or from hospitalization continuing after discharge for a period of not more than 1 year, made application for restoration to his former position and has been certified by the Office of Personnel Management as still qualified to perform the duties of his former position and has not been restored thereto.

SEC. 508. No funds appropriated pursuant to this Act may be expended by an entity unless the entity agrees that in expending the assistance the entity will comply with sections 2 through 4 of the Act of March 3, 1933 (41 U.S.C. 10a–10c, popularly known as the "Buy America Act").

SEC. 509. No funds appropriated or otherwise made available under this Act shall be made available to any person or entity that has been convicted of violating the Buy American Act (41 U.S.C. 10a–10c).

SEC. 510. None of the funds provided in this Act, provided by previous appropriations Acts to the agencies or entities funded in this Act that remain available for obligation or expenditure in fiscal year 2005, or provided from any accounts in the Treasury derived by the collection of fees and available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds that: (1) creates a new program; (2) eliminates a program, project, or activity; (3) increases funds or personnel for any program, project, or activity for which funds have been denied or restricted by the Congress; (4) proposes to use funds directed for a specific activity by either the House or Senate Committees on Appropriations for a different purpose; (5) augments existing programs, projects, or activities in excess of $5,000,000 or 10 percent, whichever is less; (6) reduces existing programs, projects, or activities by $5,000,000 or 10 percent, whichever is less; or (7) creates, reorganizes, or restructures a branch, division, office, bureau, board, commission, agency, administration, or department different from the budget justifications submitted to the Committees on Appropriations or the table accompanying the Statement of the Managers accompanying this Act, whichever is more detailed, unless prior approval is received from the House and Senate Committees on Appropriations: Provided, That not later than 60 days after the date of enactment of this Act, each agency funded by this Act shall submit a report to the Committee on Appropriations of the Senate and of the House of Representatives to establish the baseline for application of reprogramming and transfer authorities for the current fiscal year: Provided further, That the report shall include (1) a table for each appropriation with a separate column to display the President's budget request, adjustments made by Congress, adjustments due to enacted rescissions, if appropriate, and the fiscal year enacted level; (2) a delineation in the table for each appropriation both by object class and program, project, and activity as detailed

in the budget appendix for the respective appropriation; and (3) an identification of items of special congressional interest: Provided further, That the amount appropriated or limited for salaries and expenses for an agency shall be reduced by $100,000 per day for each day after the required date that the report has not been submitted to the Congress.

SEC. 511. Except as otherwise specifically provided by law, not to exceed 50 percent of unobligated balances remaining available at the end of fiscal year 2005 from appropriations made available for salaries and expenses for fiscal year 2005 in this Act, shall remain available through September 30, 2006, for each such account for the purposes authorized: Provided, That a request shall be submitted to the Committees on Appropriations for approval prior to the expenditure of such funds: Provided further, That these requests shall be made in compliance with reprogramming guidelines.

SEC. 512. None of the funds made available in this Act may be used by the Executive Office of the President to request from the Federal Bureau of Investigation any official background investigation report on any individual, except when—

(1) such individual has given his or her express written consent for such request not more than 6 months prior to the date of such request and during the same presidential administration; or

(2) such request is required due to extraordinary circumstances involving national security.

SEC. 513. The cost accounting standards promulgated under section 26 of the Office of Federal Procurement Policy Act (Public Law 93–400; 41 U.S.C. 422) shall not apply with respect to a contract under the Federal Employees Health Benefits Program established under chapter 89 of title 5, United States Code.

SEC. 514. For the purpose of resolving litigation and implementing any settlement agreements regarding the nonforeign area cost-of-living allowance program, the Office of Personnel Management may accept and utilize (without regard to any restriction on unanticipated travel expenses imposed in an Appropriations Act) funds made available to the Office pursuant to court approval.

SEC. 515. No funds appropriated by this Act shall be available to pay for an abortion, or the administrative expenses in connection with any health plan under the Federal employees health benefits program which provides any benefits or coverage for abortions.

SEC. 516. The provision of section 515 shall not apply where the life of the mother would be endangered if the fetus were carried to term, or the pregnancy is the result of an act of rape or incest.

SEC. 517. In order to promote Government access to commercial information technology, the restriction on purchasing nondomestic articles, materials, and supplies set forth in the Buy American Act (41 U.S.C. 10a et seq.), shall not apply to the acquisition by the Federal Government of information technology (as defined in section 11101 of title 40, United States Code, that is a commercial item (as defined in section 4(12) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(12)).

SEC. 518. Public Law 108–199 is amended in Division H, section 161, by inserting "and all Federal agencies" after "Office of Management and Budget".

SEC. 519. None of the funds made available in this Act may be used to finalize, implement, administer, or enforce—

(1) the proposed rule relating to the determination that real estate brokerage is an activity that is financial in nature or incidental to a financial activity published in the Federal Register on January 3, 2001 (66 Fed. Reg. 307 et seq.); or

(2) the revision proposed in such rule to section 1501.2 of title 12 of the Code of Federal Regulations.

SEC. 520. TREATMENT OF THE TENNESSEE VALLEY AUTHORITY. The Securities Exchange Act of 1934 (15 U.S.C. 78a et seq.) is amended—

(1) in section 3(a)(42)(B) (15 U.S.C. 78c(a)(42)(B)), by inserting "by the Tennessee Valley Authority or" after "issued or guaranteed"; and

(2) by adding at the end the following new section:

"SEC. 37. TENNESSEE VALLEY AUTHORITY.

"(a) IN GENERAL.—Commencing with the issuance by the Tennessee Valley Authority of an annual report on Commission Form 10–K (or any successor thereto) for fiscal year 2006 and thereafter, the Tennessee Valley Authority shall file with the Commission, in accordance with such rules and regulations as the Commission has prescribed or may prescribe, such periodic, current, and supplementary information, documents, and reports as would be required pursuant to section 13 if the Tennessee Valley Authority were an issuer of a security registered pursuant to section 12. Notwithstanding the preceding sentence, the Tennessee Valley Authority shall not be required to register any securities under this title, and shall not be deemed to have registered any securities under this title.

"(b) LIMITED TREATMENT AS ISSUER.—Commencing with the issuance by the Tennessee Valley Authority of an annual report on Commission Form 10–K (or any successor thereto) for fiscal year 2006 and thereafter, the Tennessee Valley Authority shall be deemed to be an issuer for purposes of section 10A, other than for subsection (m)(1) or (m)(3) of section 10A. The Tennessee Valley Authority shall not be required by this subsection to comply with the rules issued by any national securities exchange or national securities association in response to rules issued by the Commission pursuant to section 10A(m)(1).

"(c) NO EFFECT ON TVA AUTHORITY.—Nothing in this section shall be construed to diminish, impair, or otherwise affect the authority of the Board of Directors of the Tennessee Valley Authority to carry out its statutory functions under the Tennessee Valley Authority Act of 1933.".

SEC. 521. Section 307 of the Denali Commission Act of 1998 (42 U.S.C. 3121 note) is amended by adding at the end the following new subsection:

"(e) DOCKS, WATERFRONT TRANSPORTATION DEVELOPMENT, AND RELATED INFRASTRUCTURE PROJECTS.—The Secretary of Transportation is authorized to make direct lump sum payments to the Commission to construct docks, waterfront development projects, and related transportation infrastructure, provided the local community provides a ten percent non-federal match in the form of any necessary land or planning and design funds. To carry out this section,

there is authorized to be appropriated such sums as may be necessary.".

SEC. 522. (a) PRIVACY OFFICER.—Each agency shall have a Chief Privacy Officer to assume primary responsibility for privacy and data protection policy, including—

(1) assuring that the use of technologies sustain, and do not erode, privacy protections relating to the use, collection, and disclosure of information in an identifiable form;

(2) assuring that technologies used to collect, use, store, and disclose information in identifiable form allow for continuous auditing of compliance with stated privacy policies and practices governing the collection, use and distribution of information in the operation of the program;

(3) assuring that personal information contained in Privacy Act systems of records is handled in full compliance with fair information practices as defined in the Privacy Act of 1974;

(4) evaluating legislative and regulatory proposals involving collection, use, and disclosure of personal information by the Federal Government;

(5) conducting a privacy impact assessment of proposed rules of the Department on the privacy of information in an identifiable form, including the type of personally identifiable information collected and the number of people affected;

(6) preparing a report to Congress on an annual basis on activities of the Department that affect privacy, including complaints of privacy violations, implementation of section 552a of title 5, 11 United States Code, internal controls, and other relevant matters;

(7) ensuring that the Department protects information in an identifiable form and information systems from unauthorized access, use, disclosure, disruption, modification, or destruction;

(8) training and educating employees on privacy and data protection policies to promote awareness of and compliance with established privacy and data protection policies; and

(9) ensuring compliance with the Departments established privacy and data protection policies.

(b) ESTABLISHING PRIVACY AND DATA PROTECTION PROCEDURES AND POLICIES.—

(1) IN GENERAL.—Within 12 months of enactment of this Act, each agency shall establish and implement comprehensive privacy and data protection procedures governing the agency's collection, use, sharing, disclosure, transfer, storage and security of information in an identifiable form relating to the agency employees and the public. Such procedures shall be consistent with legal and regulatory guidance, including OMB regulations, the Privacy Act of 1974, and section 208 of the E-Government Act of 2002.

(c) RECORDING.—Each agency shall prepare a written report of its use of information in an identifiable form, along with its privacy and data protection policies and procedures and record it with the Inspector General of the agency to serve as a benchmark for the agency. Each report shall be signed by the agency privacy officer to verify that the agency intends to comply with the procedures in the report. By signing the report the privacy officer also verifies that the

agency is only using information in identifiable form as detailed in the report.

(d) INDEPENDENT, THIRD-PARTY REVIEW.—

(1) IN GENERAL.—At least every 2 years, each agency shall have performed an independent, third party review of the use of information in identifiable form as the privacy and data protection procedures of the agency to—

(A) determine the accuracy of the description of the use of information in identifiable form;

(B) determine the effectiveness of the privacy and data protection procedures;

(C) ensure compliance with the stated privacy and data protection policies of the agency and applicable laws and regulations; and

(D) ensure that all technologies used to collect, use, store, and disclose information in identifiable form allow for continuous auditing of compliance with stated privacy policies and practices governing the collection, use and distribution of information in the operation of the program.

(2) PURPOSES.—The purposes of reviews under this subsection are to—

(A) ensure the agency's description of the use of information in an identifiable form is accurate and accounts for the agency's current technology and its processing of information in an identifiable form.

(B) measure actual privacy and data protection practices against the agency's recorded privacy and data protection procedures;

(C) ensure compliance and consistency with both online and offline stated privacy and data protection policies; and

(D) provide agencies with ongoing awareness and recommendations regarding privacy and data protection procedures.

(3) REQUIREMENTS OF REVIEW.—The Inspector General of each agency shall contract with an independent, third party that is a recognized leader in privacy consulting, privacy technology, data collection and data use management, and global privacy issues, to—

(A) evaluate the agency's use of information in identifiable form;

(B) evaluate the privacy and data protection procedures of the agency; and

(C) recommend strategies and specific steps to improve privacy and data protection management.

(4) CONTENT.—Each review under this subsection shall include—

(A) a review of the agency's technology, practices and procedures with regard to the collection, use, sharing, disclosure, transfer and storage of information in identifiable form;

(B) a review of the agency's stated privacy and data protection procedures with regard to the collection, use, sharing, disclosure, transfer, and security of personal information in identifiable form relating to agency employees and the public;

(C) a detailed analysis of agency intranet, network and Websites for privacy vulnerabilities, including—

(i) noncompliance with stated practices, procedures and policies; and

(ii) risks for inadvertent release of information in an identifiable form from the website of the agency.

(D) a review of agency compliance with this Act.

(e) REPORT.—

(1) IN GENERAL.—Upon completion of a review, the Inspector General of an agency shall submit to the head of that agency a detailed report on the review, including recommendations for improvements or enhancements to management of information in identifiable form, and the privacy and data protection procedures of the agency.

(2) INTERNET AVAILABILITY.—Each agency shall make each independent third party review, and each report of the Inspector General relating to that review available to the public.

(f) DEFINITION.—In this section, the definition of "identifiable form" is consistent with Public Law 107–347, the E-Government Act of 2002, and means any representation of information that permits the identity of an individual to whom the information applies to be reasonably inferred by either direct or indirect means.

SEC. 523. None of the funds made available under this Act may be obligated or expended to establish or implement a pilot program under which not more than 10 designated essential air service communities located in proximity to hub airports are required to assume 10 percent of their essential air subsidy costs for a 4-year period commonly referred to as the EAS local participation program.

SEC. 524. None of the funds made available in this Act may be used by the Council of Economic Advisers to produce an Economic Report of the President regarding the inclusion of employment at a retail fast food restaurant as part of the definition of manufacturing employment.

SEC. 525. Section 302(e)(3)(B) of the Federal Election Campaign Act of 1971 (2 U.S.C. 432(e)(3)(B)) is amended by striking "$1,000" and inserting in its place "$2,000".

SEC. 526. The Former Presidents Act, 3 U.S.C. 102, note, is amended to add the following at the end of Section 1(b): "Amounts provided for 'Allowances and Office Staff for Former Presidents' may be used to pay fees of an independent contractor who is not a member of the staff of the office of a former President for the review of Presidential records of a former President in connection with the transfer of such records to the National Archives and Records Administration or a Presidential Library without regard to the limitation on staff compensation set forth herein.".

SEC. 527. Of funds so made available in Items 18 and 19 of the table contained in Section 3031 of Public Law 105–178, $5,000,000 shall be available for the Buffalo, New York Inner Harbor Redevelopment Project; of funds made available in Public Law 104–50 for Crossroads Intermodal Station, New York, $1,000,000 shall be available for the Buffalo Inner Harbor Redevelopment Project; of the funds made available in Public Law 104–205 for Crossroads Intermodal Station, New York, $1,000,000 shall be available for the Buffalo, New York Inner Harbor Redevelopment Project; of funds made available in Public Law 106–346 for Buffalo, New York Intermodal

facility, $500,000 shall be available for the Buffalo, New York Inner Harbor Redevelopment Project; of funds made available in Public Law 108–7 for Buffalo Intermodal Transportation Center, $5,000,000 shall be available for the Buffalo, New York Inner Harbor Redevelopment Project.

SEC. 528. Funds in this Act that are apportioned to the Charleston Area Regional Transportation Authority to carry out section 5307 of title 49, United States Code, may be used to acquire land, equipment, or facilities used in public transportation from another governmental authority in the same geographic area: Provided, That the non-Federal share under section 5307 may include revenues from the sale of advertising and concessions.

SEC. 529. To the extent that funds remain available within the current budget for the project, the Secretary shall amend the Full Funding Grant Agreement for the Tri-Met Interstate light rail extension in Portland, Oregon, to allow acquisition of up to a total of twenty-four light rail vehicles.

SEC. 530. Section 1023(h) of the Intermodal Surface Transportation Efficiency Act of 1991 (23 U.S.C. 127 note; Public Law 102–240 as amended by Section 347 of Public Law 108–7) is amended in paragraph (1) by striking "October 1, 2003" and inserting "October 1, 2005".

SEC. 531. Unobligated funds in an amount not to exceed $4,500,000 that were designated to the North Country County Consortium, New York project in the conference report accompanying Public Law 108–99 under the Job Access and Reverse Commute Account shall be transferred to and administered under the bus category of the Capital Investment Grants Account and available for North Country Bus and Bus Related Equipment.

SEC. 532. Section 312a(a) of the Federal Election Campaign Act of 1971 (2 U.S.C. 439a(a)) is amended—

(1) by striking the "or" at the end of paragraph (a)(3);

(2) by striking the period, and adding a semi-colon at the end of paragraph (a)(4);

(3) by adding a new paragraph (a)(5) to read as follows: "(5) for donations to State and local candidates subject to the provisions of State law; or"; and

(4) by adding a new paragraph (a)(6) to read as follows: "(6) for any other lawful purpose unless prohibited by subsection (b) of this section.".

SEC. 533. From funds made available in this Act under the headings "White House Office", "Executive Residence at the White House", "White House Repair and Restoration", "Council of Economic Advisors", "Office of Policy Development", "National Security Council", "Office of Administration", "Office of Management and Budget", "Office of National Drug Control Policy", "Special Assistance to the President", and "Official Residence of the Vice President", the Director of the Office of Management and Budget (or such other officer as the President may designate in writing), may, fifteen days after giving notice to the House and Senate Committees on Appropriations, transfer not to exceed ten percent of any such appropriation to any other such appropriation, to be merged with and available for the same time and for the same purposes as the appropriation to which transferred: Provided, That the amount of an appropriation shall not be increased by more than fifty percent by such

transfers: Provided further, That no amount shall be transferred from "Special Assistance to the President" or "Official Residence of the Vice President" without the approval of the Vice President.

TITLE VI

GENERAL PROVISIONS

DEPARTMENTS, AGENCIES, AND CORPORATIONS

SEC. 601. Funds appropriated in this or any other Act may be used to pay travel to the United States for the immediate family of employees serving abroad in cases of death or life threatening illness of said employee.

SEC. 602. No department, agency, or instrumentality of the United States receiving appropriated funds under this or any other Act for fiscal year 2005 shall obligate or expend any such funds, unless such department, agency, or instrumentality has in place, and will continue to administer in good faith, a written policy designed to ensure that all of its workplaces are free from the illegal use, possession, or distribution of controlled substances (as defined in the Controlled Substances Act) by the officers and employees of such department, agency, or instrumentality.

SEC. 603. Unless otherwise specifically provided, the maximum amount allowable during the current fiscal year in accordance with section 16 of the Act of August 2, 1946 (60 Stat. 810), for the purchase of any passenger motor vehicle (exclusive of buses, ambulances, law enforcement, and undercover surveillance vehicles), is hereby fixed at $8,100 except station wagons for which the maximum shall be $9,100: Provided, That these limits may be exceeded by not to exceed $3,700 for police-type vehicles, and by not to exceed $4,000 for special heavy-duty vehicles: Provided further, That the limits set forth in this section may not be exceeded by more than 5 percent for electric or hybrid vehicles purchased for demonstration under the provisions of the Electric and Hybrid Vehicle Research, Development, and Demonstration Act of 1976: Provided further, That the limits set forth in this section may be exceeded by the incremental cost of clean alternative fuels vehicles acquired pursuant to Public Law 101–549 over the cost of comparable conventionally fueled vehicles.

SEC. 604. Appropriations of the executive departments and independent establishments for the current fiscal year available for expenses of travel, or for the expenses of the activity concerned, are hereby made available for quarters allowances and cost-of-living allowances, in accordance with 5 U.S.C. 5922–5924.

SEC. 605. Unless otherwise specified during the current fiscal year, no part of any appropriation contained in this or any other Act shall be used to pay the compensation of any officer or employee of the Government of the United States (including any agency the majority of the stock of which is owned by the Government of the United States) whose post of duty is in the continental United States unless such person: (1) is a citizen of the United States; (2) is a person in the service of the United States on the date of the enactment of this Act who, being eligible for citizenship, has filed a declaration of intention to become a citizen of the United States prior to such date and is actually residing in the United States; (3)

is a person who owes allegiance to the United States; (4) is an alien from Cuba, Poland, South Vietnam, the countries of the former Soviet Union, or the Baltic countries lawfully admitted to the United States for permanent residence; (5) is a South Vietnamese, Cambodian, or Laotian refugee paroled in the United States after January 1, 1975; or (6) is a national of the People's Republic of China who qualifies for adjustment of status pursuant to the Chinese Student Protection Act of 1992: Provided, That for the purpose of this section, an affidavit signed by any such person shall be considered prima facie evidence that the requirements of this section with respect to his or her status have been complied with: Provided further, That any person making a false affidavit shall be guilty of a felony, and, upon conviction, shall be fined no more than $4,000 or imprisoned for not more than 1 year, or both: Provided further, That the above penal clause shall be in addition to, and not in substitution for, any other provisions of existing law: Provided further, That any payment made to any officer or employee contrary to the provisions of this section shall be recoverable in action by the Federal Government. This section shall not apply to citizens of Ireland, Israel, or the Republic of the Philippines, or to nationals of those countries allied with the United States in a current defense effort, or to international broadcasters employed by the United States Information Agency, or to temporary employment of translators, or to temporary employment in the field service (not to exceed 60 days) as a result of emergencies.

SEC. 606. Appropriations available to any department or agency during the current fiscal year for necessary expenses, including maintenance or operating expenses, shall also be available for payment to the General Services Administration for charges for space and services and those expenses of renovation and alteration of buildings and facilities which constitute public improvements performed in accordance with the Public Buildings Act of 1959 (73 Stat. 749), the Public Buildings Amendments of 1972 (87 Stat. 216), or other applicable law.

SEC. 607. In addition to funds provided in this or any other Act, all Federal agencies are authorized to receive and use funds resulting from the sale of materials, including Federal records disposed of pursuant to a records schedule recovered through recycling or waste prevention programs. Such funds shall be available until expended for the following purposes:

(1) Acquisition, waste reduction and prevention, and recycling programs as described in Executive Order No. 13101 (September 14, 1998), including any such programs adopted prior to the effective date of the Executive order.

(2) Other Federal agency environmental management programs, including, but not limited to, the development and implementation of hazardous waste management and pollution prevention programs.

(3) Other employee programs as authorized by law or as deemed appropriate by the head of the Federal agency.

SEC. 608. Funds made available by this or any other Act for administrative expenses in the current fiscal year of the corporations and agencies subject to chapter 91 of title 31, United States Code, shall be available, in addition to objects for which such funds are otherwise available, for rent in the District of Columbia; services in

accordance with 5 U.S.C. 3109; and the objects specified under this head, all the provisions of which shall be applicable to the expenditure of such funds unless otherwise specified in the Act by which they are made available: Provided, That in the event any functions budgeted as administrative expenses are subsequently transferred to or paid from other funds, the limitations on administrative expenses shall be correspondingly reduced.

SEC. 609. No part of any appropriation for the current fiscal year contained in this or any other Act shall be paid to any person for the filling of any position for which he or she has been nominated after the Senate has voted not to approve the nomination of said person.

SEC. 610. No part of any appropriation contained in this or any other Act shall be available for interagency financing of boards (except Federal Executive Boards), commissions, councils, committees, or similar groups (whether or not they are interagency entities) which do not have a prior and specific statutory approval to receive financial support from more than one agency or instrumentality.

SEC. 611. Funds made available by this or any other Act to the Postal Service Fund (39 U.S.C. 2003) shall be available for employment of guards for all buildings and areas owned or occupied by the Postal Service and under the charge and control of the Postal Service, and such guards shall have, with respect to such property, the powers of special policemen provided by the first section of the Act of June 1, 1948, as amended (62 Stat. 281; 40 U.S.C. 318), and, as to property owned or occupied by the Postal Service, the Postmaster General may take the same actions as the Administrator of General Services may take under the provisions of sections 2 and 3 of the Act of June 1, 1948, as amended (62 Stat. 281; 40 U.S.C. 318a and 318b), attaching thereto penal consequences under the authority and within the limits provided in section 4 of the Act of June 1, 1948, as amended (62 Stat. 281; 40 U.S.C. 318c).

SEC. 612. None of the funds made available pursuant to the provisions of this Act shall be used to implement, administer, or enforce any regulation which has been disapproved pursuant to a resolution of disapproval duly adopted in accordance with the applicable law of the United States.

SEC. 613. (a) Notwithstanding any other provision of law, and except as otherwise provided in this section, no part of any of the funds appropriated for fiscal year 2005, by this or any other Act, may be used to pay any prevailing rate employee described in section 5342(a)(2)(A) of title 5, United States Code—

(1) during the period from the date of expiration of the limitation imposed by the comparable section for previous fiscal years until the normal effective date of the applicable wage survey adjustment that is to take effect in fiscal year 2005, in an amount that exceeds the rate payable for the applicable grade and step of the applicable wage schedule in accordance with such section; and

(2) during the period consisting of the remainder of fiscal year 2005, in an amount that exceeds, as a result of a wage survey adjustment, the rate payable under paragraph (1) by more than the sum of—

(A) the percentage adjustment taking effect in fiscal year 2005 under section 5303 of title 5, United States Code, in the rates of pay under the General Schedule; and

(B) the difference between the overall average percentage of the locality-based comparability payments taking effect in fiscal year 2005 under section 5304 of such title (whether by adjustment or otherwise), and the overall average percentage of such payments which was effective in the previous fiscal year under such section.

(b) Notwithstanding any other provision of law, no prevailing rate employee described in subparagraph (B) or (C) of section 5342(a)(2) of title 5, United States Code, and no employee covered by section 5348 of such title, may be paid during the periods for which subsection (a) is in effect at a rate that exceeds the rates that would be payable under subsection (a) were subsection (a) applicable to such employee.

(c) For the purposes of this section, the rates payable to an employee who is covered by this section and who is paid from a schedule not in existence on September 30, 2004, shall be determined under regulations prescribed by the Office of Personnel Management.

(d) Notwithstanding any other provision of law, rates of premium pay for employees subject to this section may not be changed from the rates in effect on September 30, 2004, except to the extent determined by the Office of Personnel Management to be consistent with the purpose of this section.

(e) This section shall apply with respect to pay for service performed after September 30, 2004.

(f) For the purpose of administering any provision of law (including any rule or regulation that provides premium pay, retirement, life insurance, or any other employee benefit) that requires any deduction or contribution, or that imposes any requirement or limitation on the basis of a rate of salary or basic pay, the rate of salary or basic pay payable after the application of this section shall be treated as the rate of salary or basic pay.

(g) Nothing in this section shall be considered to permit or require the payment to any employee covered by this section at a rate in excess of the rate that would be payable were this section not in effect.

(h) The Office of Personnel Management may provide for exceptions to the limitations imposed by this section if the Office determines that such exceptions are necessary to ensure the recruitment or retention of qualified employees.

SEC. 614. During the period in which the head of any department or agency, or any other officer or civilian employee of the Government appointed by the President of the United States, holds office, no funds may be obligated or expended in excess of $5,000 to furnish or redecorate the office of such department head, agency head, officer, or employee, or to purchase furniture or make improvements for any such office, unless advance notice of such furnishing or redecoration is expressly approved by the Committees on Appropriations. For the purposes of this section, the term "office" shall include the entire suite of offices assigned to the individual, as well as any other space used primarily by the individual or the use of which is directly controlled by the individual.

SEC. 615. Notwithstanding section 1346 of title 31, United States Code, or section 610 of this Act, funds made available for the current fiscal year by this or any other Act shall be available for the interagency funding of national security and emergency preparedness telecommunications initiatives which benefit multiple Federal departments, agencies, or entities, as provided by Executive Order No. 12472 (April 3, 1984).

SEC. 616. (a) None of the funds appropriated by this or any other Act may be obligated or expended by any Federal department, agency, or other instrumentality for the salaries or expenses of any employee appointed to a position of a confidential or policy-determining character excepted from the competitive service pursuant to section 3302 of title 5, United States Code, without a certification to the Office of Personnel Management from the head of the Federal department, agency, or other instrumentality employing the Schedule C appointee that the Schedule C position was not created solely or primarily in order to detail the employee to the White House.

(b) The provisions of this section shall not apply to Federal employees or members of the armed services detailed to or from—

(1) the Central Intelligence Agency;

(2) the National Security Agency;

(3) the Defense Intelligence Agency;

(4) the offices within the Department of Defense for the collection of specialized national foreign intelligence through reconnaissance programs;

(5) the Bureau of Intelligence and Research of the Department of State;

(6) any agency, office, or unit of the Army, Navy, Air Force, and Marine Corps, the Department of Homeland Security, the Federal Bureau of Investigation and the Drug Enforcement Administration of the Department of Justice, the Department of Transportation, the Department of the Treasury, and the Department of Energy performing intelligence functions; and

(7) the Director of Central Intelligence.

SEC. 617. No department, agency, or instrumentality of the United States receiving appropriated funds under this or any other Act for the current fiscal year shall obligate or expend any such funds, unless such department, agency, or instrumentality has in place, and will continue to administer in good faith, a written policy designed to ensure that all of its workplaces are free from discrimination and sexual harassment and that all of its workplaces are not in violation of title VII of the Civil Rights Act of 1964, as amended, the Age Discrimination in Employment Act of 1967, and the Rehabilitation Act of 1973.

SEC. 618. No part of any appropriation contained in this or any other Act shall be available for the payment of the salary of any officer or employee of the Federal Government, who—

(1) prohibits or prevents, or attempts or threatens to prohibit or prevent, any other officer or employee of the Federal Government from having any direct oral or written communication or contact with any Member, committee, or subcommittee of the Congress in connection with any matter pertaining to the employment of such other officer or employee or pertaining to the department or agency of such other officer or employee in any way, irrespective of whether such communication or contact

is at the initiative of such other officer or employee or in response to the request or inquiry of such Member, committee, or subcommittee; or

(2) removes, suspends from duty without pay, demotes, reduces in rank, seniority, status, pay, or performance of efficiency rating, denies promotion to, relocates, reassigns, transfers, disciplines, or discriminates in regard to any employment right, entitlement, or benefit, or any term or condition of employment of, any other officer or employee of the Federal Government, or attempts or threatens to commit any of the foregoing actions with respect to such other officer or employee, by reason of any communication or contact of such other officer or employee with any Member, committee, or subcommittee of the Congress as described in paragraph (1).

SEC. 619. (a) None of the funds made available in this or any other Act may be obligated or expended for any employee training that—

(1) does not meet identified needs for knowledge, skills, and abilities bearing directly upon the performance of official duties;

(2) contains elements likely to induce high levels of emotional response or psychological stress in some participants;

(3) does not require prior employee notification of the content and methods to be used in the training and written end of course evaluation;

(4) contains any methods or content associated with religious or quasi-religious belief systems or "new age" belief systems as defined in Equal Employment Opportunity Commission Notice N–915.022, dated September 2, 1988; or

(5) is offensive to, or designed to change, participants' personal values or lifestyle outside the workplace.

(b) Nothing in this section shall prohibit, restrict, or otherwise preclude an agency from conducting training bearing directly upon the performance of official duties.

SEC. 620. No funds appropriated in this or any other Act may be used to implement or enforce the agreements in Standard Forms 312 and 4414 of the Government or any other nondisclosure policy, form, or agreement if such policy, form, or agreement does not contain the following provisions: "These restrictions are consistent with and do not supersede, conflict with, or otherwise alter the employee obligations, rights, or liabilities created by Executive Order No. 12958; section 7211 of title 5, United States Code (governing disclosures to Congress); section 1034 of title 10, United States Code, as amended by the Military Whistleblower Protection Act (governing disclosure to Congress by members of the military); section 2302(b)(8) of title 5, United States Code, as amended by the Whistleblower Protection Act (governing disclosures of illegality, waste, fraud, abuse or public health or safety threats); the Intelligence Identities Protection Act of 1982 (50 U.S.C. 421 et seq.) (governing disclosures that could expose confidential Government agents); and the statutes which protect against disclosure that may compromise the national security, including sections 641, 793, 794, 798, and 952 of title 18, United States Code, and section 4(b) of the Subversive Activities Act of 1950 (50 U.S.C. 783(b)). The definitions, requirements, obligations, rights, sanctions, and liabilities created by said Executive order and listed statutes are incorporated into this agree-

ment and are controlling.": Provided, That notwithstanding the preceding paragraph, a nondisclosure policy form or agreement that is to be executed by a person connected with the conduct of an intelligence or intelligence-related activity, other than an employee or officer of the United States Government, may contain provisions appropriate to the particular activity for which such document is to be used. Such form or agreement shall, at a minimum, require that the person will not disclose any classified information received in the course of such activity unless specifically authorized to do so by the United States Government. Such nondisclosure forms shall also make it clear that they do not bar disclosures to Congress or to an authorized official of an executive agency or the Department of Justice that are essential to reporting a substantial violation of law.

SEC. 621. No part of any funds appropriated in this or any other Act shall be used by an agency of the executive branch, other than for normal and recognized executive-legislative relationships, for publicity or propaganda purposes, and for the preparation, distribution or use of any kit, pamphlet, booklet, publication, radio, television or film presentation designed to support or defeat legislation pending before the Congress, except in presentation to the Congress itself.

SEC. 622. None of the funds appropriated by this or any other Act may be used by an agency to provide a Federal employee's home address to any labor organization except when the employee has authorized such disclosure or when such disclosure has been ordered by a court of competent jurisdiction.

SEC. 623. None of the funds made available in this Act or any other Act may be used to provide any non-public information such as mailing or telephone lists to any person or any organization outside of the Federal Government without the approval of the Committees on Appropriations.

SEC. 624. No part of any appropriation contained in this or any other Act shall be used for publicity or propaganda purposes within the United States not heretofor authorized by the Congress.

SEC. 625. (a) In this section the term "agency"—

(1) means an Executive agency as defined under section 105 of title 5, United States Code;

(2) includes a military department as defined under section 102 of such title, the Postal Service, and the Postal Rate Commission; and

(3) shall not include the Government Accountability Office.

(b) Unless authorized in accordance with law or regulations to use such time for other purposes, an employee of an agency shall use official time in an honest effort to perform official duties. An employee not under a leave system, including a Presidential appointee exempted under section 6301(2) of title 5, United States Code, has an obligation to expend an honest effort and a reasonable proportion of such employee's time in the performance of official duties.

SEC. 626. Notwithstanding 31 U.S.C. 1346 and section 610 of this Act, funds made available for the current fiscal year by this or any other Act to any department or agency, which is a member of the Joint Financial Management Improvement Program (JFMIP), shall be available to finance an appropriate share of JFMIP administrative costs, as determined by the JFMIP, but not to exceed a

total of $800,000 including the salary of the Executive Director and staff support.

SEC. 627. Notwithstanding 31 U.S.C. 1346 and section 610 of this Act, the head of each Executive department and agency is hereby authorized to transfer to or reimburse "General Services Administration, Government-wide Policy" with the approval of the Director of the Office of Management and Budget, funds made available for the current fiscal year by this or any other Act, including rebates from charge card and other contracts: Provided, That these funds shall be administered by the Administrator of General Services to support Government-wide financial, information technology, procurement, and other management innovations, initiatives, and activities, as approved by the Director of the Office of Management and Budget, in consultation with the appropriate interagency groups designated by the Director (including the Chief Financial Officers Council and the Joint Financial Management Improvement Program for financial management initiatives, the Chief Information Officers Council for information technology initiatives, the Chief Human Capital Officers Council for human capital initiatives, and the Federal Acquisition Council for procurement initiatives). The total funds transferred or reimbursed shall not exceed $17,000,000. Such transfers or reimbursements may only be made 15 days following notification of the Committees on Appropriations by the Director of the Office of Management and Budget.

SEC. 628. None of the funds made available in this or any other Act may be used by the Office of Personnel Management or any other department or agency of the Federal Government to prohibit any agency from using appropriated funds as they see fit to independently contract with private companies to provide online employment applications and processing services.

SEC. 629. Notwithstanding any other provision of law, a woman may breastfeed her child at any location in a Federal building or on Federal property, if the woman and her child are otherwise authorized to be present at the location.

SEC. 630. Nothwithstanding section 1346 of title 31, United States Code, or section 610 of this Act, funds made available for the current fiscal year by this or any other Act shall be available for the interagency funding of specific projects, workshops, studies, and similar efforts to carry out the purposes of the National Science and Technology Council (authorized by Executive Order No. 12881), which benefit multiple Federal departments, agencies, or entities: Provided, That the Office of Management and Budget shall provide a report describing the budget of and resources connected with the National Science and Technology Council to the Committees on Appropriations, the House Committee on Science; and the Senate Committee on Commerce, Science, and Transportation 90 days after enactment of this Act.

SEC. 631. Any request for proposals, solicitation, grant application, form, notification, press release, or other publications involving the distribution of Federal funds shall indicate the agency providing the funds, the Catalog of Federal Domestic Assistance Number, as applicable, and the amount provided: Provided, That this provision shall apply to direct payments, formula funds, and grants received by a State receiving Federal funds.

SEC. 632. Subsection (f) of section 403 of Public Law 103–356 (31 U.S.C. 501 note), as amended, is further amended by striking "October 1, 2004" and inserting "October 1, 2005".

SEC. 633. (a) PROHIBITION OF FEDERAL AGENCY MONITORING OF INDIVIDUALS' INTERNET USE.—None of the funds made available in this or any other Act may be used by any Federal agency—

(1) to collect, review, or create any aggregation of data, derived from any means, that includes any personally identifiable information relating to an individual's access to or use of any Federal Government Internet site of the agency; or

(2) to enter into any agreement with a third party (including another government agency) to collect, review, or obtain any aggregation of data, derived from any means, that includes any personally identifiable information relating to an individual's access to or use of any nongovernmental Internet site.

(b) EXCEPTIONS.—The limitations established in subsection (a) shall not apply to—

(1) any record of aggregate data that does not identify particular persons;

(2) any voluntary submission of personally identifiable information;

(3) any action taken for law enforcement, regulatory, or supervisory purposes, in accordance with applicable law; or

(4) any action described in subsection (a)(1) that is a system security action taken by the operator of an Internet site and is necessarily incident to the rendition of the Internet site services or to the protection of the rights or property of the provider of the Internet site.

(c) DEFINITIONS.—For the purposes of this section:

(1) The term "regulatory" means agency actions to implement, interpret or enforce authorities provided in law.

(2) The term "supervisory" means examinations of the agency's supervised institutions, including assessing safety and soundness, overall financial condition, management practices and policies and compliance with applicable standards as provided in law.

SEC. 634. (a) None of the funds appropriated by this Act may be used to enter into or renew a contract which includes a provision providing prescription drug coverage, except where the contract also includes a provision for contraceptive coverage.

(b) Nothing in this section shall apply to a contract with—

(1) any of the following religious plans:

(A) Personal Care's HMO; and

(B) OSF Health Plans, Inc.; and

(2) any existing or future plan, if the carrier for the plan objects to such coverage on the basis of religious beliefs.

(c) In implementing this section, any plan that enters into or renews a contract under this section may not subject any individual to discrimination on the basis that the individual refuses to prescribe or otherwise provide for contraceptives because such activities would be contrary to the individual's religious beliefs or moral convictions.

(d) Nothing in this section shall be construed to require coverage of abortion or abortion-related services.

SEC. 635. The Congress of the United States recognizes the United States Anti-Doping Agency (USADA) as the official anti-doping agency for Olympic, Pan American, and Paralympic sport in the United States.

SEC. 636. Notwithstanding any other provision of law, funds appropriated for official travel by Federal departments and agencies may be used by such departments and agencies, if consistent with Office of Management and Budget Circular A–126 regarding official travel for Government personnel, to participate in the fractional aircraft ownership pilot program.

SEC. 637. None of the funds made available under this or any other Act for fiscal year 2005 and each fiscal year thereafter shall be expended for the purchase of a product or service offered by Federal Prison Industries, Inc. unless the agency making such purchase determines that such offered product or service provides the best value to the buying agency pursuant to governmentwide procurement regulations, issued pursuant to section 25(c)(1) of the Office of Federal Procurement Act (41 U.S.C. 421(c)(1)) that impose procedures, standards, and limitations of section 2410n of title 10, United States Code.

SEC. 638. Notwithstanding any other provision of law, none of the funds appropriated or made available under this Act or any other appropriations Act may be used to implement or enforce restrictions or limitations on the Coast Guard Congressional Fellowship Program, or to implement the proposed regulations of the Office of Personnel Management to add sections 300.311 through 300.316 to part 300 of title 5 of the Code of Federal Regulations, published in the Federal Register, volume 68, number 174, on September 9, 2003 (relating to the detail of executive branch employees to the legislative branch).

SEC. 639. Each Executive department and agency shall evaluate the creditworthiness of an individual before issuing the individual a government purchase charge card or government travel charge card. The department or agency may not issue a government purchase charge card or government travel charge card to an individual that either lacks a credit history or is found to have an unsatisfactory credit history as a result of this evaluation: Provided, That this restriction shall not preclude issuance of a restricted-use charge, debit, or stored value card made in accordance with agency procedures to (a) an individual with an unsatisfactory credit history where such card is used to pay travel expenses and the agency determines there is no suitable alternative payment mechanism available before issuing the card, or (b) an individual who lacks a credit history. Each Executive department and agency shall establish guidelines and procedures for disciplinary actions to be taken against agency personnel for improper, fraudulent, or abusive use of government charge cards, which shall include appropriate disciplinary actions for use of charge cards for purposes, and at establishments, that are inconsistent with the official business of the Department or agency or with applicable standards of conduct.

SEC. 640. (a) The adjustment in rates of basic pay for employees under the statutory pay systems that takes effect in fiscal year 2005 under sections 5303 and 5304 of title 5, United States Code, shall be an increase of 3.5 percent, and this adjustment shall apply to civilian employees in the Department of Defense and the Department

of Homeland Security and such adjustments shall be effective as of the first day of the first applicable pay period beginning on or after January 1, 2005.

(b) Notwithstanding section 613 of this Act, the adjustment in rates of basic pay for the statutory pay systems that take place in fiscal year 2005 under sections 5344 and 5348 of title 5, United States Code, shall be no less than the percentage in paragraph (a) as employees in the same location whose rates of basic pay are adjusted pursuant to the statutory pay systems under section 5303 and 5304 of title 5, United States Code. Prevailing rate employees at locations where there are no employees whose pay is increased pursuant to sections 5303 and 5304 of title 5 and prevailing rate employees described in section 5343(a)(5) of title 5 shall be considered to be located in the pay locality designated as "Rest of US" pursuant to section 5304 of title 5 for purposes of this paragraph.

(c) Funds used to carry out this section shall be paid from appropriations, which are made to each applicable department or agency for salaries and expenses for fiscal year 2005.

SEC. 641. (a) Not later than 180 days after the end of the fiscal year, the head of each Federal agency shall submit a report to Congress on the amount of the acquisitions made by the agency from entities that manufacture the articles, materials, or supplies outside of the United States in that fiscal year.

(b) The report required by subsection (a) shall separately indicate—

(1) the dollar value of any articles, materials, or supplies purchased that were manufactured outside of the United States;

(2) an itemized list of all waivers granted with respect to such articles, materials, or supplies under the Buy American Act (41 U.S.C. 10a et seq.); and

(3) a summary of the total procurement funds spent on goods manufactured in the United States versus funds spent on goods manufactured outside of the United States.

(c) The head of each Federal agency submitting a report under subsection (a) shall make the report publicly available to the maximum extent practicable.

(d) This section shall not apply to acquisitions made by an agency, or component thereof, that is an element of the intelligence community as set forth in or designated under section 3(4) of the National Security Act of 1947 (50 U.S.C. 401a(4)).

SEC. 642. Notwithstanding any other provision of law, no executive branch agency shall purchase, construct, and/or lease any additional facilities, except within or contiguous to existing locations, to be used for the purpose of conducting Federal law enforcement training without the advance approval of the Committees on Appropriations, except that the Federal Law Enforcement Training Center is authorized to obtain the temporary use of additional facilities by lease, contract, or other agreement for training which cannot be accommodated in existing Center facilities.

SEC. 643. (a) IN GENERAL.—Section 6402 of title 26, United States Code, is amended by redesignating subsections (f) through (k) as subsections (g) through (l), respectively, and by inserting after subsection (e) the following new subsection:

"(f) COLLECTION OF PAST-DUE, LEGALLY ENFORCEABLE STATE UNEMPLOYMENT COMPENSATION DEBTS.—

"(1) IN GENERAL.—Upon receiving notice from any State that a person owes a past-due, legally enforceable State unemployment compensation debt to such State, the Secretary shall, under such conditions as may be prescribed by the Secretary—

"(A) reduce the amount of any overpayment payable to such person by the amount of such unemployment compensation debt;

"(B) pay the amount by which such overpayment is reduced under subparagraph (A) to such State and notify such State of such person's name, taxpayer identification number, address, and the amount collected; and

"(C) notify the person making such overpayment that the overpayment has been reduced by an amount necessary to satisfy a past-due, legally enforceable State unemployment compensation debt. If an offset is made pursuant to a joint return, the notice under subparagraph (B) shall include the names, taxpayer identification numbers, and addresses of each person filing such return.

"(2) PRIORITIES FOR OFFSET.—Any overpayment by a person shall be reduced pursuant to this subsection—

"(A) after such overpayment is reduced pursuant to—

"(i) subsection (a) with respect to any liability for any internal revenue tax on the part of the person who made the overpayment;

"(ii) subsection (c) with respect to past-due support;

"(iii) subsection (d) with respect to any past-due, legally enforceable debt owed to a Federal agency; and

"(B) before such overpayment is credited to the future liability for any Federal internal revenue tax of such person pursuant to subsection (b). If the Secretary receives notice from a State or States of more than one debt subject to paragraph (1) and/or subsection (e) that is owed by a person to such State or States, any overpayment by such person shall be applied against such debts in the order in which such debts accrued.

"(3) NOTICE; CONSIDERATION OF EVIDENCE.—No State may take action under this subsection until such State—

"(A) notifies the person owing the past-due legally enforceable State unemployment compensation debt that the State proposes to take action pursuant to this section;

"(B) gives such person at least 60 days to present evidence that all or part of such liability is not past-due or not legally enforceable;

"(C) considers any evidence presented by such person and determines that an amount of such debt is past-due and legally enforceable; and

"(D) satisfies such other conditions as the Secretary may prescribe to ensure that the determination made under subparagraph (C) is valid and that the State has made reasonable efforts to obtain payment of such unemployment compensation debt.

"(4) PAST-DUE, LEGALLY ENFORCEABLE STATE UNEMPLOYMENT COMPENSATION DEBT.—For purposes of this subsection, the term 'past-due, legally enforceable State unemployment compensation debt' means overpayments of unemployment com-

pensation assessed under the law of a State certified by the Secretary of Labor pursuant to section 3304 of the Internal Revenue Code, which have become final under State law and remain uncollected.

"(5) REGULATIONS.—The Secretary shall issue regulations prescribing the time and manner in which States must submit notices of past-due, legally enforceable State unemployment compensation debt and the necessary information that must be contained in or accompany such notices. The regulations shall specify the minimum amount of debt to which the reduction procedure established by paragraph (1) may be applied. The regulations may require States to pay a fee to the Secretary, which may be deducted from amounts collected, to reimburse the Secretary for the cost of applying such procedure. Any fee paid to the Secretary pursuant to the preceding sentence shall be used to reimburse appropriations which bore all or part of the cost of applying such procedure. The regulations may include a requirement that States submit notices of past-due, legally enforceable State unemployment compensation debt to the Secretary via the Secretary of Labor in accordance with procedures established by the Secretary of Labor. Such procedures may require States to pay a fee to the Secretary of Labor to reimburse the Secretary of Labor for the costs of applying this subsection. Any such fee shall be established in consultation with the Secretary of the Treasury. Any fee paid to the Secretary of Labor may be deducted from amounts collected and shall be used to reimburse the appropriation account which bore all or part of the cost of applying this subsection.

"(6) ERRONEOUS PAYMENT TO STATE.—Any State receiving notice from the Secretary that an erroneous payment has been made to such State under paragraph (1) shall pay promptly to the Secretary, in accordance with such regulations as the Secretary may prescribe, an amount equal to the amount of such erroneous payment (without regard to whether any other amounts payable to such State under such paragraph have been paid to such State).".

(b) Disclosure of certain information to States requesting refund offsets for past-due legally enforceable State unemployment compensation debt.

(1) Paragraph (10) of section 6103(l) is amended by striking "(c), (d), or (e)" each place it appears and inserting "(c), (d), (e) or (f)."

(2) Paragraph (10)(A) of section 6103(l) is amended by inserting "and to officers and employees of the Department of Labor in connection with a reduction under subsection (f) of section 6402" after the words "section 6402".

(3) The heading of paragraph (10) is amended by striking "subsection (c), (d), or (e) of section 6402 and inserting "subsection (c), (d), (e) or (f) of section 6402.".

(c) CONFORMING AMENDMENTS.—

(1) Subsection (a) of section 6402 is amended by striking "(c), (d), and (e)," and inserting "(c), (d), (e) and (f)".

(2) Paragraph (2) of section 6402(d) is amended by striking "and before such overpayment is reduced pursuant to subsection

(e)" and inserting "and before such overpayment is reduced pursuant to subsections (e) and (f)".

(3) Subsection (g) of section 6402, as redesignated by subsection (a), is amended by striking "(c), (d) or (e)" and inserting "(c), (d), (e) or (f)".

(4) Subsection (i) of section 6402, as redesignated by subsection (a), is amended by striking "subsection (c) or (e)" and inserting "subsection (c), (e) or (f)".

(d) EFFECTIVE DATE.—The amendments made by this section shall be effective as to refunds payable under section 6402 of the Internal Revenue Code on or after the date of enactment.

SEC. 644. Notwithstanding section 1346 of title 31, United States Code, and section 610 of this Act and any other provision of law, the head of each appropriate executive department and agency shall transfer to or reimburse the Federal Aviation Administration, upon the direction of the Director of the Office of Management and Budget, funds made available by this or any other Act for the purposes described below, and shall submit budget requests for such purposes. These funds shall be administered by the Federal Aviation Administration, in consultation with the appropriate interagency groups designated by the Director and shall be used to ensure the uninterrupted, continuous operation of the Midway Atoll Airfield by the Federal Aviation Administration pursuant to an operational agreement with the Department of the Interior for the entirety of fiscal year 2005 and any period thereafter that precedes the enactment of the Transportation, Treasury, and Independent Agencies Appropriations Act, 2006. The Director of the Office of Management and Budget shall mandate the necessary transfers after determining an equitable allocation between the appropriate executive departments and agencies of the responsibility for funding the continuous operation of the Midway Atoll Airfield based on, but not limited to, potential use, interest in maintaining aviation safety, and applicability to governmental operations and agency mission. The total funds transferred or reimbursed shall not exceed $6,000,000 for any twelve-month period. Such sums shall be sufficient to ensure continued operation of the airfield throughout the period cited above. Funds shall be available for operation of the airfield or airfield-related capital upgrades. The Director of the Office of Management and Budget shall notify the Committees on Appropriations of such transfers or reimbursements within 15 days of this Act. Such transfers or reimbursements shall begin within 30 days of enactment of this Act.

SEC. 645. (a) DESIGNATION.—The United States courthouse located at 95 Seventh Street in San Francisco, California, shall be known and designated as the "James R. Browning United States Courthouse".

(b) Any reference in a law, map, regulation, document, paper, or other record of the United States to the United States courthouse referred to in section (a) shall be deemed to be a reference to the "James R. Browning United States Courthouse".

This division may be cited as the "Transportation, Treasury, Independent Agencies, and General Government Appropriations Act, 2005".

DIVISION I—DEPARTMENTS OF VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT, AND INDEPENDENT AGENCIES APPROPRIATIONS ACT, 2005

TITLE I—DEPARTMENT OF VETERANS AFFAIRS

VETERANS BENEFITS ADMINISTRATION

COMPENSATION AND PENSIONS

(INCLUDING TRANSFER OF FUNDS)

For the payment of compensation benefits to or on behalf of veterans and a pilot program for disability examinations as authorized by law (38 U.S.C. 107, chapters 11, 13, 18, 51, 53, 55, and 61); pension benefits to or on behalf of veterans as authorized by law (38 U.S.C. chapters 15, 51, 53, 55, and 61; 92 Stat. 2508); and burial benefits, emergency and other officers' retirement pay, adjusted-service credits and certificates, payment of premiums due on commercial life insurance policies guaranteed under the provisions of article IV of the Soldiers' and Sailors' Civil Relief Act of 1940 (50 U.S.C. App. 540 et seq.) and for other benefits as authorized by law (38 U.S.C. 107, 1312, 1977, and 2106, chapters 23, 51, 53, 55, and 61; 50 U.S.C. App. 540–548; 43 Stat. 122, 123; 45 Stat. 735; 76 Stat. 1198), $32,607,688,000, to remain available until expended: Provided, That not to exceed $20,703,000 of the amount appropriated under this heading shall be reimbursed to "General operating expenses" and "Medical services" for necessary expenses in implementing those provisions authorized in the Omnibus Budget Reconciliation Act of 1990, and in the Veterans' Benefits Act of 1992 (38 U.S.C. chapters 51, 53, and 55), the funding source for which is specifically provided as the "Compensation and pensions" appropriation: Provided further, That such sums as may be earned on an actual qualifying patient basis, shall be reimbursed to "Medical facilities revolving fund" to augment the funding of individual medical facilities for nursing home care provided to pensioners as authorized.

READJUSTMENT BENEFITS

For the payment of readjustment and rehabilitation benefits to or on behalf of veterans as authorized by law (38 U.S.C. chapters 21, 30, 31, 34, 35, 36, 39, 51, 53, 55, and 61), $2,556,232,000, to remain available until expended: Provided, That expenses for rehabilitation program services and assistance which the Secretary is authorized to provide under section 3104(a) of title 38, United States Code, other than under subsection (a)(-1), (2), (5), and (11) of that section, shall be charged to this account.

VETERANS INSURANCE AND INDEMNITIES

For military and naval insurance, national service life insurance, servicemen's indemnities, service-disabled veterans insurance, and veterans mortgage life insurance as authorized by 38 U.S.C. chapter 19; 70 Stat. 887; 72 Stat. 487, $44,380,000, to remain available until expended.

VETERANS HOUSING BENEFIT PROGRAM FUND PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For the cost of direct and guaranteed loans, such sums as may be necessary to carry out the program, as authorized by 38 U.S.C. chapter 37, as amended: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: Provided further, That during fiscal year 2005, within the resources available, not to exceed $500,000 in gross obligations for direct loans are authorized for specially adapted housing loans.

In addition, for administrative expenses to carry out the direct and guaranteed loan programs, $154,075,000, which may be transferred to and merged with the appropriation for "General operating expenses".

VOCATIONAL REHABILITATION LOANS PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For the cost of direct loans, $47,000, as authorized by 38 U.S.C. chapter 31, as amended: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: Provided further, That funds made available under this heading are available to subsidize gross obligations for the principal amount of direct loans not to exceed $4,108,000.

In addition, for administrative expenses necessary to carry out the direct loan program, $311,000, which may be transferred to and merged with the appropriation for "General operating expenses".

NATIVE AMERICAN VETERAN HOUSING LOAN PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For administrative expenses to carry out the direct loan program authorized by 38 U.S.C. chapter 37, subchapter V, as amended, $571,000, which may be transferred to and merged with the appropriation for "General operating expenses": Provided, That no new loans in excess of $50,000,000 may be made in fiscal year 2005.

GUARANTEED TRANSITIONAL HOUSING LOANS FOR HOMELESS VETERANS PROGRAM ACCOUNT

For the administrative expenses to carry out the guaranteed transitional housing loan program authorized by 38 U.S.C. chapter 37, subchapter VI, not to exceed $750,000 of the amounts appropriated by this Act for "General operating expenses" and "Medical administration" may be expended.

VETERANS HEALTH ADMINISTRATION

MEDICAL SERVICES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses for furnishing, as authorized by law, inpatient and outpatient care and treatment to beneficiaries of the Department of Veterans Affairs and veterans described in paragraphs

(1) through (8) of section 1705(a) of title 38, United States Code, including care and treatment in facilities not under the jurisdiction of the department and including medical supplies and equipment and salaries and expenses of health-care employees hired under title 38, United States Code, and aid to State homes as authorized by section 1741 of title 38, United States Code; $19,472,777,000, plus reimbursements: Provided, That of the funds made available under this heading, not to exceed $1,100,000,000 shall be available until September 30, 2006: Provided further, That, notwithstanding any other provision of law, the Secretary of Veterans Affairs shall establish a priority for treatment for veterans who are service-connected disabled, lower income, or have special needs: Provided further, That, notwithstanding any other provision of law, the Secretary of Veterans Affairs shall give priority funding for the provision of basic medical benefits to veterans in enrollment priority groups 1 through 6: Provided further, That of the funds made available under this heading, the Secretary may transfer up to $400,000,000, to remain available until expended, to "Construction, major projects" for purposes of implementing CARES subject to a determination by the Secretary that such funds will improve access and quality of veteran's health care needs: Provided further, That, during the fiscal year ending September 30, 2005, the Secretary may transfer not more than $125,000,000 of the unobligated balances in this account and amounts made available under this heading to "General operating expenses" for costs associated with processing claims where the basis of the entitlement is claimed disability incurred as a result of a veteran's service, subject to a determination by the Secretary of Veterans Affairs that such additional funds are necessary: Provided further, That, notwithstanding any other provision of law, the Secretary of Veterans Affairs may authorize the dispensing of prescription drugs from Veterans Health Administration facilities to enrolled veterans with privately written prescriptions based on requirements established by the Secretary: Provided further, That the implementation of the program described in the previous proviso shall incur no additional cost to the Department of Veterans Affairs: Provided further, That for the DOD VA Health Care Sharing Incentive Fund, as authorized by section 721 of Public Law 107–314, a minimum of $15,000,000, to remain available until expended, for any purpose authorized by 38 U.S.C. 8111.

MEDICAL ADMINISTRATION

For necessary expenses in the administration of the medical, hospital, nursing home, domiciliary, construction, supply, and research activities, as authorized by law; administrative expenses in support of capital policy activities; information technology hardware and software; uniforms or allowances therefor, as authorized by sections 5901–5902 of title 5, United States Code; and administrative and legal expenses of the department for collecting and recovering amounts owed the department as authorized under chapter 17 of title 38, United States Code, and the Federal Medical Care Recovery Act (42 U.S.C. 2651 et seq.); $4,705,000,000, of which $250,000,000 shall be available until September 30, 2006, plus reimbursements.

MEDICAL FACILITIES

For necessary expenses for the maintenance and operation of hospitals, nursing homes, and domiciliary facilities and other necessary facilities for the Veterans Health Administration; for administrative expenses in support of planning, design, project management, real property acquisition and disposition, construction and renovation of any facility under the jurisdiction or for the use of the department; for oversight, engineering and architectural activities not charged to project costs; for repairing, altering, improving or providing facilities in the several hospitals and homes under the jurisdiction of the department, not otherwise provided for, either by contract or by the hire of temporary employees and purchase of materials; for leases of facilities; and for laundry and food services, $3,745,000,000, of which $250,000,000 shall be available until September 30, 2006.

MEDICAL AND PROSTHETIC RESEARCH

For necessary expenses in carrying out programs of medical and prosthetic research and development as authorized by chapter 73 of title 38, United States Code, to remain available until September 30, 2006, $405,593,000, plus reimbursements.

DEPARTMENTAL ADMINISTRATION

GENERAL OPERATING EXPENSES

For necessary operating expenses of the Department of Veterans Affairs, not otherwise provided for, including administrative expenses in support of department-wide capital planning, management and policy activities, uniforms or allowances therefor; not to exceed $25,000 for official reception and representation expenses; hire of passenger motor vehicles; and reimbursement of the General Services Administration for security guard services, and the Department of Defense for the cost of overseas employee mail, $1,324,753,000: Provided, That expenses for services and assistance authorized under 38 U.S.C. 3104(a)(1), (2), (5), and (11) that the Secretary determines are necessary to enable entitled veterans: (1) to the maximum extent feasible, to become employable and to obtain and maintain suitable employment; or (2) to achieve maximum independence in daily living, shall be charged to this account: Provided further, That the Veterans Benefits Administration shall be funded at not less than $1,027,193,000: Provided further, That of the funds made available under this heading, not to exceed $66,000,000 shall be available for obligation until September 30, 2006: Provided further, That from the funds made available under this heading, the Veterans Benefits Administration may purchase up to two passenger motor vehicles for use in operations of that Administration in Manila, Philippines.

NATIONAL CEMETERY ADMINISTRATION

For necessary expenses of the National Cemetery Administration for operations and maintenance, not otherwise provided for, including uniforms or allowances therefor; cemeterial expenses as authorized by law; purchase of one passenger motor vehicle for use in cemeterial operations; and hire of passenger motor vehicles,

$148,925,000: Provided, That of the funds made available under this heading, not to exceed $7,400,000 shall be available until September 30, 2006.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, $69,711,000, to remain available until September 30, 2006.

CONSTRUCTION, MAJOR PROJECTS

For constructing, altering, extending and improving any of the facilities including parking projects under the jurisdiction or for the use of the Department of Veterans Affairs, or for any of the purposes set forth in sections 316, 2404, 2406, 8102, 8103, 8106, 8108, 8109, 8110, and 8122 of title 38, United States Code, including planning, architectural and engineering services, maintenance or guarantee period services costs associated with equipment guarantees provided under the project, services of claims analysts, offsite utility and storm drainage system construction costs, and site acquisition, where the estimated cost of a project is more than the amount set forth in 38 U.S.C. 8104(a)(3)(A) or where funds for a project were made available in a previous major project appropriation, $458,800,000, to remain available until expended, of which $370,709,000 shall be for Capital Asset Realignment for Enhanced Services (CARES) activities; and of which $8,091,000 shall be to make reimbursements as provided in 41 U.S.C. 612 for claims paid for contract disputes: Provided, That except for advance planning activities, including needs assessments which may or may not lead to capital investments, and other capital asset management related activities, such as portfolio development and management activities, and investment strategy studies funded through the advance planning fund and the planning and design activities funded through the design fund and CARES funds, including needs assessments which may or may not lead to capital investments, none of the funds appropriated under this heading shall be used for any project which has not been approved by the Congress in the budgetary process: Provided further, That funds provided in this appropriation for fiscal year 2005, for each approved project (except those for CARES activities referenced above) shall be obligated: (1) by the awarding of a construction documents contract by September 30, 2005; and (2) by the awarding of a construction contract by September 30, 2006: Provided further, That the Secretary of Veterans Affairs shall promptly report in writing to the Committees on Appropriations any approved major construction project in which obligations are not incurred within the time limitations established above.

CONSTRUCTION, MINOR PROJECTS

For constructing, altering, extending, and improving any of the facilities including parking projects under the jurisdiction or for the use of the Department of Veterans Affairs, including planning and assessments of needs which may lead to capital investments, architectural and engineering services, maintenance or guarantee period services costs associated with equipment guarantees provided under

the project, services of claims analysts, offsite utility and storm drainage system construction costs, and site acquisition, or for any of the purposes set forth in sections 316, 2404, 2406, 8102, 8103, 8106, 8108, 8109, 8110, 8122, and 8162 of title 38, United States Code, where the estimated cost of a project is equal to or less than the amount set forth in 38 U.S.C. 8104(a)(3)(A), $230,779,000, to remain available until expended, along with unobligated balances of previous "Construction, minor projects" appropriations which are hereby made available for any project where the estimated cost is equal to or less than the amount set forth in 38 U.S.C. 8104(a)(3)(A), of which $182,100,000 shall be for Capital Asset Realignment for Enhanced Services (CARES) activities: Provided, That from amounts appropriated under this heading, additional amounts may be used for CARES activities upon notification of and approval by the Committees on Appropriations: Provided further, That funds in this account shall be available for: (1) repairs to any of the nonmedical facilities under the jurisdiction or for the use of the department which are necessary because of loss or damage caused by any natural disaster or catastrophe; and (2) temporary measures necessary to prevent or to minimize further loss by such causes.

GRANTS FOR CONSTRUCTION OF STATE EXTENDED CARE FACILITIES

For grants to assist States to acquire or construct State nursing home and domiciliary facilities and to remodel, modify or alter existing hospital, nursing home and domiciliary facilities in State homes, for furnishing care to veterans as authorized by 38 U.S.C. 8131–8137, $105,163,000, to remain available until expended.

GRANTS FOR THE CONSTRUCTION OF STATE VETERANS CEMETERIES

For grants to aid States in establishing, expanding, or improving State veterans cemeteries as authorized by 38 U.S.C. 2408, $32,000,000, to remain available until expended.

ADMINISTRATIVE PROVISIONS

(INCLUDING TRANSFER OF FUNDS)

SEC. 101. Any appropriation for fiscal year 2005 for "Compensation and pensions", "Readjustment benefits", and "Veterans insurance and indemnities" may be transferred to any other of the mentioned appropriations.

SEC. 102. Appropriations available to the Department of Veterans Affairs for fiscal year 2005 for salaries and expenses shall be available for services authorized by 5 U.S.C. 3109 hire of passenger motor vehicles; lease of a facility or land or both; and uniforms or allowances therefore, as authorized by 5 U.S.C. 5901–5902.

SEC. 103. No appropriations in this Act for the Department of Veterans Affairs (except the appropriations for "Construction, major projects", "Construction, minor projects", and the "Parking revolving fund") shall be available for the purchase of any site for or toward the construction of any new hospital or home.

SEC. 104. No appropriations in this Act for the Department of Veterans Affairs shall be available for hospitalization or examination of any persons (except beneficiaries entitled under the laws bestowing such benefits to veterans, and persons receiving such treat-

ment under 5 U.S.C. 7901–7904 or 42 U.S.C. 5141–5204), unless reimbursement of cost is made to the "Medical services" account at such rates as may be fixed by the Secretary of Veterans Affairs.

SEC. 105. Appropriations available to the Department of Veterans Affairs for fiscal year 2005 for "Compensation and pensions", "Readjustment benefits", and "Veterans insurance and indemnities" shall be available for payment of prior year accrued obligations required to be recorded by law against the corresponding prior year accounts within the last quarter of fiscal year 2004.

SEC. 106. Appropriations accounts available to the Department of Veterans Affairs for fiscal year 2005 shall be available to pay prior year obligations of corresponding prior year appropriations accounts resulting from title X of the Competitive Equality Banking Act, Public Law 100–86, except that if such obligations are from trust fund accounts they shall be payable from "Compensation and pensions".

SEC. 107. Notwithstanding any other provision of law, during fiscal year 2005, the Secretary of Veterans Affairs shall, from the National Service Life Insurance Fund (38 U.S.C. 1920), the Veterans' Special Life Insurance Fund (38 U.S.C. 1923), and the United States Government Life Insurance Fund (38 U.S.C. 1955), reimburse the "General operating expenses" account for the cost of administration of the insurance programs financed through those accounts: Provided, That reimbursement shall be made only from the surplus earnings accumulated in an insurance program in fiscal year 2005 that are available for dividends in that program after claims have been paid and actuarially determined reserves have been set aside: Provided further, That if the cost of administration of an insurance program exceeds the amount of surplus earnings accumulated in that program, reimbursement shall be made only to the extent of such surplus earnings: Provided further, That the Secretary shall determine the cost of administration for fiscal year 2005 which is properly allocable to the provision of each insurance program and to the provision of any total disability income insurance included in such insurance program.

SEC. 108. Notwithstanding any other provision of law, the Department of Veterans Affairs shall continue the Franchise Fund pilot program authorized to be established by section 403 of Public Law 103–356 until October 1, 2005: Provided, That the Franchise Fund, established by title I of Public Law 104–204 to finance the operations of the Franchise Fund pilot program, shall continue until October 1, 2005.

SEC. 109. Amounts deducted from enhanced-use lease proceeds to reimburse an account for expenses incurred by that account during a prior fiscal year for providing enhanced-use lease services, may be obligated during the fiscal year in which the proceeds are received.

SEC. 110. Funds available in any Department of Veterans Affairs appropriation for fiscal year 2005 or funds for salaries and other administrative expenses shall also be available to reimburse the Office of Resolution Management and the Office of Employment Discrimination Complaint Adjudication for all services provided at rates which will recover actual costs but not exceed $29,318,000 for the Office of Resolution Management and $3,059,000 for the Office of Employment and Discrimination Complaint Adjudication: Pro-

vided, That payments may be made in advance for services to be furnished based on estimated costs: Provided further, That amounts received shall be credited to "General operating expenses" for use by the office that provided the service.

SEC. 111. No appropriations in this Act for the Department of Veterans Affairs shall be available to enter into any new lease of real property if the estimated annual rental is more than $300,000 unless the Secretary submits a report which the Committees on Appropriations of the Congress approve within 30 days following the date on which the report is received.

SEC. 112. No funds of the Department of Veterans Affairs shall be available for hospital care, nursing home care, or medical services provided to any person under chapter 17 of title 38, United States Code, for a non-service-connected disability described in section 1729(a)(2) of such title, unless that person has disclosed to the Secretary of Veterans Affairs, in such form as the Secretary may require, current, accurate third-party reimbursement information for purposes of section 1729 of such title: Provided, That the Secretary may recover, in the same manner as any other debt due the United States, the reasonable charges for such care or services from any person who does not make such disclosure as required: Provided further, That any amounts so recovered for care or services provided in a prior fiscal year may be obligated by the Secretary during the fiscal year in which amounts are received.

SEC. 113. Of the amounts provided in this Act, $25,000,000 shall be for information technology initiatives to support the enterprise architecture of the Department of Veterans Affairs.

SEC. 114. None of the funds made available to the Department in this Act, or any other Act, may be used to implement sections 2 and 5 of Public Law 107–287.

SEC. 115. (a) Hereafter receipts that would otherwise be credited to the accounts listed in subsection (c) shall be deposited into the Medical Care Collections Fund, and shall be transferred to and merged with the "Medical services" account, in fiscal year 2005 and subsequent years, to remain available until expended, to carry out the purposes of the "Medical services" account.

(b) The unobligated balances in the accounts listed in subsection (c), shall be transferred to and merged with the "Medical services" account in fiscal year 2005 and subsequent years, and remain available until expended, to carry out the purposes of the "Medical services" account: Provided, That the obligated balances in these accounts may be transferred to the "Medical services" account at the discretion of the Secretary of Veterans Affairs and shall remain available until expended.

(c) Veterans Extended Care Revolving Fund; Medical Facilities Revolving Fund; Special Therapeutic and Rehabilitation Fund; Nursing Home Revolving Fund; Veterans Health Services Improvement Fund; and Parking Revolving Fund.

SEC. 116. (a) The Secretary of Veterans Affairs shall conduct by contract a program of recovery audits for the fee basis and other medical services contracts with respect to payments for hospital care. Notwithstanding section 3302(b) of title 31, United States Code, amounts collected, by setoff or otherwise, as the result of such audits shall be available, without fiscal year limitation, for the purposes for which funds are appropriated under "Medical services"

and the purposes of paying a contractor a percent of the amount collected as a result of an audit carried out by the contractor.

(b) All amounts so collected under subsection (a) with respect to a designated health care region (as that term is defined in section 1729A(d)(2) of title 38, United States Code) shall be allocated, net of payments to the contractor, to that region.

SEC. 117. Notwithstanding any other provision of law, at the discretion of the Secretary of Veterans Affairs, proceeds or revenues derived from enhanced-use leasing activities (including disposal) that are deposited into the Medical Care Collections Fund may be transferred and merged with "Construction, major projects" and "Construction, minor projects" accounts and be used for construction (including site acquisition and disposition), alterations and improvements of any medical facility under the jurisdiction or for the use of the Department of Veterans Affairs. Such sums as realized are in addition to the amount provided for in "Construction, major projects" and "Construction, minor projects".

SEC. 118. Amounts made available under "Medical services" are available—

(1) for furnishing recreational facilities, supplies, and equipment; and

(2) for funeral expenses, burial expenses, and other expenses incidental to funerals and burials for beneficiaries receiving care in the department.

SEC. 119. That such sums as may be deposited to the Medical Care Collections Fund pursuant to 38 U.S.C. 1729A may be transferred to "Medical services", to remain available until expended for the purposes of this account.

SEC. 120. Amounts made available for fiscal year 2005 under the "Medical services", "Medical administration", and "Medical facilities" accounts may be transferred between the accounts to the extent necessary to implement the restructuring of the Veterans Health Administration accounts after notice of the amount and purpose of the transfer is provided to the Committees on Appropriations of the Senate and House of Representatives and a period of 30 days has elapsed: Provided, That the limitation on transfers is 20 percent in fiscal year 2005.

SEC. 121. Any appropriation for fiscal year 2005 for the Veterans Benefits Administration made available under the heading "General operating expenses" may be transferred to the "Veterans Housing Benefit Program Fund Program Account" for the purpose of providing funds for the nationwide property management contract if the administrative costs of such contract exceed $8,800,000 in the budget year.

SEC. 122. The Department of Veterans Affairs is authorized to expend such sums as are available in the unobligated balances of the funds originally appropriated to "Medical Care" for emergency expenses resulting from the January 1994 earthquake in Southern California in Public Law 103–211, Emergency Supplemental Appropriations Act of 1994, for the same purposes of the "Medical Services" account, to remain available until expended.

SEC. 123. Notwithstanding any other provision of law, the Secretary of Veterans Affairs (Secretary) shall allow veterans eligible under existing VA Medical Care requirements and who reside in Alaska to obtain medical care services from medical facilities sup-

ported by the Indian Health Services or tribal organizations. The Secretary shall (1) limit the application of this provision to rural Alaskan veterans in areas where an existing VA facility or VA-contracted service is unavailable, (2) require participating veterans and facilities to comply with all appropriate rules and regulations, as established by the Secretary, (3) require this provision to be consistent with CARES, and (4) result in no additional cost to the Department of Veterans Affairs or the Indian Health Service.

SEC. 124. Of the funds made available under the heading "Construction, minor projects" in Chapter 11 of Division B of the Military Construction Appropriations and Emergency Hurricane Supplemental Appropriations Act, 2005, Public Law 108–324, the Secretary of Veterans Affairs may transfer up to $19,800,000 to the "Medical Facilities" account for non-recurring maintenance expenses related to hurricane and tropical storm damage.

TITLE II—DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

PUBLIC AND INDIAN HOUSING

TENANT-BASED RENTAL ASSISTANCE

(INCLUDING TRANSFER OF FUNDS)

For activities and assistance for the provision of tenant-based rental assistance authorized under the United States Housing Act of 1937, as amended (42 U.S.C. 1437 et seq.) ('the Act' herein), not otherwise provided for, $14,885,000,000, to remain available until expended, of which $10,685,000,000 shall be available on October 1, 2004 and $4,200,000,000 shall be available on October 1, 2005: Provided, That the amounts made available under this heading are provided as follows:

(1) $13,462,989,000 for renewals of expiring section 8 tenant-based annual contributions contracts (including renewals of enhanced vouchers under any provision of law authorizing such assistance under section 8(t) of the Act): Provided, That notwithstanding any other provision of law, from amounts provided under this paragraph, the Secretary for the calendar year 2005 funding cycle shall renew such contracts for each public housing agency based on verified Voucher Management System (VMS) leasing and cost data averaged for the months of May, June, and July of 2004, and by applying the 2005 Annual Adjustment Factor as established by the Secretary, and by making any necessary adjustments for the costs associated with the first-time renewal of tenant protection or HOPE VI vouchers: Provided further, That if such data is not available, verifiable, or complete, the Secretary shall use verified VMS leasing and cost data averaged for the months of February, March, and April of 2004, and by applying the 2005 Annual Adjustment Factor as established by the Secretary, and by making any necessary adjustments for the costs associated with the first-time renewal of tenant protection or HOPE VI vouchers: Provided further, That if such data is not available, verifiable, or complete, the Secretary shall use leasing and cost data from the most recent end-of-year financial statements for public housing agency fiscal years ending no later than March 31, 2004, and

by applying the 2005 Annual Adjustment Factor as established by the Secretary, and by making any necessary adjustments for the costs associated with the first-time renewal of tenant protection or HOPE VI vouchers: Provided further, That the Secretary shall, to the extent necessary to stay within the amount provided under this paragraph, pro rate each public housing agency's allocation otherwise established pursuant to this paragraph: Provided further, That the entire amount provided under this paragraph shall be obligated to the public housing agencies based on the allocation and pro rata method described above: Provided further, That public housing agencies participating in the Moving to Work demonstration shall be funded pursuant to their Moving to Work agreements and shall be subject to the same pro rata adjustments under the previous proviso: Provided further, That none of the funds provided in this paragraph may be used to support a total number of unit months under lease which exceeds a public housing agency's authorized level of units under contract;

(2) $163,000,000 for section 8 rental assistance for relocation and replacement of housing units that are demolished or disposed of pursuant to the Omnibus Consolidated Rescissions and Appropriations Act of 1996 (Public Law 104–134), conversion of section 23 projects to assistance under section 8, the family unification program under section 8(x) of the Act, relocation of witnesses in connection with efforts to combat crime in public and assisted housing pursuant to a request from a law enforcement or prosecution agency, enhanced vouchers under any provision of law authorizing such assistance under section 8(t) of the Act, and tenant protection assistance, including replacement and relocation assistance;

(3) $46,000,000 for family self-sufficiency coordinators under section 23 of the Act;

(4) $2,904,000 shall be transferred to the Working Capital Fund; and

(5) $1,210,107,000 for administrative and other expenses of public housing agencies in administering the section 8 tenant-based rental assistance program, of which up to $25,000,000 shall be available to the Secretary to allocate to public housing agencies that need additional funds to administer their section 8 programs: Provided, That $1,185,107,000 of the amount provided in this paragraph shall be allocated for the calendar year 2005 funding cycle on a pro rata basis to public housing agencies based on the amount public housing agencies were eligible to receive in calendar year 2004: Provided further, That all amounts provided under this paragraph shall be only for activities related to the provision of tenant-based rental assistance authorized under section 8, including related development activities.

PROJECT-BASED RENTAL ASSISTANCE

(INCLUDING TRANSFER OF FUNDS)

For activities and assistance for the provision of project-based subsidy contracts under the United States Housing Act of 1937, as amended (42 U.S.C. 1437 et seq.) ("the Act" herein), not otherwise

provided for, $5,341,000,000 to remain available until expended: Provided, That the amounts made available under this heading are provided as follows:

(1) $5,237,100,000 for expiring or terminating section 8 project-based subsidy contracts (including section 8 moderate rehabilitation contracts), for amendments to section 8 project-based subsidy contracts (including section 8 moderate rehabilitation contracts), for contracts entered into pursuant to section 441 of the McKinney-Vento Homeless Assistance Act, for renewal of section 8 contracts for units in projects that are subject to approved plans of action under the Emergency Low Income Housing Preservation Act of 1987 or the Low-Income Housing Preservation and Resident Homeownership Act of 1990, and for administrative and other expenses associated with project-based activities and assistance funded under this paragraph;

(2) $101,900,000 for performance-based contract administrators for section 8 project-based assistance; and

(3) $2,000,000 shall be transferred to the Working Capital Fund.

PUBLIC HOUSING CAPITAL FUND

(INCLUDING TRANSFER OF FUNDS)

For the Public Housing Capital Fund Program to carry out capital and management activities for public housing agencies, as authorized under section 9 of the United States Housing Act of 1937, as amended (42 U.S.C. 1437g) (the "Act") $2,600,000,000, to remain available until September 30, 2008: Provided, That notwithstanding any other provision of law or regulation, during fiscal year 2005, the Secretary may not delegate to any Department official other than the Deputy Secretary and the Assistant Secretary for Public and Indian Housing any authority under paragraph (2) of section 9(j) regarding the extension of the time periods under such section: Provided further, That for purposes of such section 9(j), the term "obligate" means, with respect to amounts, that the amounts are subject to a binding agreement that will result in outlays, immediately or in the future: Provided further, That of the total amount provided under this heading, up to $38,700,000 shall be for carrying out activities under section 9(h) of such Act, of which $12,500,000 shall be for the provision of remediation services to public housing agencies identified as "troubled" under the Section 8 Management Assessment Program and for surveys used to calculate local Fair Market Rents and assess housing conditions in connection with rental assistance under section 8 of the Act: Provided further, That $10,150,000 shall be transferred to the Working Capital Fund: Provided further, That no funds may be used under this heading for the purposes specified in section 9(k) of the United States Housing Act of 1937, as amended: Provided further, That of the total amount provided under this heading, up to $30,000,000 shall be available for the Secretary of Housing and Urban Development to make grants, notwithstanding section 205 of this Act, to public housing agencies for emergency capital needs resulting from unforeseen emergencies and natural disasters occurring in fiscal year 2005: Provided further, That of the total amount provided under this heading, $53,500,000 shall be for supportive services,

service coordinators and congregate services as authorized by section 34 of the Act and the Native American Housing Assistance and Self-Determination Act of 1996: Provided further, That up to $3,000,000 is to support the costs of administrative and judicial receiverships in effect prior to date of enactment of this Act: Provided further, That of the total amount provided under this heading, $15,000,000 shall be for Neighborhood Networks grants for activities authorized in section 9(d)(1)(E) of the United States Housing Act of 1937, as amended, of which up to $1,000,000 may be used for technical assistance in connection with such grants as authorized in section 9(h)(8) of such Act: Provided further, That notwithstanding any other provision of law, amounts made available in the previous proviso shall be awarded to public housing agencies on a competitive basis: Provided further, That notwithstanding section 9(d)(1)(E) of the United States Housing Act of 1937, any Neighborhood Networks computer center established with funding made available under this heading in this or any other Act, shall be available for use by residents of public housing and residents of other housing assisted with funding made available under this title in this Act or any other Act.

PUBLIC HOUSING OPERATING FUND

For 2005 payments to public housing agencies for the operation and management of public housing, as authorized by section 9(e) of the United States Housing Act of 1937, as amended (42 U.S.C. 1437g(e)), $2,458,000,000, of which $10,000,000 in bonus funds shall be provided to public housing agencies that assist program participants in moving away from dependency on housing assistance programs: Provided, That of the total amount provided under this heading, $8,000,000 shall be for programs, as determined appropriate by the Attorney General, which assist in the investigation, prosecution, and prevention of violent crimes and drug offenses in public and federally-assisted low-income housing, including Indian housing, which shall be administered by the Department of Justice through a cooperative agreement with the Department of Housing and Urban Development: Provided further, That any such 2005 payment shall be provided in an amount sufficient to cover only the period beginning with the start of a public housing agency's fiscal year and ending on December 31, 2005: Provided further, That for fiscal year 2006 and all fiscal years thereafter, the Secretary shall provide assistance under this heading to public housing agencies on a calendar year basis: Provided further, That, in fiscal year 2005 and all fiscal years hereafter, no amounts under this heading in any appropriations Act may be used for payments to public housing agencies for the costs of operation and management of public housing for any year prior to the current year of such Act: Provided further, That no funds may be used under this heading for the purposes specified in section 9(k) of the United States Housing Act of 1937, as amended.

REVITALIZATION OF SEVERELY DISTRESSED PUBLIC HOUSING (HOPE VI)

For grants to public housing agencies for demolition, site revitalization, replacement housing, and tenant-based assistance grants to projects as authorized by section 24 of the United States Housing

Act of 1937, as amended, $144,000,000, to remain available until September 30, 2006, of which the Secretary may use up to $4,000,000 for technical assistance and contract expertise, to be provided directly or indirectly by grants, contracts or cooperative agreements, including training and cost of necessary travel for participants in such training, by or to officials and employees of the department and of public housing agencies and to residents: Provided, That none of such funds shall be used directly or indirectly by granting competitive advantage in awards to settle litigation or pay judgments, unless expressly permitted herein.

NATIVE AMERICAN HOUSING BLOCK GRANTS

(INCLUDING TRANSFERS OF FUNDS)

For the Native American Housing Block Grants program, as authorized under title I of the Native American Housing Assistance and Self-Determination Act of 1996 (NAHASDA) (25 U.S.C. 4111 et seq.), $627,000,000, to remain available until expended, of which $2,200,000 shall be contracted through the Secretary as technical assistance and capacity building to be used by the National American Indian Housing Council in support of the implementation of NAHASDA; of which $4,500,000 shall be to support the inspection of Indian housing units, contract expertise, training, and technical assistance in the training, oversight, and management of Indian housing and tenant-based assistance, including up to $300,000 for related travel; and of which $2,600,000 shall be transferred to the Working Capital Fund: Provided, That of the amount provided under this heading, $2,000,000 shall be made available for the cost of guaranteed notes and other obligations, as authorized by title VI of NAHASDA: Provided further, That such costs, including the costs of modifying such notes and other obligations, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: Provided further, That these funds are available to subsidize the total principal amount of any notes and other obligations, any part of which is to be guaranteed, not to exceed $17,926,000: Provided further, That for administrative expenses to carry out the guaranteed loan program, up to $150,000 from amounts in the first proviso, which shall be transferred to and merged with the appropriation for "Salaries and expenses", to be used only for the administrative costs of these guarantees.

INDIAN HOUSING LOAN GUARANTEE FUND PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For the cost of guaranteed loans, as authorized by section 184 of the Housing and Community Development Act of 1992 (12 U.S.C. 1715z–13a), $5,000,000, to remain available until expended: Provided, That such costs, including the costs of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: Provided further, That these funds are available to subsidize total loan principal, any part of which is to be guaranteed, not to exceed $145,345,000.

In addition, for administrative expenses to carry out the guaranteed loan program, up to $250,000 from amounts in the first paragraph, which shall be transferred to and merged with the ap-

propriation for "Salaries and expenses", to be used only for the administrative costs of these guarantees.

NATIVE HAWAIIAN HOUSING LOAN GUARANTEE FUND PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For the cost of guaranteed loans, as authorized by section 184A of the Housing and Community Development Act of 1992 (12 U.S.C. 1715z–13b), $1,000,000, to remain available until expended: Provided, That such costs, including the costs of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: Provided further, That these funds are available to subsidize total loan principal, any part of which is to be guaranteed, not to exceed $37,403,000.

In addition, for administrative expenses to carry out the guaranteed loan program, up to $35,000 from amounts in the first paragraph, which shall be transferred to and merged with the appropriation for "Salaries and expenses", to be used only for the administrative costs of these guarantees.

COMMUNITY PLANNING AND DEVELOPMENT

HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS

For carrying out the Housing Opportunities for Persons with AIDS program, as authorized by the AIDS Housing Opportunity Act (42 U.S.C. 12901 et seq.), $284,000,000, to remain available until September 30, 2006: Provided, That the Secretary shall renew all expiring contracts for permanent supportive housing that were funded under section 854(c)(3) of such Act that meet all program requirements before awarding funds for new contracts and activities authorized under this section: Provided further, That the Secretary may use up to $2,500,000 of the funds under this heading for training, oversight, and technical assistance activities.

RURAL HOUSING AND ECONOMIC DEVELOPMENT

For the Office of Rural Housing and Economic Development in the Department of Housing and Urban Development, $24,000,000 to remain available until expended, which amount shall be competitively awarded by September 1, 2005, to Indian tribes, State housing finance agencies, State community and/or economic development agencies, local rural nonprofits and community development corporations to support innovative housing and economic development activities in rural areas.

EMPOWERMENT ZONES/ENTERPRISE COMMUNITIES

For grants in connection with a second round of empowerment zones and enterprise communities, $10,000,000, to remain available until September 30, 2005, for "Urban Empowerment Zones", as authorized in section 1391(g) of the Internal Revenue Code of 1986 (26 U.S.C. 1391(g)), including $666,666 for each empowerment zone for use in conjunction with economic development activities consistent with the strategic plan of each empowerment zone.

COMMUNITY DEVELOPMENT FUND

(INCLUDING TRANSFERS OF FUNDS)

For assistance to units of State and local government, and to other entities, for economic and community development activities, and for other purposes, $4,709,000,000, to remain available until September 30, 2007 unless otherwise specified: Provided, That of the amount provided, $4,150,035,000 is for carrying out the community development block grant program under title I of the Housing and Community Development Act of 1974, as amended (the "Act" herein) (42 U.S.C. 5301 et seq.): Provided further, That unless explicitly provided for under this heading (except for planning grants provided in the third paragraph and amounts made available in the second paragraph), not to exceed 20 percent of any grant made with funds appropriated under this heading (other than a grant made available in this paragraph to the Housing Assistance Council or the National American Indian Housing Council, or a grant using funds under section 107(b)(3) of the Act) shall be expended for planning and management development and administration: Provided further, That $69,000,000 shall be for grants to Indian tribes notwithstanding section 106(a)(1) of such Act, of which, notwithstanding any other provision of law (including Section 205 of this Act), up to $4,000,000 may be used for emergencies that constitute imminent threats to health and safety; $3,300,000 shall be for a grant to the Housing Assistance Council; $2,400,000 shall be for a grant to the National American Indian Housing Council; $4,800,000 shall be available as a grant to the National Housing Development Corporation, for operating expenses not to exceed $2,000,000 and for a program of affordable housing acquisition and rehabilitation; $4,800,000 shall be available as a grant to the Raza Development Fund of La Raza for the HOPE Fund, of which $500,000 is for technical assistance and fund management, and $4,300,000 is for investments in the HOPE Fund and financing to affiliated organizations; $43,700,000 shall be for grants pursuant to section 107 of the Act, of which $9,000,000 shall be for the Native Hawaiian block grant authorized under title VIII of the Native American Housing Assistance and Self-Determination Act of 1996, to remain available until expended, of which $500,000 shall be for training and technical assistance; $3,465,000 shall be transferred to the Working Capital Fund; $25,000,000 shall be for grants pursuant to the Self Help Homeownership Opportunity Program; $34,500,000 shall be for capacity building, of which $30,000,000 shall be for Capacity Building for Community Development and Affordable Housing for LISC and the Enterprise Foundation for activities as authorized by section 4 of the HUD Demonstration Act of 1993 (42 U.S.C. 9816 note), as in effect immediately before June 12, 1997, with not less than $5,000,000 of the funding to be used in rural areas, including tribal areas, and of which $4,500,000 shall be for capacity building activities administered by Habitat for Humanity International; $2,000,000 shall be for the Special Olympics National Games Organizing Committee for planning, equipment, and operational expenses associated with the 2006 games in Ames, Iowa; $62,000,000 shall be available for YouthBuild program activities authorized by subtitle D of title IV of the Cranston-Gonzalez National Affordable Housing Act, as amended, and such activities shall be an eligible

activity with respect to any funds made available under this heading: Provided, That local YouthBuild programs that demonstrate an ability to leverage private and nonprofit funding shall be given a priority for YouthBuild funding: Provided further, That no more than 10 percent of any grant award under the YouthBuild program may be used for administrative costs: Provided further, That of the amount made available for YouthBuild not less than $9,000,000 is for grants to establish YouthBuild programs in underserved and rural areas and $2,000,000 is to be made available for a grant to YouthBuild USA for capacity building for community development and affordable housing activities as specified in section 4 of the HUD Demonstration Act of 1993, as amended.

Of the amount made available under this heading, $42,000,000 shall be available for neighborhood initiatives that are utilized to improve the conditions of distressed and blighted areas and neighborhoods, to stimulate investment, economic diversification, and community revitalization in areas with population outmigration or a stagnating or declining economic base, or to determine whether housing benefits can be integrated more effectively with welfare reform initiatives: Provided, That amounts made available under this paragraph shall be provided in accordance with the terms and conditions specified in the statement of managers accompanying this Act.

Of the amount made available under this heading, $262,000,000 shall be available for grants for the Economic Development Initiative (EDI) to finance a variety of targeted economic investments in accordance with the terms and conditions specified in the statement of managers accompanying this Act: Provided, That none of the funds provided under this paragraph may be used for program operations.

The referenced statement of the managers under this heading in Public Law 108–7 is deemed to be amended with respect to item number 2 with respect to amounts made available for the City of Boaz, Alabama by striking "facilities renovation and expansion" and inserting "construction of a new library".

The referenced statement of the managers under this heading in Public Law 108–7 is deemed to be amended with respect to item number 740 by striking "facilities renovation and construction" and inserting "an economic development planning study".

The referenced statement of the managers under this heading in Public Law 108–7 is deemed to be amended with respect to item number 254 by striking "Greater Community Council in Louisville, Kentucky for construction of a facility for low-income, disabled persons" and inserting "Portland Promise, Inc. in Louisville, Kentucky for a multi-purpose facility".

The referenced statement of the managers under this heading in Public Law 108–7 is deemed to be amended with respect to item number 10 with respect to amounts made available to the St. Stephen Family Life Center in Louisville, Kentucky by striking "renovation" and inserting "construction".

The referenced statement of the managers under this heading in Public Law 108–7 is deemed to be amended with respect to item number 584 with respect to amounts made available for Queens Borough Public Library in Queens, New York by striking "for facili-

ties rehabilitation and expansion of the Parsons Boulevard complex" and inserting "for facilities construction and renovations".

The referenced statement of the managers under this heading in Public Law 108–199 is deemed to be amended with respect to item number 198 by striking "$160,000 for the Pine Mountain Beautification and Economic Development project in Harris County, Georgia for streetscape improvements" and inserting "$60,000 for the Beautification and Economic Development project in Harris County, Georgia for construction; and $100,000 for the Beautification and Economic Development project in the Town of Pine Mountain, Georgia for streetscape improvements".

The referenced statement of the managers under this heading in Public Law 108–199 is deemed to be amended with respect to item number 96 with respect to amounts made available for the City of Corona, California by striking "construction" and inserting "rehabilitation and conversion".

The referenced statement of the managers under this heading in Public Law 108–199 is deemed to be amended with respect to item number 257 with respect to amounts made available for Fort Dodge, Iowa by inserting "planning, design and" before the word "facilities".

The referenced statement of the managers under this heading in Public Law 108–199 is deemed to be amended with respect to item number 776 with respect to amounts made available for Rice University by inserting "planning, design and" before the word "construction".

The referenced statement of the managers under this heading in Public Law 108–199 is deemed to be amended with respect to item number 535 by striking "facilities renovation, expansion and buildout for the D'Youville College Library Improvement project" and inserting "Administration building renovation".

The referenced statement of the managers under this heading in Public Law 108–7 is deemed to be amended with respect to item number 215 by striking "construction of a fieldhouse located at 39th and Cottage Grove" and inserting "costs associated with construction of a LULA lift at Ogden Park".

The referenced statement of the managers under this heading in Public Law 108–7 is deemed to be amended with respect to item number 831 by striking "Bread and Rose in Olympia, Washington for renovations to a homeless shelter" and inserting "Catholic Community Services in Olympia, Washington for construction of a homeless shelter".

The referenced statement of the managers under this heading in Public Law 108–199 is deemed to be amended with respect to item number 303 by striking "Maine Environmental" and inserting "Marine Environmental".

The referenced statement of the managers under this heading in Public Law 108–199 is deemed to be amended with respect to item number 163 by striking "a special needs evacuation, senior, multipurpose center" and inserting "for Lakefront improvements to Lake Toho".

The referenced statement of the managers under this heading in Public Law 108–199 is deemed to be amended with respect to item number 499 by striking "relocation of and renovations to the Wolcott

Carriage House" and inserting "facilities improvements to Erie Canal parks".

The referenced statement of the managers under this heading in title II of Public Law 107–73; H. Rept. 107–272 is deemed to be amended by striking "Southern New Mexico Fair and Rodeo in Dona Ana County for infrastructure improvements and to build a multipurpose event center;" and insert in lieu thereof "Dona Ana County, New Mexico, for the Southern New Mexico State Fair to make infrastructure improvements and to build a multi-purpose event center;".

The referenced statement of the managers under this heading in title II of Division G of the Consolidated Appropriations Resolution, 2004 (Public Law 108–199; H. Rept. 108–401) is deemed to be amended with respect to item 218 by striking "construction" and insert in lieu thereof "planning and design".

The statement of managers accompanying Public Law 106–74, as amended by chapter 8 of title II of the Emergency Supplemental Act, 2000 (Public Law 106–246), is further amended by inserting ", to remain available to be expended until September 30, 2007," after "$25,000,000".

The referenced statement of managers under the heading in title II of Division G of the Consolidated Appropriations Resolution, 2004 (Public Law 108–199; H. Rpt. 108–401) is deemed to be amended with respect to numbers 418 and 423 by striking out both specified grants and inserting in lieu thereof "418. $900,000 to Northland Neighborhoods, Inc. in Clay County, Missouri for the expansion of the current Home Repair Program to provide home repairs to low- to moderate-income neighborhoods;".

The referenced statement of managers under this heading in title II of Division G of the Consolidated Appropriations Resolution, 2004 (Public Law 108–199; H. Rept. 108–401) is deemed to be amended with respect to item 791 by inserting "for planning and design" after "Texas".

The referenced statement of managers under this heading in title II of Division G of the Consolidated Appropriations Resolution, 2004 (Public Law 108–199; H. Rept. 108–401) is deemed to be amended with respect to item 218 by striking "construction" and inserting in lieu thereof "planning and design".

The referenced statement of the managers under this heading in Public Law 108–199 is deemed to be amended with respect to item number 169 by striking "for renovation of an aviation high technology facility" and inserting in lieu thereof "for a feasibility study of a facilities improvement to the Airco Complex and surrounding properties".

The referenced statement of the managers under this heading in Public Law 108–7 is deemed to be amended with respect to item number 740 by striking "for facilities renovation and construction" and inserting "for development and continuation of the National Medal of Honor Museum of Military History".

The referenced statement of the managers under this heading in Public Law 108–199 is deemed to be amended with respect to item number 163 by striking "for a special needs evacuation, senior, multipurpose center" and inserting "for construction at the Lakefront Improvement Project".

The referenced statement of the managers under this heading in Public Law 108–7 is deemed to be amended with respect to item number 54 by striking "for renovation of facilities" and inserting "for the Screen Education Center".

The referenced statement of the managers under this heading in Public Law 108–199 is deemed to be amended with respect to item number 104 by striking "to Sonoma State University in California for construction of the Green Music Center" and inserting "to Center Point, Inc. to acquire and renovate a facility for the adolescent residential treatment center".

The referenced statement of the managers under this heading in Public Law 108–199 is deemed to be amended with respect to item number 4 by striking "for renovation of the Old Uniontown Middle School" and inserting "for enhancements to facilities for industrial development".

The referenced statement of the managers under this heading in Public Law 108–199 is deemed to be amended with respect to item number 583 by striking "$200,000 to the North Carolina Museum of Natural Sciences for construction of the Nature Research Center" and inserting "$200,000 to the Friends of the North Carolina Museum of Natural Sciences for construction of the Nature Research Center".

The referenced statement of the managers under this heading in Public Law 108–199 is deemed to be amended with respect to item number 469 by striking "to Rutgers University in New Jersey land acquisition for LEAP University High School" and inserting "to the LEAP Academy University Charter High School in Camden City, New Jersey for facilities construction, renovation, and buildout".

The referenced statement of the managers under this heading in Public Law 108–199 is deemed to be amended with respect to item number 575 by striking "construction" and inserting "acquisition, renovation".

The referenced statement of the managers under this heading in Public Law 108–199 is deemed to be amended with respect to item number 683 by striking "for construction related to Bailey Park and downtown streetscape, beautification, building renovation and restoration" and inserting "for master plan development, building acquisition, demolition, renovation and restoration".

Section 167 of division H of Public Law 108–199 is amended by allocating the funding made available under the heading "Community Development Fund for project number 177 (House Report 108–235) to "the Chicago Children's Choir Academy in Illinois for facility design and construction".

The referenced statement of the managers under this heading in title II of Division G of the Consolidated Appropriations Resolution, 2004 (Public Law 108–199; H. Rept. 108–401) is deemed to be amended with respect to item 24 by striking "Tuscaloosa County Commission for Community Development in Tuscaloosa County, Alabama;" and insert in lieu thereof "City of Tuscaloosa for community development in Tuscaloosa, Alabama;".

The referenced statement of the managers under this heading in title II of Division G of the Consolidated Appropriations Resolution, 2004 (Public Law 108–199; H. Rept. 108–401) is deemed to be amended with respect to item 796 by striking "Community Center" and insert in lieu thereof "Convention Center".

COMMUNITY DEVELOPMENT LOAN GUARANTEES PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For the cost of guaranteed loans, $6,000,000, to remain available until September 30, 2006, as authorized by section 108 of the Housing and Community Development Act of 1974, as amended: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: Provided further, That these funds are available to subsidize total loan principal, any part of which is to be guaranteed, not to exceed $275,000,000, notwithstanding any aggregate limitation on outstanding obligations guaranteed in section 108(k) of the Housing and Community Development Act of 1974, as amended.

In addition, for administrative expenses to carry out the guaranteed loan program, $1,000,000, which shall be transferred to and merged with the appropriation for "Salaries and expenses".

BROWNFIELDS REDEVELOPMENT

For competitive economic development grants, as authorized by section 108(q) of the Housing and Community Development Act of 1974, as amended, for Brownfields redevelopment projects, $24,000,000, to remain available until September 30, 2006.

HOME INVESTMENT PARTNERSHIPS PROGRAM

(INCLUDING TRANSFER OF FUNDS)

For the HOME investment partnerships program, as authorized under title II of the Cranston-Gonzalez National Affordable Housing Act, as amended, $1,865,000,000, to remain available until September 30, 2007: Provided, That of the total amount provided in this paragraph, up to $42,000,000 shall be available for housing counseling under section 106 of the Housing and Urban Development Act of 1968, and $2,000,000 shall be transferred to the Working Capital Fund.

In addition to amounts otherwise made available under this heading, $50,000,000, to remain available until September 30, 2007, for assistance to homebuyers as authorized under title I of the American Dream Downpayment Act.

HOMELESS ASSISTANCE GRANTS

(INCLUDING TRANSFER OF FUNDS)

For the emergency shelter grants program as authorized under subtitle B of title IV of the McKinney-Vento Homeless Assistance Act, as amended; the supportive housing program as authorized under subtitle C of title IV of such Act; the section 8 moderate rehabilitation single room occupancy program as authorized under the United States Housing Act of 1937, as amended, to assist homeless individuals pursuant to section 441 of the McKinney-Vento Homeless Assistance Act; and the shelter plus care program as authorized under subtitle F of title IV of such Act, $1,250,515,000, of which $1,230,515,000 shall remain available until September 30, 2007, and of which $20,000,000 shall remain available until expended: Provided, That not less than 30 percent of funds made available, ex-

cluding amounts provided for renewals under the shelter plus care program, shall be used for permanent housing: Provided further, That all funds awarded for services shall be matched by 25 percent in funding by each grantee: Provided further, That the Secretary shall renew on an annual basis expiring contracts or amendments to contracts funded under the shelter plus care program if the program is determined to be needed under the applicable continuum of care and meets appropriate program requirements and financial standards, as determined by the Secretary: Provided further, That all awards of assistance under this heading shall be required to coordinate and integrate homeless programs with other mainstream health, social services, and employment programs for which homeless populations may be eligible, including Medicaid, State Children's Health Insurance Program, Temporary Assistance for Needy Families, Food Stamps, and services funding through the Mental Health and Substance Abuse Block Grant, Workforce Investment Act, and the Welfare-to-Work grant program: Provided further, That up to $11,500,000 of the funds appropriated under this heading shall be available for the national homeless data analysis project and technical assistance: Provided further, That $2,500,000 of the funds appropriated under this heading shall be transferred to the Working Capital Fund: Provided further, That all balances for Shelter Plus Care renewals previously funded from the Shelter Plus Care Renewal account shall be transferred to this account, to be available for Shelter Plus Care renewals in fiscal year 2005.

HOUSING PROGRAMS

HOUSING FOR THE ELDERLY

(INCLUDING TRANSFER OF FUNDS)

For capital advances, including amendments to capital advance contracts, for housing for the elderly, as authorized by section 202 of the Housing Act of 1959, as amended, and for project rental assistance for the elderly under section 202(c)(2) of such Act, including amendments to contracts for such assistance and renewal of expiring contracts for such assistance for up to a 1-year term, and for supportive services associated with the housing, $747,000,000, to remain available until September 30, 2008, of which amount $50,000,000 shall be for service coordinators and the continuation of existing congregate service grants for residents of assisted housing projects, and of which amount up to $25,000,000 shall be for grants under section 202b of the Housing Act of 1959 (12 U.S.C. 1701q–2) for conversion of eligible projects under such section to assisted living or related use and for emergency capital repairs as determined by the Secretary: Provided, That of the amount made available under this heading, $18,000,000 shall be available to the Secretary of Housing and Urban Development only for making competitive grants to private nonprofit organizations and consumer cooperatives for covering costs of architectural and engineering work, site control, and other planning relating to the development of supportive housing for the elderly that is eligible for assistance under section 202 of the Housing Act of 1959 (12 U.S.C. 1701q): Provided further, That $450,000 shall be transferred to the Working Capital Fund: Provided further, That the Secretary may waive the provi-

sions of section 202 governing the terms and conditions of project rental assistance, except that the initial contract term for such assistance shall not exceed 5 years in duration.

Title II of the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 2004, is amended under this heading by striking the fourth proviso.

HOUSING FOR PERSONS WITH DISABILITIES

(INCLUDING TRANSFER OF FUNDS)

For capital advance contracts, including amendments to capital advance contracts, for supportive housing for persons with disabilities, as authorized by section 811 of the Cranston-Gonzalez National Affordable Housing Act, for project rental assistance for supportive housing for persons with disabilities under section 811(d)(2) of such Act, including amendments to contracts for such assistance and renewal of expiring contracts for such assistance for up to a 1-year term, and for supportive services associated with the housing for persons with disabilities as authorized by section 811(b)(1) of such Act, and for tenant-based rental assistance contracts entered into pursuant to section 811 of such Act, $240,000,000: Provided, That $450,000 shall be transferred to the Working Capital Fund: Provided further, That, of the amount provided under this heading $28,890,000 shall be for amendments to existing tenant-based assistance contracts entered into prior to fiscal year 2004 (only one amendment authorized for any such contract): Provided further, That of the amount provided under this heading, the Secretary may make available up to $10,000,000 for incremental tenant-based rental assistance, as authorized by section 811 of such Act, (which assistance is five years in duration): Provided further, That all tenant-based assistance made available under this heading shall continue to remain available only to persons with disabilities: Provided further, That the Secretary may waive the provisions of section 811 governing the terms and conditions of project rental assistance and tenant-based assistance, except that the initial contract term for such assistance shall not exceed five years in duration.

Title II of the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 2004, is amended under this heading by striking the fourth proviso and inserting " Provided further, That all section 811 balances outstanding, as of September 30, 2003, shall be transferred to the appropriation under this heading.".

FLEXIBLE SUBSIDY FUND

(TRANSFER OF FUNDS)

From the Rental Housing Assistance Fund, all uncommitted balances of excess rental charges as of September 30, 2004, and any collections made during fiscal year 2005 and all subsequent fiscal years, shall be transferred to the Flexible Subsidy Fund, as authorized by section 236(g) of the National Housing Act, as amended.

MANUFACTURED HOUSING FEES TRUST FUND

For necessary expenses as authorized by the National Manufactured Housing Construction and Safety Standards Act of 1974, as amended (42 U.S.C. 5401 et seq.), up to $13,000,000 to remain available until expended, to be derived from the Manufactured Housing Fees Trust Fund: Provided, That not to exceed the total amount appropriated under this heading shall be available from the general fund of the Treasury to the extent necessary to incur obligations and make expenditures pending the receipt of collections to the Fund pursuant to section 620 of such Act: Provided further, That the amount made available under this heading from the general fund shall be reduced as such collections are received during fiscal year 2005 so as to result in a final fiscal year 2005 appropriation from the general fund estimated at not more than $0 and fees pursuant to such section 620 shall be modified as necessary to ensure such a final fiscal year 2005 appropriation.

FEDERAL HOUSING ADMINISTRATION

MUTUAL MORTGAGE INSURANCE PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

During fiscal year 2005, commitments to guarantee loans to carry out the purposes of section 203(b) of the National Housing Act, as amended, shall not exceed a loan principal of $185,000,000,000.

During fiscal year 2005, obligations to make direct loans to carry out the purposes of section 204(g) of the National Housing Act, as amended, shall not exceed $50,000,000: Provided, That the foregoing amount shall be for loans to nonprofit and governmental entities in connection with sales of single family real properties owned by the Secretary and formerly insured under the Mutual Mortgage Insurance Fund.

For administrative expenses necessary to carry out the guaranteed and direct loan program, $356,906,000, of which not to exceed $352,906,000 shall be transferred to the appropriation for "Salaries and expenses"; and not to exceed $4,000,000 shall be transferred to the appropriation for "Office of Inspector General". In addition, for administrative contract expenses, $78,000,000, of which $15,000,000 shall be transferred to the Working Capital Fund: Provided, That to the extent guaranteed loan commitments exceed $65,500,000,000 on or before April 1, 2005, an additional $1,400 for administrative contract expenses shall be available for each $1,000,000 in additional guaranteed loan commitments (including a pro rata amount for any amount below $1,000,000), but in no case shall funds made available by this proviso exceed $30,000,000.

GENERAL AND SPECIAL RISK PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For the cost of guaranteed loans, as authorized by sections 238 and 519 of the National Housing Act (12 U.S.C. 1715z–3 and 1735c), including the cost of loan guarantee modifications, as that term is defined in section 502 of the Congressional Budget Act of 1974, as amended, $10,000,000, to remain available until expended: Provided, That these funds are available to subsidize total loan

principal, any part of which is to be guaranteed, of up to $35,000,000,000.

Gross obligations for the principal amount of direct loans, as authorized by sections 204(g), 207(l), 238, and 519(a) of the National Housing Act, shall not exceed $50,000,000, of which not to exceed $30,000,000 shall be for bridge financing in connection with the sale of multifamily real properties owned by the Secretary and formerly insured under such Act; and of which not to exceed $20,000,000 shall be for loans to nonprofit and governmental entities in connection with the sale of single-family real properties owned by the Secretary and formerly insured under such Act.

In addition, for administrative expenses necessary to carry out the guaranteed and direct loan programs, $227,767,000, of which $207,767,000 shall be transferred to the appropriation for "Salaries and expenses"; and of which $20,000,000 shall be transferred to the appropriation for "Office of Inspector General".

In addition, for administrative contract expenses necessary to carry out the guaranteed and direct loan programs, $86,000,000, of which $9,600,000 shall be transferred to the Working Capital Fund: Provided, That to the extent guaranteed loan commitments exceed $8,426,000,000 on or before April 1, 2005, an additional $1,980 for administrative contract expenses shall be available for each $1,000,000 in additional guaranteed loan commitments over $8,426,000,000 (including a pro rata amount for any increment below $1,000,000), but in no case shall funds made available by this proviso exceed $14,400,000.

GOVERNMENT NATIONAL MORTGAGE ASSOCIATION

GUARANTEES OF MORTGAGE-BACKED SECURITIES LOAN GUARANTEE PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

New commitments to issue guarantees to carry out the purposes of section 306 of the National Housing Act, as amended (12 U.S.C. 1721(g)), shall not exceed $200,000,000,000, to remain available until September 30, 2006.

For administrative expenses necessary to carry out the guaranteed mortgage-backed securities program, $10,695,000, to be derived from the GNMA guarantees of mortgage-backed securities guaranteed loan receipt account, of which not to exceed $10,695,000, shall be transferred to the appropriation for "Salaries and expenses".

POLICY DEVELOPMENT AND RESEARCH

RESEARCH AND TECHNOLOGY

For contracts, grants, and necessary expenses of programs of research and studies relating to housing and urban problems, not otherwise provided for, as authorized by title V of the Housing and Urban Development Act of 1970, as amended (12 U.S.C. 1701z–1 et seq.), including carrying out the functions of the Secretary under section 1(a)(1)(i) of Reorganization Plan No. 2 of 1968, $45,500,000, to remain available until September 30, 2006: Provided, That of the total amount provided under this heading, $7,000,000 shall be for the Partnership for Advancing Technology in Housing (PATH) Ini-

tiative: Provided further, that of the amounts made available for PATH under this heading, $3,500,000 shall not be subject to the requirements of section 205 of this title.

FAIR HOUSING AND EQUAL OPPORTUNITY

FAIR HOUSING ACTIVITIES

For contracts, grants, and other assistance, not otherwise provided for, as authorized by title VIII of the Civil Rights Act of 1968, as amended by the Fair Housing Amendments Act of 1988, and section 561 of the Housing and Community Development Act of 1987, as amended, $46,500,000, to remain available until September 30, 2006, of which $20,000,000 shall be to carry out activities pursuant to such section 561: Provided, That no funds made available under this heading shall be used to lobby the executive or legislative branches of the Federal Government in connection with a specific contract, grant or loan.

OFFICE OF LEAD HAZARD CONTROL

LEAD HAZARD REDUCTION

For the Lead Hazard Reduction Program, as authorized by section 1011 of the Residential Lead-Based Paint Hazard Reduction Act of 1992, $168,000,000, to remain available until September 30, 2006, of which $9,900,000 shall be for the Healthy Homes Initiative, pursuant to sections 501 and 502 of the Housing and Urban Development Act of 1970 that shall include research, studies, testing, and demonstration efforts, including education and outreach concerning lead-based paint poisoning and other housing-related diseases and hazards: Provided, That for purposes of environmental review, pursuant to the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and other provisions of law that further the purposes of such Act, a grant under the Healthy Homes Initiative, Operation Lead Elimination Action Plan (LEAP), or the Lead Technical Studies program under this heading or under prior appropriations Acts for such purposes under this heading, shall be considered to be funds for a special project for purposes of § 305(c) of the Multifamily Housing Property Disposition Reform Act of 1994: Provided further, That of the total amount made available under this heading, $47,000,000 shall be made available on a competitive basis for areas with the highest lead paint abatement needs, as identified by the Secretary as having: (1) the highest number of occupied pre-1940 units of rental housing; and (2) a disproportionately high number of documented cases of lead-poisoned children: Provided further, That each grantee receiving funds under the previous proviso shall target those privately owned units and multifamily buildings that are occupied by low-income families as defined under section 3(b)(2) of the United States Housing Act of 1937: Provided further, That not less than 90 percent of the funds made available under this paragraph shall be used exclusively for abatement, inspections, risk assessments, temporary relocations and interim control of lead-based hazards as defined by 42 U.S.C. 4851: Provided further, That each recipient of funds provided under the first proviso shall make a matching contribution in an amount not less than 25 percent: Provided further, That each applicant shall submit a de-

tailed plan and strategy that demonstrates adequate capacity that is acceptable to the Secretary to carry out the proposed use of funds pursuant to a Notice of Funding Availability.

MANAGEMENT AND ADMINISTRATION

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary administrative and non-administrative expenses of the Department of Housing and Urban Development, not otherwise provided for, including purchase of uniforms, or allowances therefor, as authorized by 5 U.S.C. 5901–5902; hire of passenger motor vehicles; services as authorized by 5 U.S.C. 3109; and not to exceed $25,000 for official reception and representation expenses, $1,120,000,000, of which $560,673,000 shall be provided from the various funds of the Federal Housing Administration, $10,695,000 shall be provided from funds of the Government National Mortgage Association, $1,000,000 shall be provided from the "Community development loan guarantees program" account, $150,000 shall be provided by transfer from the "Native American housing block grants" account, $250,000 shall be provided by transfer from the "Indian housing loan guarantee fund program" account and $35,000 shall be transferred from the "Native Hawaiian housing loan guarantee fund" account: Provided, That funds made available under this heading shall only be allocated in the manner specified in the report accompanying this Act unless the Committees on Appropriations of both the House of Representatives and the Senate are notified of any changes in an operating plan or reprogramming: Provided further, That no official or employee of the Department shall be designated as an allotment holder unless the Office of the Chief Financial Officer (OCFO) has determined that such allotment holder has implemented an adequate system of funds control and has received training in funds control procedures and directives: Provided further, That the Chief Financial Officer shall establish positive control of and maintain adequate systems of accounting for appropriations and other available funds as required by 31 U.S.C. 1514: Provided further, That for purposes of funds control and determining whether a violation exists under the Anti-Deficiency Act (31 U.S.C. 1341 et seq.), the point of obligation shall be the executed agreement or contract, except with respect to insurance and guarantee programs, certain types of salaries and expenses funding, and incremental funding that is authorized under an executed agreement or contract, and shall be designated in the approved funds control plan: Provided further, That the Chief Financial Officer shall: (1) appoint qualified personnel to conduct investigations of potential or actual violations; (2) establish minimum training requirements and other qualifications for personnel that may be appointed to conduct investigations; (3) establish guidelines and timeframes for the conduct and completion of investigations; (4) prescribe the content, format and other requirements for the submission of final reports on violations; and (5) prescribe such additional policies and procedures as may be required for conducting investigations of, and administering, processing, and reporting on, potential and actual violations of the Anti-Deficiency Act and all other stat-

utes and regulations governing the obligation and expenditure of funds made available in this or any other Act: Provided further, That up to $20,000,000 may be transferred to the Working Capital Fund: Provided further, That the Secretary shall fill 7 out of 10 vacancies at the GS–14 and GS–15 levels until the total number of GS–14 and GS–15 positions in the Department has been reduced from the number of GS–14 and GS–15 positions on the date of enactment of Public Law 106–377 by 2½ percent.

WORKING CAPITAL FUND

For additional capital for the Working Capital Fund (42 U.S.C. 3535) for the development of, modifications to, and infrastructure for Department-wide information technology systems, for the continuing operation of both Department-wide and program-specific information systems, and for program-related development activities, $270,000,000, to remain available until September 30, 2006: Provided, That any amounts transferred to this Fund under this Act shall remain available until expended: Provided further, That any amounts transferred to this Fund from amounts appropriated by previously enacted appropriations Acts or from within this Act may be used only for the purposes specified under this Fund, in addition to the purposes for which such amounts were appropriated.

OFFICE OF INSPECTOR GENERAL

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Office of Inspector General in carrying out the Inspector General Act of 1978, as amended, $104,000,000, of which $24,000,000 shall be provided from the various funds of the Federal Housing Administration: Provided, That the Inspector General shall have independent authority over all personnel issues within this office: Provided further, That $300,000 shall be transferred to the Working Capital Fund.

OFFICE OF FEDERAL HOUSING ENTERPRISE OVERSIGHT

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For carrying out the Federal Housing Enterprises Financial Safety and Soundness Act of 1992, including not to exceed $500 for official reception and representation expenses, $59,209,000, to remain available until expended, to be derived from the Federal Housing Enterprises Oversight Fund: Provided, That of the amount made available under this heading, $5,000,000 is for litigation and to continue ongoing special investigations of the federal housing enterprises: Provided further, That the Director shall submit a spending plan for the amounts provided under this heading no later than January 15, 2005: Provided further, That not less than 80 percent of total amount made available under this heading shall be used only for examination, supervision, and capital oversight of the enterprises (as such term is defined in section 1303 of the Federal Housing Enterprises Financial Safety and Soundness Act of 1992 (12 U.S.C. 4502)) to ensure that the enterprises are operating in a financially safe and sound manner and complying with the capital

requirements under Subtitle B of such Act: Provided further, That not to exceed the amount provided herein shall be available from the general fund of the Treasury to the extent necessary to incur obligations and make expenditures pending the receipt of collections to the Fund: Provided further, That the general fund amount shall be reduced as collections are received during the fiscal year so as to result in a final appropriation from the general fund estimated at not more than $0.

PUBLIC AND INDIAN HOUSING

HOUSING CERTIFICATE FUND

(RESCISSION)

Of the unobligated balances, including recaptures and carryover, remaining from funds appropriated to the Department of Housing and Urban Development under this heading or the heading "Annual contributions for assisted housing" or any other heading for fiscal year 2004 and prior years, $1,557,000,000 is rescinded, to be effected by the Secretary no later than September 30, 2005: Provided, That any such balances governed by reallocation provisions under the statute authorizing the program for which the funds were originally appropriated shall be available for the rescission: Provided further, That any obligated balances of contract authority from fiscal year 1974 and prior that have been terminated shall be cancelled: Provided further, That no amounts recaptured from amounts appropriated in prior years under this heading or the heading "Annual contributions for assisted housing" and no carryover of such appropriated amounts for project-based assistance shall be available for the calendar year 2005 funding cycle for activities provided for under the heading "Tenant-based rental assistance": Provided further, That amounts recaptured under this heading or the heading "Annual contributions for assisted housing" from amounts appropriated for project-based section 8 activities may be used for amendments to section 8 project-based subsidy contracts or for performance-based contract administrators, notwithstanding the purposes for which such amounts were appropriated.

DRUG ELIMINATION GRANTS FOR LOW-INCOME HOUSING

(RESCISSION)

Of the unobligated balances remaining from funds appropriated in fiscal year 2001 and prior years under the heading "Drug elimination grants for low-income housing", $5,000,000 are rescinded.

NATIVE AMERICAN HOUSING BLOCK GRANTS

(RESCISSION)

Of the unobligated balances remaining from funds appropriated in fiscal year 2004 and prior years under the heading "Native American housing block grants" for activities related to title VI of NAHASDA, $21,000,000 are rescinded.

INDIAN HOUSING LOAN GUARANTEE PROGRAM ACCOUNT

(RESCISSION)

Of the unobligated balances remaining from funds appropriated in fiscal year 2004 and prior years under the heading "Indian housing loan guarantee fund program account" for activities related to the cost of guaranteed loans, $33,000,000 are rescinded.

HOUSING PROGRAMS

RENTAL HOUSING ASSISTANCE

(RESCISSION)

Of the amounts made available under the heading "Rent Supplement" in Public Law 98–63 for amendments to contracts under section 101 of the Housing and Urban Development Act of 1965 (12 U.S.C. 1701s) and section 236(f)(2) of the National Housing Act (12 U.S.C. 1715z–1) in State-aided, non-insured rental housing projects, up to $675,000,000 is cancelled.

FEDERAL HOUSING ADMINISTRATION

GENERAL AND SPECIAL RISK PROGRAM ACCOUNT

(RESCISSION)

Of the unobligated balances remaining from credit subsidy appropriated in fiscal year 2004 and prior years under the heading "General and special risk program account", $30,000,000 are rescinded.

ADMINISTRATIVE PROVISIONS

SEC. 201. Fifty percent of the amounts of budget authority, or in lieu thereof 50 percent of the cash amounts associated with such budget authority, that are recaptured from projects described in section 1012(a) of the Stewart B. McKinney Homeless Assistance Amendments Act of 1988 (42 U.S.C. 1437 note) shall be rescinded, or in the case of cash, shall be remitted to the Treasury, and such amounts of budget authority or cash recaptured and not rescinded or remitted to the Treasury shall be used by State housing finance agencies or local governments or local housing agencies with projects approved by the Secretary of Housing and Urban Development for which settlement occurred after January 1, 1992, in accordance with such section. Notwithstanding the previous sentence, the Secretary may award up to 15 percent of the budget authority or cash recaptured and not rescinded or remitted to the Treasury to provide project owners with incentives to refinance their project at a lower interest rate.

SEC. 202. None of the amounts made available under this Act may be used during fiscal year 2005 to investigate or prosecute under the Fair Housing Act any otherwise lawful activity engaged in by one or more persons, including the filing or maintaining of a non-frivolous legal action, that is engaged in solely for the purpose of achieving or preventing action by a Government official or entity, or a court of competent jurisdiction.

SEC. 203. (a) Notwithstanding section 854(c)(1)(A) of the AIDS Housing Opportunity Act (42 U.S.C. 12903(c)(1)(A)), from any amounts made available under this title for fiscal year 2005 that are allocated under such section, the Secretary of Housing and Urban Development shall allocate and make a grant, in the amount determined under subsection (b), for any State that—

(1) received an allocation in a prior fiscal year under clause (ii) of such section; and

(2) is not otherwise eligible for an allocation for fiscal year 2005 under such clause (ii) because the areas in the State outside of the metropolitan statistical areas that qualify under clause (i) in fiscal year 2005 do not have the number of cases of acquired immunodeficiency syndrome (AIDS) required under such clause.

(b) The amount of the allocation and grant for any State described in subsection (a) shall be an amount based on the cumulative number of AIDS cases in the areas of that State that are outside of metropolitan statistical areas that qualify under clause (i) of such section 854(c)(1)(A) in fiscal year 2005, in proportion to AIDS cases among cities and States that qualify under clauses (i) and (ii) of such section and States deemed eligible under subsection (a).

(c) Notwithstanding any other provision of law, the amount allocated for fiscal year 2005 under section 854(c) of the AIDS Housing Opportunity Act (42 U.S.C. 12903(c)), to the City of New York, New York, on behalf of the New York-Wayne-White Plains, New York-New Jersey Metropolitan Division (hereafter "metropolitan division") of the New York-Newark-Edison, NY-NJ-PA Metropolitan Statistical Area, shall be adjusted by the Secretary of Housing and Urban Development by: (a) allocating to the City of Jersey City, New Jersey, the proportion of the metropolitan area's or division's amount that is based on the number of cases of AIDS reported in the portion of the metropolitan area or division that is located in Hudson County, New Jersey, and adjusting for the proportion of the metropolitan division's high incidence bonus if this area in New Jersey also has a higher than average per capita incidence of AIDS; and (b) allocating to the City of Paterson, New Jersey, the proportion of the metropolitan area's or division's amount that is based on the number of cases of AIDS reported in the portion of the metropolitan area or division that is located in Bergen County and Passaic County, New Jersey, and adjusting for the proportion of the metropolitan division's high incidence bonus if this area in New Jersey also has a higher than average per capita incidence of AIDS. The recipient cities shall use amounts allocated under this subsection to carry out eligible activities under section 855 of the AIDS Housing Opportunity Act (42 U.S.C. 12904) in their respective portions of the metropolitan division that is located in New Jersey.

SEC. 204. (a) During fiscal year 2005, in the provision of rental assistance under section 8(o) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)) in connection with a program to demonstrate the economy and effectiveness of providing such assistance for use in assisted living facilities that is carried out in the counties of the State of Michigan specified in subsection (b) of this section, notwithstanding paragraphs (3) and (18)(B)(iii) of such section 8(o), a family residing in an assisted living facility in any such county, on behalf of which a public housing agency provides assistance pur-

suant to section 8(o)(18) of such Act, may be required, at the time the family initially receives such assistance, to pay rent in an amount exceeding 40 percent of the monthly adjusted income of the family by such a percentage or amount as the Secretary of Housing and Urban Development determines to be appropriate.

(b) The counties specified in this subsection are Oakland County, Macomb County, Wayne County, and Washtenaw County, in the State of Michigan.

SEC. 205. Except as explicitly provided in law, any grant, cooperative agreement or other assistance made pursuant to title II of this Act shall be made on a competitive basis and in accordance with section 102 of the Department of Housing and Urban Development Reform Act of 1989.

SEC. 206. Funds of the Department of Housing and Urban Development subject to the Government Corporation Control Act or section 402 of the Housing Act of 1950 shall be available, without regard to the limitations on administrative expenses, for legal services on a contract or fee basis, and for utilizing and making payment for services and facilities of the Federal National Mortgage Association, Government National Mortgage Association, Federal Home Loan Mortgage Corporation, Federal Financing Bank, Federal Reserve banks or any member thereof, Federal Home Loan banks, and any insured bank within the meaning of the Federal Deposit Insurance Corporation Act, as amended (12 U.S.C. 1811–1831).

SEC. 207. Unless otherwise provided for in this Act or through a reprogramming of funds, no part of any appropriation for the Department of Housing and Urban Development shall be available for any program, project or activity in excess of amounts set forth in the budget estimates submitted to Congress.

SEC. 208. Corporations and agencies of the Department of Housing and Urban Development which are subject to the Government Corporation Control Act, as amended, are hereby authorized to make such expenditures, within the limits of funds and borrowing authority available to each such corporation or agency and in accordance with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 104 of such Act as may be necessary in carrying out the programs set forth in the budget for 2005 for such corporation or agency except as hereinafter provided: Provided, That collections of these corporations and agencies may be used for new loan or mortgage purchase commitments only to the extent expressly provided for in this Act (unless such loans are in support of other forms of assistance provided for in this or prior appropriations Acts), except that this proviso shall not apply to the mortgage insurance or guaranty operations of these corporations, or where loans or mortgage purchases are necessary to protect the financial interest of the United States Government.

SEC. 209. None of the funds provided in this title for technical assistance, training, or management improvements may be obligated or expended unless HUD provides to the Committees on Appropriations a description of each proposed activity and a detailed budget estimate of the costs associated with each program, project or activity as part of the Budget Justifications. For fiscal year 2005, HUD shall transmit this information to the Committees by March 15, 2005 for 30 days of review.

SEC. 210. The Secretary of Housing and Urban Development shall provide quarterly reports to the House and Senate Committees on Appropriations regarding all uncommitted, unobligated, recaptured and excess funds in each program and activity within the jurisdiction of the Department and shall submit additional, updated budget information to these Committees upon request.

SEC. 211. Notwithstanding any other provision of law, in fiscal year 2005, in managing and disposing of any multifamily property that is owned or held by the Secretary and is occupied primarily by elderly or disabled families, the Secretary of Housing and Urban Development shall maintain any rental assistance payments under section 8 of the United States Housing Act of 1937 that are attached to any dwelling units in the property. To the extent the Secretary determines that such a multifamily property owned or held by the Secretary is not feasible for continued rental assistance payments under such section 8, the Secretary may, in consultation with the tenants of that property, contract for project-based rental assistance payments with an owner or owners of other existing housing properties or provide other rental assistance.

SEC. 212. (a) Notwithstanding any other provision of law, the amount allocated for fiscal year 2005 under section 854(c) of the AIDS Housing Opportunity Act (42 U.S.C. 12903(c)), to the City of Wilmington, Delaware, on behalf of the Wilmington, Delaware-Maryland-New Jersey Metropolitan Division (hereafter "metropolitan division"), shall be adjusted by the Secretary of Housing and Urban Development by allocating to the State of New Jersey the proportion of the metropolitan division's amount that is based on the number of cases of AIDS reported in the portion of the metropolitan division that is located in New Jersey. The State of New Jersey shall use amounts allocated to the State under this subsection to carry out eligible activities under section 855 of the AIDS Housing Opportunity Act (42 U.S.C. 12904) in the portion of the metropolitan division that is located in New Jersey.

(b) Notwithstanding any other provision of law, the Secretary of Housing and Urban Development shall allocate to Wake County, North Carolina, the amounts that otherwise would be allocated for fiscal year 2005 under section 854(c) of the AIDS Housing Opportunity Act (42 U.S.C. 12903(c)) to the City of Raleigh, North Carolina, on behalf of the Raleigh-Cary, North Carolina Metropolitan Statistical Area. Any amounts allocated to Wake County shall be used to carry out eligible activities under section 855 of such Act (42 U.S.C. 12904) within such metropolitan statistical area.

(c) Notwithstanding section 854(c) of the AIDS Housing Opportunity Act (42 U.S.C. 12903(c)), the Secretary of Housing and Urban Development may adjust the allocation of the amounts that otherwise would be allocated for fiscal year 2005 under section 854(c) of such Act, upon the written request of an applicant, in conjunction with the State(s), for a formula allocation on behalf of a metropolitan statistical area, to designate the State or States in which the metropolitan statistical area is located as the eligible grantee(s) of the allocation. In the case that a metropolitan statistical area involves more than one State, such amounts allocated to each State shall be in proportion to the number of cases of AIDS reported in the portion of the metropolitan statistical area located in that State. Any amounts allocated to a State under this section shall be used

to carry out eligible activities within the portion of the metropolitan statistical area located in that State.

SEC. 213. Notwithstanding any other provision of law, for this fiscal year and every fiscal year thereafter, funds appropriated for housing for the elderly, as authorized by section 202 of the Housing Act of 1959, as amended, and for supportive housing for persons with disabilities, as authorized by section 811 of the Cranston-Gonzalez National Affordable Housing Act, shall be available for the cost of maintaining and disposing of such properties that are acquired or otherwise become the responsibility of the Department.

SEC. 214. The Secretary of Housing and Urban Development shall submit an annual report no later than August 30, 2005 and annually thereafter to the House and Senate Committees on Appropriations regarding the number of Federally assisted units under lease and the per unit cost of these units to the Department of Housing and Urban Development.

SEC. 215. The Department of Housing and Urban Development shall submit the Department's fiscal year 2006 congressional budget justifications to the Committees on Appropriations of the House of Representatives and the Senate using the identical structure provided under this Act and only in accordance with the direction specified in the report accompanying this Act.

SEC. 216. That incremental voucher previously made available under the heading "Housing Certificate Fund" for non-elderly disabled families shall, to the extent practicable, continue to be provided to non-elderly disabled families upon turnover.

SEC. 217. The installment contract between the Village of Hanna City, Illinois and the General Services Administration is in the nature of a purchase money mortgage which will be paid off at initial closing. The Department of Housing and Urban Development shall accept the Village of Hanna City, Illinois' holding of equitable title to this property as sufficient for the purposes of the section 202 housing program.

SEC. 218. A public housing agency or such other entity that administers Federal housing assistance in the states of Alaska, Iowa, and Mississippi shall not be required to include a resident of public housing or a recipient of assistance provided under section 8 of the United States Housing Act of 1937 on the board of directors or a similar governing board of such agency or entity as required under section (2)(b) of such Act. Each public housing agency or other entity that administers Federal housing assistance under section 8 in the states of Alaska, Iowa and Mississippi shall establish an advisory board of not less than 6 residents of public housing or recipients of section 8 assistance to provide advice and comment to the public housing agency or other administering entity on issues related to public housing and section 8. Such advisory board shall meet not less than quarterly.

SEC. 219. (a) Section 536(b)(1) of the National Housing Act (12 U.S.C. 1735f–14(b)(1)) is amended by adding the following new subparagraph at the end:

> *"(J) Failure to perform a required physical inspection of the mortgaged property.".*

(b) Section 537(c)(1)(B)(ii) of such Act (12 U.S.C. 1735f–15(c)(1)(B)(ii)) is amended by inserting after "rents," the following: "other revenues, or contract rights,".

(c) Section 537(c)(1)(B)(x) of such Act (12 U.S.C. 1735f–15(c)(1)(B)(x)) is amended to read as follows:

"(x) Failure to furnish the Secretary, by the expiration of the 90-day period beginning on the first day after the completion of each fiscal year (unless the Secretary has approved an extension of the 90-day period in writing), with a complete annual financial report, in accordance with requirements prescribed by the Secretary, including requirements that the report be—

"(I) based upon an examination of the books and records of the mortgagor;

"(II) prepared and certified to by an independent public accountant or a certified public accountant (unless the Secretary has waived this requirement in writing); and

"(III) certified to by the mortgagor or an authorized representative of the mortgagor.

"The Secretary shall approve an extension where the mortgagor demonstrates that failure to comply with this clause is due to events beyond the control of the mortgagor.".

SEC. 220. Section 421 of the Housing and Community Development Act of 1987 (12 U.S.C. 1715z–4a) is amended—

(1) in subsection (a)(1)(A), by inserting after "project" the following: ", nursing home, intermediate care facility, board and care home, assisted living facility, or hospital";

(2) in subsection (a)(1)(B), by inserting after "is" the following: "or, at the time of the violations, was";

(3) in the second sentence of subsection (a)(1), by striking "project" and inserting "property";

(4) in subsection (a)(2) by striking "which" and all that follows through "any owner" and inserting the following: "that owns or operates a property, as identified in the regulatory agreement, including but not limited to—

"(A) any stockholder holding 25 percent or more interest of a corporation that owns that property;

"(B) any beneficial owner of the property under any business or trust;

"(C) any officer, director, or partner of an entity owning or controlling the property;

"(D) any nursing home lessee or operator;

"(E) any hospital lessee or operator;

"(F) any other person or entity that controls the property regardless of that person or entity's official relationship to the property; and

"(G) any heir, assignee, successor in interest, or agent of any person or entity described in the preceding subparagraphs";

(5) in subsection (c), by striking "project" the first two places it appears and inserting "property"; and

(6) in subsection (d), by striking "project" and inserting "a property's".

SEC. 221. Section 204(h) of the National Housing Act (12 U.S.C. 1710(h)) is amended—

(1) in paragraph (2)—

(A) by striking "following assets of the Secretary" and inserting "following categories of assets of the Secretary, unless the Secretary determines at any time that the asset property is economically or otherwise infeasible to rehabilitate or that the best use of the asset property is as open space (including park land)";

(B) in subparagraph (B)(ii), by inserting after "Act" the following: "except for mortgages insured under or made pursuant to sections 235, 247, or 255"; and

(C) by striking subparagraph (C);

(2) in the second sentence of paragraph (3), by inserting after "government" the following: ", States, and Indian tribes";

(3) in paragraph (4)—

(A) in subparagraph (A)(i), by inserting after "government" the following: ", State, or Indian tribe";

(B) by revising subparagraph (B)(ii) to read as follows:

"(ii) purchases all assets of the Secretary in the category or categories of eligible assets set forth in the sale agreement required under paragraph (7) that, at any time during the period which shall be set forth in the sale agreement—

"(I) are or become eligible for purchase under this subsection; and

"(II) are located in the asset control area of the purchaser; and"; and

(C) in subparagraph (C), by striking "purchase of eligible assets under" and inserting "purchase of the category or categories of eligible assets set forth in the sale agreement under";

(4) in paragraph (6)—

(A) by revising subparagraph (C) to read as follows:

"(C) DISCOUNTS.—The Secretary, in the sole discretion of the Secretary, shall establish the discount under this paragraph for an eligible asset. In determining the discount, the Secretary may consider the condition of the asset property, the extent of resources available to the preferred purchaser, the comprehensive revitalization plan undertaken by such purchaser, the financial safety and soundness of the Mutual Mortgage Insurance Fund, and any other circumstances the Secretary considers appropriate"; and

(B) by striking subparagraph (D);

(5) in paragraph (7)(A), by striking "eligible assets to be purchased and the interests sold" and inserting "category or categories of eligible assets to be purchased and, based on the purchaser's capacity to manage and dispose of assets, the maximum number of assets owned by the Secretary at the time the sale agreement is executed that shall be sold to the purchaser"; and

(6) in paragraph (8)—

(A) in subparagraph (F), by inserting after "State" the following: ", and any agency or instrumentality thereof that is established pursuant to legislation and designated by the chief executive officer to act on behalf of the jurisdiction with regard to the provisions of this subsection"; and

(B) by adding the following new subparagraphs at the end:

"(G) STATE.—The term 'State' means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, the Northern Mariana Islands, or any agency or instrumentality thereof that is established pursuant to legislation and designated by the chief executive officer to act on behalf of the State with regard to provisions of this subjection.

"(H) INDIAN TRIBE.—The term "Indian tribe" has the same meaning as in section 248(i)(I) of this Act.".

SEC. 222. Section 203(c) of the National Housing Act (12 U.S.C. 1709(c)), as amended, is further amended in paragraph (1) by striking "subsections (n) and (k)" and inserting "subsection (n)" and striking "or (k)".

SEC. 223. Section 203(c)(2)(A) of the National Housing Act (12 U.S.C. 1709(c)(2)(A)) is amended in the last sentence after "subparagraph" by inserting the following: ", provided that the mortgagor refinances the unpaid principal obligation under title II of this Act". This provision shall apply to loans that become insured on or after date of enactment of this Act.

SEC. 224. The portion of any athletic scholarship assistance that is available for housing costs shall be considered adjusted income for purposes of section 3(b)(5) of the United States Housing Act of 1937. The Secretary of Housing and Urban Development shall by notice establish criteria under which persons who receive athletic scholarship assistance may be denied housing assistance under the United States Housing Act of 1937.

SEC. 225. The funds made available for Native Alaskans under the heading "Native American Housing Block Grants" in title II of this Act shall be allocated to the same Native Alaskan housing block grant recipients that received funds in fiscal year 2004.

TITLE III—INDEPENDENT AGENCIES

AMERICAN BATTLE MONUMENTS COMMISSION

SALARIES AND EXPENSES

For necessary expenses, not otherwise provided for, of the American Battle Monuments Commission, including the acquisition of land or interest in land in foreign countries; purchases and repair of uniforms for caretakers of national cemeteries and monuments outside of the United States and its territories and possessions; rent of office and garage space in foreign countries; purchase (one for replacement only) and hire of passenger motor vehicles; not to exceed $7,500 for official reception and representation expenses; and insurance of official motor vehicles in foreign countries, when required by law of such countries, $41,100,000, to remain available until expended.

FOREIGN CURRENCY FLUCTUATIONS ACCOUNT

For necessary expenses, not otherwise provided for, of the American Battle Monuments Commission, $12,000,000, to remain available until expended, for purposes authorized by 36 U.S.C. 2109.

CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD

SALARIES AND EXPENSES

For necessary expenses in carrying out activities pursuant to section 112(r)(6) of the Clean Air Act, as amended, including hire of passenger vehicles, uniforms or allowances therefore, as authorized by 5 U.S.C. 5901–5902, and for services authorized by 5 U.S.C. 3109 but at rates for individuals not to exceed the per diem equivalent to the maximum rate payable for senior level positions under 5 U.S.C. 5376, $9,100,000: Provided, That the Chemical Safety and Hazard Investigation Board (Board) shall have not more than three career Senior Executive Service positions: Provided further, That notwithstanding any other provision of law, the individual appointed to the position of Inspector General of the Environmental Protection Agency (EPA) shall, by virtue of such appointment, also hold the position of Inspector General of the Board: Provided further, That notwithstanding any other provision of law, the Inspector General of the Board shall utilize personnel of the Office of Inspector General of EPA in performing the duties of the Inspector General of the Board, and shall not appoint any individuals to positions within the Board.

EMERGENCY FUND

For necessary expenses of the Chemical Safety and Hazard Investigation Board for accident investigations not otherwise provided for, $400,000, to remain available until expended.

DEPARTMENT OF THE TREASURY

COMMUNITY DEVELOPMENT FINANCIAL INSTITUTIONS

COMMUNITY DEVELOPMENT FINANCIAL INSTITUTIONS FUND PROGRAM ACCOUNT

To carry out the Community Development Banking and Financial Institutions Act of 1994, including services authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the rate for ES–3, $55,522,000, to remain available until September 30, 2006, of which $4,000,000 shall be for financial assistance, technical assistance, training and outreach programs designed to benefit Native American, Native Hawaiian, and Alaskan Native communities and provided primarily through qualified community development lender organizations with experience and expertise in community development banking and lending in Indian country, Native American organizations, tribes and tribal organizations and other suitable providers, and up to $14,900,000 may be used for administrative expenses, including administration of the New Markets Tax Credit, up to $6,000,000 may be used for the cost of direct loans, and up to $250,000 may be used for administrative expenses to carry out the direct loan program: Provided, That the cost of direct loans, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: Provided further, That these funds are available to subsidize gross obligations for the principal amount of direct loans not to exceed $11,000,000.

CONSUMER PRODUCT SAFETY COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Consumer Product Safety Commission, including hire of passenger motor vehicles, services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the maximum rate payable under 5 U.S.C. 5376, purchase of nominal awards to recognize non-Federal officials' contributions to Commission activities, and not to exceed $500 for official reception and representation expenses, $62,650,000.

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

NATIONAL AND COMMUNITY SERVICE PROGRAMS OPERATING EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses for the Corporation for National and Community Service (the "Corporation") in carrying out programs, activities, and initiatives under the National and Community Service Act of 1990 (the "Act") (42 U.S.C. 12501 et seq.), $545,884,000, to remain available until September 30, 2006: Provided, That not more than $290,000,000 of the amount provided under this heading shall be available for grants under the National Service Trust Program authorized under subtitle C of title I of the Act (42 U.S.C. 12571 et seq.) (relating to activities of the AmeriCorps program), including grants to organizations operating projects under the AmeriCorps Education Awards Program (without regard to the requirements of sections 121(d) and (e), section 131(e), section 132, and sections 140(a), (d), and (e) of the Act): Provided further, That not less than $144,000,000 of the amount provided under this heading, to remain available without fiscal year limitation, shall be transferred to the National Service Trust for educational awards authorized under subtitle D of title I of the Act (42 U.S.C. 12601), of which up to $3,900,000 shall be available to support national service scholarships for high school students performing community service, and of which $13,000,000 shall be held in reserve as defined in Public Law 108–45: Provided further, That in addition to amounts otherwise provided to the National Service Trust under the second proviso, the Corporation may transfer funds from the amount provided under the first proviso, to the National Service Trust authorized under subtitle D of title I of the Act (42 U.S.C. 12601) upon determination that such transfer is necessary to support the activities of national service participants and after notice is transmitted to Congress: Provided further, That of the amount provided under this heading for grants under the National Service Trust program authorized under subtitle C of title I of the Act, not more than $55,000,000 may be used to administer, reimburse, or support any national service program authorized under section 121(d)(2) of such Act (42 U.S.C. 12581(d)(2)): Provided further, That not more than $13,334,000 shall be available for quality and innovation activities authorized under subtitle H of title I of the Act (42 U.S.C. 12853 et seq.), of which $4,000,000 shall be available for challenge grants to non-profit organizations: Provided further, That notwithstanding subtitle H of title I of the Act (42 U.S.C. 12853),

none of the funds provided under the previous proviso shall be used to support salaries and related expenses (including travel) attributable to Corporation employees: Provided further, That to the maximum extent feasible, funds appropriated under subtitle C of title I of the Act shall be provided in a manner that is consistent with the recommendations of peer review panels in order to ensure that priority is given to programs that demonstrate quality, innovation, replicability, and sustainability: Provided further, That $25,500,000 of the funds made available under this heading shall be available for the Civilian Community Corps authorized under subtitle E of title I of the Act (42 U.S.C. 12611 et seq.): Provided further, That $43,000,000 shall be available for school-based and community-based service-learning programs authorized under subtitle B of title I of the Act (42 U.S.C. 12521 et seq.): Provided further, That $3,550,000 shall be available for audits and other evaluations authorized under section 179 of the Act (42 U.S.C. 12639): Provided further, That $10,000,000 of the funds made available under this heading shall be made available for the Points of Light Foundation for activities authorized under title III of the Act (42 U.S.C. 12661 et seq.), of which not more than $2,500,000 may be used to support an endowment fund, the corpus of which shall remain intact and the interest income from which shall be used to support activities described in title III of the Act, provided that the Foundation may invest the corpus and income in federally insured bank savings accounts or comparable interest bearing accounts, certificates of deposit, money market funds, mutual funds, obligations of the United States, and other market instruments and securities but not in real estate investments: Provided further, That no funds shall be available for national service programs run by Federal agencies authorized under section 121(b) of such Act (42 U.S.C. 12571(b)): Provided further, That $4,500,000 of the funds made available under this heading shall be made available to America's Promise—The Alliance for Youth, Inc.: Provided further, That to the maximum extent practicable, the Corporation shall increase significantly the level of matching funds and in-kind contributions provided by the private sector, and shall reduce the total Federal costs per participant in all programs.

SALARIES AND EXPENSES

For necessary expenses of administration as provided under section 501(a)(4) of the National and Community Service Act of 1990 (42 U.S.C. 12501 et seq.) including payment of salaries, authorized travel, hire of passenger motor vehicles, the rental of conference rooms in the District of Columbia, the employment of experts and consultants authorized under 5 U.S.C. 3109, and not to exceed $2,500 for official reception and representation expenses, $26,000,000.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the Inspector General Act of 1978, as amended, $6,000,000, to remain available until September 30, 2006.

ADMINISTRATIVE PROVISIONS

Notwithstanding any other provision of law, the term "qualified student loan" with respect to national service education awards shall mean any loan determined by an institution of higher education to be necessary to cover a student's cost of attendance at such institution and made, insured, or guaranteed directly to a student by a State agency, in addition to other meanings under section 148(b)(7) of the National and Community Service Act.

Notwithstanding any other provision of law, funds made available under section 129(d)(5)(B) of the National and Community Service Act to assist entities in placing applicants who are individuals with disabilities may be provided to any entity that receives a grant under section 121 of the Act.

The Inspector General of the Corporation for National and Community Service shall conduct random audits of the grantees that administer activities under the AmeriCorps programs and shall levy sanctions in accordance with standard Inspector General audit resolution procedures which include, but are not limited to, debarment of any grantee (or successor in interest or any entity with substantially the same person or persons in control) that has been determined to have committed any substantial violations of the requirements of the AmeriCorps programs, including any grantee that has been determined to have violated the prohibition of using Federal funds to lobby the Congress: Provided, That the Inspector General shall obtain reimbursements in the amount of any misused funds from any grantee that has been determined to have committed any substantial violations of the requirements of the AmeriCorps programs.

For fiscal year 2005, the Corporation shall make any significant changes to program requirements or policy only through public notice and comment rulemaking. For fiscal year 2005, during any grant selection process, no officer or employee of the Corporation shall knowingly disclose any covered grant selection information regarding such selection, directly or indirectly, to any person other than an officer or employee of the Corporation that is authorized by the Corporation to receive such information.

U.S. COURT OF APPEALS FOR VETERANS CLAIMS

SALARIES AND EXPENSES

For necessary expenses for the operation of the United States Court of Appeals for Veterans Claims as authorized by 38 U.S.C. 7251–7298, $17,250,000, of which $1,100,000 shall be available for the purpose of providing financial assistance as described, and in accordance with the process and reporting procedures set forth, under this heading in Public Law 102–229.

DEPARTMENT OF DEFENSE—CIVIL

CEMETERIAL EXPENSES, ARMY

SALARIES AND EXPENSES

For necessary expenses, as authorized by law, for maintenance, operation, and improvement of Arlington National Cemetery and Soldiers' and Airmen's Home National Cemetery, including the pur-

chase of one passenger motor vehicle for replacement only, and not to exceed $1,000 for official reception and representation expenses, $29,600,000, to remain available until expended.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

NATIONAL INSTITUTES OF HEALTH

NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH SCIENCES

For necessary expenses for the National Institute of Environmental Health Sciences in carrying out activities set forth in section 311(a) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended, and section 126(g) of the Superfund Amendments and Reauthorization Act of 1986, $80,486,000.

AGENCY FOR TOXIC SUBSTANCES AND DISEASE REGISTRY

TOXIC SUBSTANCES AND ENVIRONMENTAL PUBLIC HEALTH

For necessary expenses for the Agency for Toxic Substances and Disease Registry (ATSDR) in carrying out activities set forth in sections 104(i), 111(c)(4), and 111(c)(14) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), as amended; section 118(f) of the Superfund Amendments and Reauthorization Act of 1986 (SARA), as amended; and section 3019 of the Solid Waste Disposal Act, as amended, $76,654,000: Provided, That notwithstanding any other provision of law, in lieu of performing a health assessment under section 104(i)(6) of CERCLA, the Administrator of ATSDR may conduct other appropriate health studies, evaluations, or activities, including, without limitation, biomedical testing, clinical evaluations, medical monitoring, and referral to accredited health care providers: Provided further, That in performing any such health assessment or health study, evaluation, or activity, the Administrator of ATSDR shall not be bound by the deadlines in section 104(i)(6)(A) of CERCLA: Provided further, That none of the funds appropriated under this heading shall be available for ATSDR to issue in excess of 40 toxicological profiles pursuant to section 104(i) of CERCLA during fiscal year 2005, and existing profiles may be updated as necessary.

ENVIRONMENTAL PROTECTION AGENCY

SCIENCE AND TECHNOLOGY

(INCLUDING TRANSFER OF FUNDS)

For science and technology, including research and development activities, which shall include research and development activities under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended; necessary expenses for personnel and related costs and travel expenses, including uniforms, or allowances therefor, as authorized by 5 U.S.C. 5901–5902; services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the maximum rate payable for senior level positions under 5 U.S.C. 5376; procurement of lab-

oratory equipment and supplies; other operating expenses in support of research and development; construction, alteration, repair, rehabilitation, and renovation of facilities, not to exceed $85,000 per project, $750,061,000, which shall remain available until September 30, 2006: Provided, That of the amounts made available under this heading $1,000,000 shall be transferred to the Office of Environmental Quality Management fund.

ENVIRONMENTAL PROGRAMS AND MANAGEMENT

For environmental programs and management, including necessary expenses, not otherwise provided for, for personnel and related costs and travel expenses, including uniforms, or allowances therefor, as authorized by 5 U.S.C. 5901–5902; services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the maximum rate payable for senior level positions under 5 U.S.C. 5376; hire of passenger motor vehicles; hire, maintenance, and operation of aircraft; purchase of reprints; library memberships in societies or associations which issue publications to members only or at a price to members lower than to subscribers who are not members; construction, alteration, repair, rehabilitation, and renovation of facilities, not to exceed $85,000 per project; and not to exceed $9,000 for official reception and representation expenses, $2,313,409,000, which shall remain available until September 30, 2006, including administrative costs of the brownfields program under the Small Business Liability Relief and Brownfields Revitalization Act of 2002.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, and for construction, alteration, repair, rehabilitation, and renovation of facilities, not to exceed $85,000 per project, $38,000,000, to remain available until September 30, 2006.

BUILDINGS AND FACILITIES

For construction, repair, improvement, extension, alteration, and purchase of fixed equipment or facilities of, or for use by, the Environmental Protection Agency, $39,000,000, to remain available until expended.

HAZARDOUS SUBSTANCE SUPERFUND

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses to carry out the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), as amended, including sections 111(c)(3), (c)(5), (c)(6), and (e)(4) (42 U.S.C. 9611), and for construction, alteration, repair, rehabilitation, and renovation of facilities, not to exceed $85,000 per project; $1,257,537,000, to remain available until expended, consisting of such sums as are available in the Trust Fund upon the date of enactment of this Act as authorized by section 517(a) of the Superfund Amendments and Reauthorization Act of 1986 (SARA) and up to $1,257,537,000 as a payment from general revenues to the Hazardous Substance Superfund for purposes as authorized by section 517(b) of SARA, as amended: Provided, That funds appro-

priated under this heading may be allocated to other Federal agencies in accordance with section 111(a) of CERCLA: Provided further, That of the funds appropriated under this heading, $13,000,000 shall be transferred to the "Office of Inspector General" appropriation to remain available until September 30, 2006, and $36,097,000 shall be transferred to the "Science and technology" appropriation to remain available until September 30, 2006.

LEAKING UNDERGROUND STORAGE TANK PROGRAM

For necessary expenses to carry out leaking underground storage tank cleanup activities authorized by section 205 of the Superfund Amendments and Reauthorization Act of 1986, and for construction, alteration, repair, rehabilitation, and renovation of facilities, not to exceed $85,000 per project, $70,000,000, to remain available until expended.

OIL SPILL RESPONSE

For expenses necessary to carry out the Environmental Protection Agency's responsibilities under the Oil Pollution Act of 1990, $16,000,000, to be derived from the Oil Spill Liability trust fund, to remain available until expended.

STATE AND TRIBAL ASSISTANCE GRANTS

For environmental programs and infrastructure assistance, including capitalization grants for State revolving funds and performance partnership grants, $3,604,182,000, to remain available until expended, of which $1,100,000,000 shall be for making capitalization grants for the Clean Water State Revolving Funds under title VI of the Federal Water Pollution Control Act, as amended (the "Act"), of which up to $50,000,000 shall be available for loans, including interest free loans as authorized by 33 U.S.C. 1383(d)(1)(A), to municipal, inter-municipal, interstate, or State agencies or nonprofit entities for projects that provide treatment for or that minimize sewage or stormwater discharges using one or more approaches which include, but are not limited to, decentralized or distributed stormwater controls, decentralized wastewater treatment, low-impact development practices, conservation easements, stream buffers, or wetlands restoration; $850,000,000 shall be for capitalization grants for the Drinking Water State Revolving Funds under section 1452 of the Safe Drinking Water Act, as amended, except that, notwithstanding section 1452(n) of the Safe Drinking Water Act, as amended, none of the funds made available under this heading in this Act, or in previous appropriations Acts, shall be reserved by the Administrator for health effects studies on drinking water contaminants; $50,000,000 shall be for architectural, engineering, planning, design, construction and related activities in connection with the construction of high priority water and wastewater facilities in the area of the United States-Mexico Border, after consultation with the appropriate border commission; $45,000,000 shall be for grants to the State of Alaska to address drinking water and waste infrastructure needs of rural and Alaska Native Villages: Provided, That, of these funds (1) the State of Alaska shall provide a match of 25 percent, (2) no more than 5 percent of the funds may be used for administrative and overhead expenses, and (3) not later

than October 1, 2005 the State of Alaska shall make awards consistent with the statewide priority list established in 2004 for all water, sewer, waste disposal, and similar projects carried out by the State of Alaska that are funded under section 221 of the Federal Water Pollution Control Act (33 U.S.C. 1301) or the Consolidated Farm and Rural Development Act (7 U.S.C. 1921 et seq.) which shall allocate not less than 25 percent of the funds provided for projects in regional hub communities; $4,000,000 shall be for remediation of above ground leaking fuel tanks pursuant to Public Law 106–554; $309,925,000 shall be for making grants for the construction of drinking water, wastewater and storm water infrastructure and for water quality protection in accordance with the terms and conditions specified for such grants in the joint explanatory statement of the managers accompanying this Act, and, for purposes of these grants, each grantee shall contribute not less than 45 percent of the cost of the project unless the grantee is approved for a waiver by the Agency; $90,000,000 shall be to carry out section 104(k) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), as amended, including grants, interagency agreements, and associated program support costs; $7,500,000 for a cost-shared grant program to school districts for necessary upgrades of their diesel bus fleets; and $1,145,757,000 shall be for grants, including associated program support costs, to States, federally recognized tribes, interstate agencies, tribal consortia, and air pollution control agencies for multi-media or single media pollution prevention, control and abatement and related activities, including activities pursuant to the provisions set forth under this heading in Public Law 104–134, and for making grants under section 103 of the Clean Air Act for particulate matter monitoring and data collection activities of which and subject to terms and conditions specified by the Administrator, of which $50,000,000 shall be for carrying out section 128 of CERCLA, as amended, and $19,500,000 shall be for Environmental Information Exchange Network grants, including associated program support costs, and $18,000,000 shall be for making competitive targeted watershed grants: Provided further, That for fiscal year 2005, State authority under section 302(a) of Public Law 104–182 shall remain in effect: Provided further, That notwithstanding section 603(d)(7) of the Act, the limitation on the amounts in a State water pollution control revolving fund that may be used by a State to administer the fund shall not apply to amounts included as principal in loans made by such fund in fiscal year 2005 and prior years where such amounts represent costs of administering the fund to the extent that such amounts are or were deemed reasonable by the Administrator, accounted for separately from other assets in the fund, and used for eligible purposes of the fund, including administration: Provided further, That for fiscal year 2005, and notwithstanding section 518(f) of the Act, the Administrator is authorized to use the amounts appropriated for any fiscal year under section 319 of that Act to make grants to Indian tribes pursuant to sections 319(h) and 518(e) of that Act: Provided further, That for fiscal year 2005, notwithstanding the limitation on amounts in section 518(c) of the Act, up to a total of 1½ percent of the funds appropriated for State Revolving Funds under title VI of that Act may be reserved by the Administrator for grants under section 518(c) of such Act: Provided fur-

ther, That no funds provided by this legislation to address the water, wastewater and other critical infrastructure needs of the colonias in the United States along the United States-Mexico border shall be made available to a county or municipal government unless that government has established an enforceable local ordinance, or other zoning rule, which prevents in that jurisdiction the development or construction of any additional colonia areas, or the development within an existing colonia the construction of any new home, business, or other structure which lacks water, wastewater, or other necessary infrastructure: Provided further, That the referenced statement of the managers under this heading in Public Law 108–7, in reference to item number 471, is deemed to be amended by striking everything after "for" and inserting, "for water infrastructure improvements": Provided further, That the referenced statement of the managers under this heading in Public Law 108–199, in reference to item number 22, is deemed to be amended by striking everything after "22." and inserting, "$200,000 to Jackson County, Alabama, for water system improvements and $200,000 to the City of Muscle Shoals, Alabama, for water and sewer infrastructure improvements": Provided further, That the referenced statement of the managers under this heading in Public Law 108–199, in reference to item number 158, is deemed to be amended by inserting "water and" after "for": Provided further, That the referenced statement of the managers under this heading in Public Law 107–73 is deemed to be amended by striking "Southeast" in reference to item 9 and inserting "Southwest": Provided further, That the referenced statement of the managers under this heading in Public Law 107–73, in reference to item number 103, is deemed to be amended by striking everything after the word "for", and adding, "the City of Chicago, Illinois for water infrastructure improvements at the Thomas Jefferson and Lakeview Pumping Stations": Provided further, That the referenced statement of the managers under this heading in Public Law 108–199, in reference to item number 484, is deemed to be amended by striking "City of Norfolk" and inserting "Portsmouth Virginia": Provided further, That the referenced statement of the managers under this heading in Public Law 108–199, in reference to item number 283, is deemed to be amended by striking "City of Kalispell, Montana" and inserting "Flathead County Water and Sewer District No. 1—Evergreen": Provided further, That the referenced statement of managers under this heading in Public Law 108–7, in reference to item number 139, is deemed to be amended by striking "State of Hawaii Health Department" and inserting "County of Hawaii": Provided further, That the referenced statement of managers under this heading in Public Law 108–199, in reference to item number 148, is deemed to be amended by striking everything after the word "for" and inserting "the replacement of cesspools in Hawaii, $250,000 to the City and County of Honolulu for Varona Village, $500,000 to the County of Hawaii and the remainder to the Housing and Community Development Corporation of Hawaii;": Provided further, That the referenced statement of the managers under this heading in Public Law 108–199, in reference to item number 388, is deemed to be amended by striking everything after the word "for" and inserting "the Southeast Water Treatment Plant in Lawton, Oklahoma for water and wastewater infrastructure improvements;": Provided further, That the referenced state-

ment of the managers under this heading in Public Law 106–377, in reference to item number 46, is deemed to be amended by striking, "to construct pump stations, force mains, storage lagoons and spray irrigation facility", and inserting, "for wastewater treatment improvements": Provided further, That the referenced statement of the managers under this heading in Public Law 108–199, in reference to item number 409, is deemed to be amended by striking "City of" and "Pennsylvania": Provided further, That the referenced statement of the managers under this heading in Public Law 108–199, in reference to item number 265, is deemed to be amended by striking, "Franklin County", and inserting, "Okhissa Lake Sewer District": Provided further, That the referenced statement of the managers under this heading in Public Law 108–199, in reference to item number 322, is deemed to be amended by inserting "and water" after "wastewater": Provided further, That the referenced statement of the managers under this heading in Public Law 108–199, in reference to item number 173, is deemed to be amended by inserting "planning, design and" prior to "construction": Provided further, notwithstanding any other provision of law, the Environmental Protection Agency and the New York State Department of Environmental Conservation are authorized to award a $2,000,000 grant to the Town of Wheatfield, Niagara County, New York for the construction of sanitary collector sewers from funds realloted to the State of New York under title II of the Clean Water Act: Provided further, That the referenced statement of the managers under this heading in Public Law 108–199, in reference to item number 184, is deemed to be amended by striking "be divided equally between" and by striking "and" and inserting in place of "and", "or".

ADMINISTRATIVE PROVISIONS

For fiscal year 2005, notwithstanding 31 U.S.C. 6303(1) and 6305(1), the Administrator of the Environmental Protection Agency, in carrying out the Agency's function to implement directly Federal environmental programs required or authorized by law in the absence of an acceptable tribal program, may award cooperative agreements to federally-recognized Indian Tribes or Intertribal consortia, if authorized by their member Tribes, to assist the Administrator in implementing Federal environmental programs for Indian Tribes required or authorized by law, except that no such cooperative agreements may be awarded from funds designated for State financial assistance agreements.

The Administrator of the Environmental Protection Agency is authorized to collect and obligate pesticide registration service fees in accordance with section 33 of the Federal Insecticide, Fungicide, and Rodenticide Act (as added by subsection (f)(2) of the Pesticide Registration Improvement Act of 2003), as amended.

Notwithstanding CERCLA 104(k)(4)(B)(i)(IV), appropriated funds for fiscal year 2005 may be used to award grants or loans under section 104(k) of CERCLA to eligible entities that satisfy all of the elements set forth in CERCLA section 101(40) to qualify as a bona fide prospective purchaser except that the date of acquisition of the property was prior to the date of enactment of the Small Business Liability Relief and Brownfield Revitalization Act of 2001.

The Administrator may hereafter receive and use funds contributed by a non-Federal sponsor as its share of the cost of a project

to carry out a project under paragraph (c)(12) of section 118 of the Federal Water Pollution Control Act, as amended.

EXECUTIVE OFFICE OF THE PRESIDENT

OFFICE OF SCIENCE AND TECHNOLOGY POLICY

For necessary expenses of the Office of Science and Technology Policy, in carrying out the purposes of the National Science and Technology Policy, Organization, and Priorities Act of 1976 (42 U.S.C. 6601 and 6671), hire of passenger motor vehicles, and services as authorized by 5 U.S.C. 3109, not to exceed $2,500 for official reception and representation expenses, and rental of conference rooms in the District of Columbia, $6,379,000.

COUNCIL ON ENVIRONMENTAL QUALITY AND OFFICE OF ENVIRONMENTAL QUALITY

For necessary expenses to continue functions assigned to the Council on Environmental Quality and Office of Environmental Quality pursuant to the National Environmental Policy Act of 1969, the Environmental Quality Improvement Act of 1970, and Reorganization Plan No. 1 of 1977, and not to exceed $750 for official reception and representation expenses, $3,284,000: Provided, That notwithstanding section 202 of the National Environmental Policy Act of 1970, the Council shall consist of one member, appointed by the President, by and with the advice and consent of the Senate, serving as chairman and exercising all powers, functions, and duties of the Council.

FEDERAL DEPOSIT INSURANCE CORPORATION

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, $30,125,000, to be derived from the Bank Insurance Fund, the Savings Association Insurance Fund, and the FSLIC Resolution Fund.

GENERAL SERVICES ADMINISTRATION

FEDERAL CITIZEN INFORMATION CENTER FUND

For necessary expenses of the Federal Citizen Information Center, including services authorized by 5 U.S.C. 3109, $14,907,000, to be deposited into the Federal Citizen Information Center Fund: Provided, That the appropriations, revenues, and collections deposited into the Fund shall be available for necessary expenses of Federal Citizen Information Center activities in the aggregate amount not to exceed $27,000,000. Appropriations, revenues, and collections accruing to this Fund during fiscal year 2005 in excess of such amount shall remain in the Fund and shall not be available for expenditure except as authorized in appropriations Acts.

UNITED STATES INTERAGENCY COUNCIL ON HOMELESSNESS

OPERATING EXPENSES

For necessary expenses (including payment of salaries, authorized travel, hire of passenger motor vehicles, the rental of conference rooms, and the employment of experts and consultants under section 3109 of title 5, United States Code) of the United States Interagency Council on Homelessness in carrying out the functions pursuant to title II of the McKinney-Vento Homeless Assistance Act, as amended, $1,500,000.

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

SCIENCE, AERONAUTICS AND EXPLORATION

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses, not otherwise provided for, in the conduct and support of science, aeronautics and exploration research and development activities, including research, development, operations, support and services; maintenance; construction of facilities including repair, rehabilitation, revitalization, and modification of facilities, construction of new facilities and additions to existing facilities, facility planning and design, and restoration, and acquisition or condemnation of real property, as authorized by law; environmental compliance and restoration; space flight, spacecraft control and communications activities including operations, production, and services; program management; personnel and related costs, including uniforms or allowances therefor, as authorized by 5 U.S.C. 5901–5902; travel expenses; purchase and hire of passenger motor vehicles; not to exceed $35,000 for official reception and representation expenses; and purchase, lease, charter, maintenance and operation of mission and administrative aircraft, $7,742,550,000, to remain available until September 30, 2006, of which amounts as determined by the Administrator for salaries and benefits; training, travel and awards; facility and related costs; information technology services; science, engineering, fabricating and testing services; and other administrative services may be transferred to "Exploration capabilities" in accordance with section 312(b) of the National Aeronautics and Space Act of 1958, as amended by Public Law 106–377.

EXPLORATION CAPABILITIES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses, not otherwise provided for, in the conduct and support of exploration capabilities research and development activities, including research, development, operations, support and services; maintenance; construction of facilities including repair, rehabilitation, revitalization and modification of facilities, construction of new facilities and additions to existing facilities, facility planning and design, and acquisition or condemnation of real property, as authorized by law; environmental compliance and restoration; space flight, spacecraft control and communications activities including operations, production, and services; program management; personnel and related costs, including uniforms or allowances therefor, as authorized by 5 U.S.C. 5901–5902; travel ex-

penses; purchase and hire of passenger motor vehicles; not to exceed $35,000 for official reception and representation expenses; and purchase, lease, charter, maintenance and operation of mission and administrative aircraft, $8,425,850,000, to remain available until September 30, 2006, of which amounts as determined by the Administrator for salaries and benefits; training, travel and awards; facility and related costs; information technology services; science, engineering, fabricating and testing services; and other administrative services may be transferred to "Science, aeronautics and exploration" in accordance with section 312(b) of the National Aeronautics and Space Act of 1958, as amended by Public Law 106–377.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the Inspector General Act of 1978, as amended, $31,600,000.

ADMINISTRATIVE PROVISIONS

Notwithstanding the limitation on the availability of funds appropriated for "Science, aeronautics and exploration", or "Exploration capabilities" by this appropriations Act, when any activity has been initiated by the incurrence of obligations for construction of facilities or environmental compliance and restoration activities as authorized by law, such amount available for such activity shall remain available until expended. This provision does not apply to the amounts appropriated for institutional minor revitalization and construction of facilities, and institutional facility planning and design.

Notwithstanding the limitation on the availability of funds appropriated for "Science, aeronautics and exploration", or "Exploration capabilities" by this appropriations Act, the amounts appropriated for construction of facilities shall remain available until September 30, 2007.

The unexpired balances of prior appropriations to NASA for activities for which funds are provided under this Act may be transferred to the new account established for the appropriation that provides such activity under this Act. Balances so transferred may be merged with funds in the newly established account and thereafter may be accounted for as one fund under the same terms and conditions but shall remain available for the same period of time as originally appropriated.

From amounts made available in this Act for these activities, subject to the operating plan procedures of the House and Senate Committees on Appropriations, the Administrator may transfer amounts between the "Science, aeronautics, and exploration" account and the "Exploration capabilities" account.

Funds for announced prizes otherwise authorized shall remain available, without fiscal year limitation, until the prize is claimed or the offer is withdrawn. Funding shall not be made available for Centennial Challenges unless authorized.

Funding made available under the headings "Exploration Capabilities" and "Science, aeronautics, and exploration" in this Act shall be governed by the terms and conditions specified in the statement of managers except to the extent changes are made in accord-

ance with the operating plan procedures of the House and Senate Committees on Appropriations.

NATIONAL CREDIT UNION ADMINISTRATION

CENTRAL LIQUIDITY FACILITY

During fiscal year 2005, gross obligations of the Central Liquidity Facility for the principal amount of new direct loans to member credit unions, as authorized by 12 U.S.C. 1795 et seq., shall not exceed $1,500,000,000: Provided, That administrative expenses of the Central Liquidity Facility in fiscal year 2005 shall not exceed $310,000.

COMMUNITY DEVELOPMENT REVOLVING LOAN FUND

For the Community Development Revolving Loan Fund program as authorized by 42 U.S.C. 9812, 9822 and 9910, $1,000,000 shall be available: Provided, That of this amount $200,000, together with amounts of principal and interest on loans repaid, is available until expended for loans to community development credit unions, and $800,000 is available until September 30, 2006 for technical assistance to low-income and community development credit unions.

NATIONAL SCIENCE FOUNDATION

RESEARCH AND RELATED ACTIVITIES

For necessary expenses in carrying out the National Science Foundation Act of 1950, as amended (42 U.S.C. 1861–1875), and the Act to establish a National Medal of Science (42 U.S.C. 1880–1881); services as authorized by 5 U.S.C. 3109; maintenance and operation of aircraft and purchase of flight services for research support; acquisition of aircraft; $4,254,593,000, of which not to exceed $350,000,000 shall remain available until expended for Polar research and operations support, and for reimbursement to other Federal agencies for operational and science support and logistical and other related activities for the United States Antarctic program; the balance to remain available until September 30, 2006: Provided, That receipts for scientific support services and materials furnished by the National Research Centers and other National Science Foundation supported research facilities may be credited to this appropriation: Provided further, That to the extent that the amount appropriated is less than the total amount authorized to be appropriated for included program activities, all amounts, including floors and ceilings, specified in the authorizing Act for those program activities or their subactivities shall be reduced proportionally: Provided further, That $95,000,000 of the funds available under this heading shall be made available for a comprehensive research initiative on plant genomes for economically significant crops: Provided further, That, not to exceed $25,954,000 of these funds shall be for all costs, direct and indirect, associated with personnel assignments under the Intergovernmental Personnel Act.

MAJOR RESEARCH EQUIPMENT AND FACILITIES CONSTRUCTION

For necessary expenses for the acquisition, construction, commissioning, and upgrading of major research equipment, facilities, and other such capital assets pursuant to the National Science

Foundation Act of 1950, as amended, including authorized travel, $175,050,000, to remain available until expended.

EDUCATION AND HUMAN RESOURCES

For necessary expenses in carrying out science and engineering education and human resources programs and activities pursuant to the National Science Foundation Act of 1950, as amended (42 U.S.C. 1861–1875), including services as authorized by 5 U.S.C. 3109, and rental of conference rooms in the District of Columbia, $848,207,000, to remain available until September 30, 2006: Provided, That to the extent that the amount of this appropriation is less than the total amount authorized to be appropriated for included program activities, all amounts, including floors and ceilings, specified in the authorizing Act for those program activities or their subactivities shall be reduced proportionally: Provided further, That not to exceed $5,500,000 of these funds shall be for all costs, direct and indirect, associated with personnel assignments under the Intergovernmental Personnel Act.

SALARIES AND EXPENSES

For salaries and expenses necessary in carrying out the National Science Foundation Act of 1950, as amended (42 U.S.C. 1861–1875); services authorized by 5 U.S.C. 3109; hire of passenger motor vehicles; not to exceed $9,000 for official reception and representation expenses; uniforms or allowances therefor, as authorized by 5 U.S.C. 5901–5902; rental of conference rooms in the District of Columbia; and reimbursement of the General Services Administration for security guard services; $225,000,000: Provided, That contracts may be entered into under "Salaries and expenses" in fiscal year 2005 for maintenance and operation of facilities, and for other services, to be provided during the next fiscal year.

OFFICE OF THE NATIONAL SCIENCE BOARD

For necessary expenses (including payment of salaries, authorized travel, hire of passenger motor vehicles, the rental of conference rooms in the District of Columbia, and the employment of experts and consultants under section 3109 of title 5, United States Code) involved in carrying out section 4 of the National Science Foundation Act of 1950 (42 U.S.C. 1863) and Public Law 86–209 (42 U.S.C. 1880 et seq.), $4,000,000: Provided, That not more than $9,000 shall be available for official reception and representation expenses.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General as authorized by the Inspector General Act of 1978, as amended, $10,110,000, to remain available until September 30, 2006.

NEIGHBORHOOD REINVESTMENT CORPORATION

PAYMENT TO THE NEIGHBORHOOD REINVESTMENT CORPORATION

For payment to the Neighborhood Reinvestment Corporation for use in neighborhood reinvestment activities, as authorized by the Neighborhood Reinvestment Corporation Act (42 U.S.C. 8101–8107),

$115,000,000, of which $5,000,000 shall be for a multi-family rental housing program.

SELECTIVE SERVICE SYSTEM

SALARIES AND EXPENSES

For necessary expenses of the Selective Service System, including expenses of attendance at meetings and of training for uniformed personnel assigned to the Selective Service System, as authorized by 5 U.S.C. 4101–4118 for civilian employees; purchase of uniforms, or allowances therefor, as authorized by 5 U.S.C. 5901–5902; hire of passenger motor vehicles; services as authorized by 5 U.S.C. 3109; and not to exceed $750 for official reception and representation expenses; $26,300,000: Provided, That during the current fiscal year, the President may exempt this appropriation from the provisions of 31 U.S.C. 1341, whenever the President deems such action to be necessary in the interest of national defense: Provided further, That none of the funds appropriated by this Act may be expended for or in connection with the induction of any person into the Armed Forces of the United States.

WHITE HOUSE COMMISSION ON THE NATIONAL MOMENT OF REMEMBRANCE

For necessary expenses of the White House Commission on the National Moment of Remembrance, $250,000.

TITLE IV—GENERAL PROVISIONS

SEC. 401. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 402. No funds appropriated by this Act may be expended—

(1) pursuant to a certification of an officer or employee of the United States unless—

(A) such certification is accompanied by, or is part of, a voucher or abstract which describes the payee or payees and the items or services for which such expenditure is being made; or

(B) the expenditure of funds pursuant to such certification, and without such a voucher or abstract, is specifically authorized by law; and

(2) unless such expenditure is subject to audit by the General Accounting Officer or is specifically exempt by law from such audit.

SEC. 403. None of the funds provided in this Act to any department or agency may be obligated or expended for: (1) the transportation of any officer or employee of such department or agency between the domicile and the place of employment of the officer or employee, with the exception of an officer or employee authorized such transportation under 31 U.S.C. 1344 or 5 U.S.C. 7905 or (2) to provide a cook, chauffeur, or other personal servants to any officer or employee of such department or agency.

SEC. 404. None of the funds provided in this Act may be used for payment, through grants or contracts, to recipients that do not share in the cost of conducting research resulting from proposals not

specifically solicited by the Government: Provided, That the extent of cost sharing by the recipient shall reflect the mutuality of interest of the grantee or contractor and the Government in the research.

SEC. 405. None of the funds provided in this Act may be used, directly or through grants, to pay or to provide reimbursement for payment of the salary of a consultant (whether retained by the Federal Government or a grantee) at more than the daily equivalent of the rate paid for level IV of the Executive Schedule, unless specifically authorized by law.

SEC. 406. None of the funds provided in this Act may be used to pay the expenses of, or otherwise compensate, non-Federal parties intervening in regulatory or adjudicatory proceedings. Nothing herein affects the authority of the Consumer Product Safety Commission pursuant to section 7 of the Consumer Product Safety Act (15 U.S.C. 2056 et seq.).

SEC. 407. Except as otherwise provided under existing law, or under an existing Executive order issued pursuant to an existing law, the obligation or expenditure of any appropriation under this Act for contracts for any consulting service shall be limited to contracts which are: (1) a matter of public record and available for public inspection; and (2) thereafter included in a publicly available list of all contracts entered into within 24 months prior to the date on which the list is made available to the public and of all contracts on which performance has not been completed by such date. The list required by the preceding sentence shall be updated quarterly and shall include a narrative description of the work to be performed under each such contract.

SEC. 408. None of the funds appropriated in this Act may be used to implement any cap on reimbursements to grantees for indirect costs, except as published in Office of Management and Budget Circular A–21.

SEC. 409. Such sums as may be necessary for fiscal year 2005 pay raises for programs funded by this Act shall be absorbed within the levels appropriated in this Act.

SEC. 410. (a) It is the sense of the Congress that, to the greatest extent practicable, all equipment and products purchased with funds made available in this Act should be American-made.

(b) In providing financial assistance to, or entering into any contract with, any entity using funds made available in this Act, the head of each Federal agency, to the greatest extent practicable, shall provide to such entity a notice describing the statement made in subsection (a) by the Congress.

SEC. 411. None of the funds made available in this Act may be used for any program, project, or activity, when it is made known to the Federal entity or official to which the funds are made available that the program, project, or activity is not in compliance with any Federal law relating to risk assessment, the protection of private property rights, or unfunded mandates.

SEC. 412. Except in the case of entities that are funded solely with Federal funds or any natural persons that are funded under this Act, none of the funds in this Act shall be used for the planning or execution of any program to pay the expenses of, or otherwise compensate, non-Federal parties to lobby or litigate in respect to adjudicatory proceedings funded in this Act. A chief executive officer of any entity receiving funds under this Act shall certify that none

of these funds have been used to engage in the lobbying of the Federal Government or in litigation against the United States unless authorized under existing law.

SEC. 413. No part of any funds appropriated in this Act shall be used by an agency of the executive branch, other than for normal and recognized executive-legislative relationships, for publicity or propaganda purposes, and for the preparation, distribution or use of any kit, pamphlet, booklet, publication, radio, television or film presentation designed to support or defeat legislation pending before the Congress, except in presentation to the Congress itself.

SEC. 414. All departments and agencies funded under this Act are encouraged, within the limits of the existing statutory authorities and funding, to expand their use of "E-Commerce" technologies and procedures in the conduct of their business practices and public service activities.

SEC. 415. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriation Act.

SEC. 416. None of the funds provided in this Act to any department or agency shall be obligated or expended to procure passenger automobiles as defined in 15 U.S.C. 2001 with an EPA estimated miles per gallon average of less than 22 miles per gallon.

SEC. 417. Section 313 of the National Aeronautics and Space Act of 1958, as amended, is further amended in subsection (A)—

(1) by striking "2004" and inserting "2005"; and

(2) by striking "Space flight capabilities" and inserting "Exploration capabilities".

SEC. 418. None of the funds made available in this Act may be used to implement any policy prohibiting the Directors of the Veterans Integrated Service Networks from conducting outreach or marketing to enroll new veterans within their respective Networks.

SEC. 419. It is the sense of Congress that no veteran should wait more than 30 days for an initial doctor's appointment.

SEC. 420. None of the funds made available to NASA in this Act may be used for voluntary separation incentive payments as provided for in subchapter II of chapter 35 of title 5, United States Code, unless the Administrator of NASA has first certified to Congress that such payments would not result in the loss of skills related to the safety of the Space Shuttle or the International Space Station or to the conduct of independent safety oversight in the National Aeronautics and Space Administration.

SEC. 421. (a) TREATMENT OF PIONEER HOMES IN ALASKA AS STATE HOME FOR VETERANS.—For this fiscal year and each fiscal year hereafter, the Secretary of Veterans Affairs may—

(1) treat the Pioneer Homes in the State of Alaska collectively as a single State home for veterans for purposes of section 1741 of title 38, United States Code; and

(2) make per diem payments to the State of Alaska for care provided to veterans in the Pioneer Homes in accordance with the provisions of that section.

(b) TREATMENT NOTWITHSTANDING NON-VETERAN RESIDENCY.—The Secretary may treat the Pioneer Homes as a State

home under subsection (a) notwithstanding the residency of non-veterans in one or more of the Pioneer Homes.

(c) PIONEER HOMES DEFINED.—In this section, the term "Pioneer Homes" means the six regional homes in the State of Alaska known as Pioneer Homes, which are located in the following:

(1) Anchorage, Alaska.

(2) Fairbanks, Alaska.

(3) Juneau, Alaska.

(4) Ketchikan, Alaska.

(5) Palmer, Alaska.

(6) Sitka, Alaska.

(d) LIMITATION.—The number of beds occupied by veterans collectively in the six Pioneer Homes listed under subsection (c) for which per diem would be paid under this authority shall not exceed the number of veterans in state beds that otherwise would be permitted in Alaska under the Department of Veterans Affairs state home regulations governing the number of beds per veteran population.

SEC. 422. Of the amounts available to the National Aeronautics and Space Administration, such sums as may be necessary for the benefit of the families of the astronauts who died on board the Space Shuttle Columbia on February 1, 2003, are available under the terms of section 203(c)(13) of the National Aeronautics and Space Act of 1958, as amended, independent of the limitations established therein.

SEC. 423. Section 428 of the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 2004 is amended—

(1) in subsection (c), by inserting "new" before "spark ignition engines"; and

(2) in subsection (d), by striking out "The prohibition in subsection (e)" and inserting in lieu thereof: "The prohibition in subsection (c)".

SEC. 424. In addition to the amounts otherwise provided in this or any other Act for fiscal year 2005, for "Department of Housing and Urban Development, Community Development Fund", $31,000,000 to remain available until expended for a grant to The Hudson River Park Trust for planning, design and reconstruction of Pier 86 in New York City.

SEC. 425. From within funds available to the Secretary of Veterans Affairs, $200,000 shall be made available until expended to Eric and Brian Simon of Minneapolis, Minnesota, to be divided evenly between the individuals.

SEC. 426. (a) WAIVER OF REQUIREMENTS.—Subject to section 2, the limitation on the release of funds in section 104(g)(2) of the Housing and Community Development Act of 1974 (42 U.S.C. 5304) shall not apply to the Village of Chickasaw Sewer Collection and Treatment System, located in the Village of Chickasaw, Mercer County, Ohio.

(b) APPLICABILITY.—Section 1 only applies to the grant that was awarded to the Village of Chickasaw (Ohio Small Cities CDBG Grant # C–W–03–283–1), for the period beginning September 1, 2003 and ending October 31, 2005 and in the amount of $600,000.

(c) ENVIRONMENTAL REVIEWS.—Notwithstanding the provisions of this Act, the Village of Chickasaw must complete all appropriate

environmental reviews in a timely manner and to the satisfaction of the state of Ohio.

This division may be cited as the "Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 2005".

DIVISION J—OTHER MATTERS

TITLE I—MISCELLANEOUS PROVISIONS AND OFFSETS

SEC. 101. For an additional amount for the Department of Energy for the weatherization assistance program pursuant to 42 U.S.C. 6861 et seq. and notwithstanding section 3003(d)(2) of Public Law 99–509, $230,000,000, to remain available until expended.

SEC. 102. Section 1201(a) of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108–375) is amended by striking "$300,000,000" in the matter preceding paragraph (1) and inserting "$500,000,000".

SEC. 103. (a) The District of Columbia Appropriations Act, 2005 (Public Law 108–335) is amended as follows:

(1) The paragraph under the heading "CAPITAL OUTLAY" is amended by striking "For construction projects, an increase of $1,087,649,000, of which $839,898,000 shall be from local funds, $38,542,000 from Highway Trust funds, $37,000,000 from the Rights-of-way funds, $172,209,000 from Federal grant funds, and a rescission of $361,763,000 from local funds appropriated under this heading in prior fiscal years, for a net amount of $725,886,000, to remain available until expended;" and inserting "For construction projects, an increase of $1,102,039,000, of which $839,898,000 shall be from local funds, $38,542,000 from Highway Trust funds, $51,390,000 from the Rights-of-way funds, $172,209,000 from Federal grant funds, and a rescission of $361,763,000 from local funds appropriated under this heading in prior fiscal years, for a net amount of $740,276,000, to remain available until expended;".

(2) Section 340(a) is amended to read as follows:

"(a) Section 603(e)(3)(E) of the Student Loan Marketing Association Reorganization Act of 1996 (20 U.S.C. 1155(e)(3)(E)) is amended—

"(1) by striking 'and' at the end of subclause (II);

"(2) by striking the period at the end of subclause (III) and inserting '; and'; and

"(3) by adding at the end the following new subclause:

"(IV) obtaining lease guarantees (in accordance with regulations promulgated by the Office of Public Charter School Financing).".

(3) Section 342 is amended to read as follows:

"SEC. 342. PUBLIC SCHOOL SERVICES TO CHARTER SCHOOLS. Section 2209(b) of the District of Columbia School Reform Act of 1995 (sec. 38–1802.09(b), D.C. Official Code) is amended as follows:

"(1) In paragraph (1)—

"(A) by amending subparagraph (A) to read as follows:

'(A) IN GENERAL.—Notwithstanding any other provision of law, regulation, or order relating to the disposition of a facility or property described in subparagraph (B), the Mayor and the District of Columbia government shall give

a right of first offer with respect to any facility or property described in subparagraph (B) not previously purchased, leased, or transferred, or under contract to be purchased, leased, or transferred, or the subject of a previously proposed resolution submitted by the Mayor on or before December 1, 2004, to the Council of the District of Columbia seeking authority for disposition of such facility or property, or under an Exclusive Rights Agreement executed on or before December 1, 2004, to an eligible applicant whose petition to establish a public charter school has been conditionally approved under section 2203(d)(2), or a Board of Trustees, with respect to the purchase, lease, transfer, or use of a facility or property described in subparagraph (B).';

"(B) by amending subparagraph (B)(iii) to read as follows:

'(iii) with respect to which—

'(I) the Board of Education has transferred jurisdiction to the Mayor and over which the Mayor has jurisdiction on the effective date of this subclause; or

'(II) over which the Mayor or any successor agency gains jurisdiction after the effective date of this subclause.'; and

"(C) by adding at the end the following new subparagraph:

'(C) TERMS OF PURCHASE OR LEASE.—The terms of purchase or lease of a facility or property described in subparagraph (B) shall—

'(i) be negotiated by the Mayor in accordance with written rules or regulations as determined by the Mayor, and published in the District of Columbia Register;

'(ii) include rent or an acquisition price, as applicable, that is at the appraised value of the property based on use of the property for school purposes; and

'(iii) include a lease period, if the property is to be leased, of not less than 25 years, and renewable for additional 25-year periods as long as the eligible applicant or Board of Trustees maintains its charter.'.

"(2) In paragraph (2)(A), by striking 'first preference' and inserting 'a right of first offer'.

"(3) By adding at the end the following new paragraph:

'(3) CONVERSION PUBLIC CHARTER SCHOOLS.—Any District of Columbia public school that was approved to become a conversion public charter school under section 2201 before the effective date of this subsection or is approved to become a conversion public charter school after the effective date of this subsection, shall have the right to exclusively occupy the facilities the school occupied as a District of Columbia public school under a lease for a period of not less than 25 years, renewable for additional 25-year periods as long as the school maintains its charter at the appraised value of the property based on use of the property for school purposes.'.".

(4) Section 347 is amended by striking paragraphs (1) and (2) and inserting the following:

"(1) by striking subsection (f) and inserting the following:

'(f) AUDIT.—The Board shall maintain its accounts according to Generally Accepted Accounting Principles. The Board shall provide for an audit of the financial statements of the Board by an independent certified public accountant in accordance with Government auditing standards for financial audits issued by the Comptroller General. The findings and recommendations of any such audit shall be forwarded to the Mayor, the Council of the District of Columbia, and the Office of the Chief Financial Officer of the District of Columbia.'; and

"(2) by adding at the end the following new subsection:

'(h) CONTRACTING AND PROCUREMENT.—The Board shall have the authority to solicit, award, and execute contracts independently of the Office of Contracting and Procurement and the Chief Procurement Officer.'.".

(b) The amendments made by this section shall take effect as if included in the enactment of the District of Columbia Appropriations Act, 2005.

SEC. 104. The Secretary of the Department of Homeland Security shall transfer up to $40,000,000 from funds appropriated to the Coast Guard's "Acquisition, Construction, and Improvements" account in fiscal year 2005 from the Rescue 21 project to the HH–65 re-engining project, subject to 15-day advance notification to the House and Senate Committees on Appropriations.

SEC. 105. Section 203(m) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5133(m)) is amended by striking "December 31, 2004" and inserting "December 31, 2005".

SEC. 106. Notwithstanding the amounts in the detailed funding table included in House Report 108–774, the appropriation for "Transportation Security Administration, Maritime and Land Security" shall include the following: "Credentialing, $5,000,000; TWIC, $15,000,000; Hazardous materials truck tracking, $2,000,000; Hazardous materials safety, $17,000,000; Enterprise staffing, $24,000,000; Rail security, $12,000,000; Offsetting collections, $ −27,000,000".

SEC. 107. The matter under the heading "Military Construction, Navy and Marine Corps" in the Military Construction Appropriations Act, 2005 (division A of Public Law 108–324), is amended by striking "$1,069,947,000" and inserting "$1,065,597,000" and the matter under the heading "Military Construction, Naval Reserve" in such Act is amended by striking "$44,246,000" and inserting "$48,596,000".

SEC. 108. Notwithstanding any other provision of law, in addition to amounts otherwise made available in the Department of Defense Appropriations Act, 2005 (Public Law 108–287), an additional $2,000,000 is hereby appropriated and shall be made available under the heading "Shipbuilding and Conversion, Navy", only for the Secretary of the Navy for the purpose of acquiring a vessel with the Coast Guard registration number 225115: Provided, That the Secretary of the Navy shall provide for the transportation of the vessel from its present location: Provided further, That the Secretary of the Navy may lend, give, or otherwise dispose of the vessel at his election pursuant to 10 U.S.C. section 2572, 7545, or 7306, or using such procedures as the Secretary deems appropriate, and to such re-

cipient as the Secretary deems appropriate, without regard to these provisions.

SECTION 109. DESIGNATION OF NATIONAL TREE.

(a) DESIGNATION.—Chapter 3 of title 36, United States Code, is amended by adding at the end the following:

"§ 305. National tree

"The tree genus Quercus, commonly known as the oak tree, is the national tree.".

(b) CONFORMING AMENDMENTS.—Such title is amended—

*(1) in the table of contents for part A of subtitle I, by striking "**, and March**" and inserting "**March, and Tree**";*

(2) in the chapter heading for chapter 3, by striking ", AND MARCH" and inserting "MARCH, AND TREE"; and

(3) in the table of sections for chapter 3, by adding at the end the following:

"305. National tree.".

SEC. 110. Section 204(g) of the Employee Retirement Income Security Act of 1974, as amended (29 U.S.C. § 1054(g)) shall not apply at any time, whether before or after the enactment of this section, to an amendment adopted prior to June 7, 2004 by a [multiemployer] pension plan covering primarily employees working in the State of Alaska, to the extent that such amendment—

(a) provides for the suspension of the payment of benefits, modifies the conditions under which the payment of benefits is suspended, or suspends actual adjustments in benefit payments in accordance with section 203(a)(3)(B) of said Act (29 U.S.C. § 1053(a)(3)(B)) and applicable regulations, and

(b) applies to participants who have not retired before the adoption of such amendment.

SEC. 111. (a) The head of each Federal agency or department shall—

(1) provide each new employee of the agency or department with educational and training materials concerning the United States Constitution as part of the orientation materials provided to the new employee; and

(2) provide educational and training materials concerning the United States Constitution to each employee of the agency or department on September 17 of each year.

(b) Each educational institution that receives Federal funds for a fiscal year shall hold an educational program on the United States Constitution on September 17 of such year for the students served by the educational institution.

(c) Title 36 of the United States Code is amended—

(1) in section 106—

(A) in the heading, by inserting "Constitution Day and" before "Citizenship Day";

(B) in subsection (a), by striking "is Citizenship Day." and inserting "is designated as Constitution Day and Citizenship Day.";

(C) in subsection (b)—

(i) by inserting "Constitution Day and" before "Citizenship Day"; and

(ii) by striking "commemorates" and inserting "commemorate"; and

(iii) by striking "recognizes" and inserting "recognize";

(D) in subsection (c), by inserting "Constitution Day and" before "Citizenship Day" both places where such term appears; and

(E) in subsection (d), by inserting "Constitution Day and" before "Citizenship Day"; and

(2) in the item relating to section 106 of the table of contents, by inserting "Constitution Day and" before "Citizenship Day".

(d) This section shall be without fiscal year limitation.

SEC. 112. (a) Notwithstanding any other provision of law or any contract, (1) the rates in effect on November 15, 2004, under the tariff (the "tariff") required by FCC 94–116 (reduced three percent annually starting January 1, 2006) shall apply beginning 45 days after the date of enactment of this Act through December 31, 2009, to the sale and purchase of interstate switched wholesale service elements offered by any provider originating or terminating anywhere in the area (the "market") described in section 4.7 of the tariff (collectively, the "covered services"); (2) beginning April 1, 2005, through December 31, 2009, no provider of covered services may provide, and no purchaser of such services may obtain, covered services in the same contract with services other than those that originate or terminate in the market, if the covered services in the contract represent more than five percent of such contract's total value; and (3) revenues collected hereunder (less costs) for calendar years 2005 through 2009 shall be used to support and expand the network in the market.

(b) Effective on the date of enactment of this Act, (1) the conditions described in FCC 95–334 and the related conditions imposed in FCC 94–116, FCC 95–427, and FCC 96–485, and (2) all pending proceedings relating to the tariff, shall terminate. Thereafter, the State regulatory commission with jurisdiction over the market shall treat all interexchange carriers serving the market the same with respect to the provision of intrastate services, with the goal of reducing regulation, and shall not require such carriers to file reports based on the Uniform System of Accounts.

(c) Any provider may file to enforce this section (including damages and injunctive relief) before the FCC (whose final order may be appealed under 47 U.S.C. 402(a)) or under 47 U.S.C. 207 if the FCC fails to issue a final order within 90 days of a filing. Nothing herein shall affect rate integration, carrier-of-last-resort obligations of any carrier or its successor, or the purchase of covered services by any rural telephone company (as defined in 47 U.S.C. 153(37)), or an affiliate under its control, for its provision of retail interstate interexchange services originating in the market.

SEC. 113. Direct loans, credits, insurance and guarantees of the Export-Import Bank or its agents may be made available for or in Libya, notwithstanding section 507 or similar provisions in the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2005, or prior acts making appropriations for foreign operations, export financing, and related programs, if the President

determines that to do so is important to the national security interests of the United States.

SEC. 114. (a) Section 146 of Pub. L. 108–199 is amended:

(1) by striking "section 386 of the Energy Policy Act of 2003" and inserting in lieu thereof "section 116 of Division C of Pub. L. 108–324";

(2) by striking ", except that upon that Act becoming law, section 386 is amended through this Act:" and inserting "and section 116 of Division C of Pub. L. 108–324 is amended:"

(3) by striking "paragraph 386(b)(1)" and inserting in lieu thereof "paragraph (b)(1) of section 116 of Division C of Pub. L. 108–324";

(4) by striking "paragraph 386(c)(2)" and inserting in lieu thereof "paragraph (c)(2) of section 116 of Division C of Pub. L. 108–324"; and

(5) by striking "paragraph 386(g)(4)" and inserting in lieu thereof "paragraph (g)(4) of section 116 of Division C of Pub. L. 324;

(b) Section 116(b) of Division C of Pub. L. 108–324, the Military Construction bill, is amended by adding a new paragraph as follows:

"(4) Such loan guarantee may be utilized only by the project chosen by the Federal Energy Regulatory Commission as the qualified project."

SEC. 115. Any unobligated amount appropriated pursuant to section 353(b) of the Department of the Interior and Related Agencies Appropriations Act, 1999 (Public Law 105–277; 112 Stat. 2681–303), shall be made available to complete the project described in section 353(a) of that Act.

SEC. 116. (a) DESIGNATION OF NATIONAL VETERANS MEMORIAL.—The Mt. Soledad Veterans Memorial located within the Soledad Natural Park in San Diego, California, which consists of a 29 foot-tall cross and surrounding granite memorial walls containing plaques engraved with the names and photographs of veterans of the United States Armed Forces, is hereby designated as a national memorial honoring veterans of the United States Armed Forces.

(b) ACQUISITION AND ADMINISTRATION BY UNITED STATES.—Not later than 90 days after the date on which the City of San Diego, California, offers to donate the Mt. Soledad Veterans Memorial to the United States, the Secretary of the Interior shall accept, on behalf of the United States, all right, title, and interest of the City in and to the Mt. Soledad Veterans Memorial.

(c) ADMINISTRATION OF MEMORIAL.—Upon acquisition of the Mt. Soledad Veterans Memorial by the United States, the Secretary of the Interior shall administer the Mt. Soledad Veterans Memorial as a unit of the National Park System, except that the Secretary shall enter into a memorandum of understanding with the Mt. Soledad Memorial Association for the continued maintenance by the Association of the cross and surrounding granite memorial walls and plaques of the Memorial.

(d) LEGAL DESCRIPTION.—The Mt. Soledad Veterans Memorial referred to in this section is all that portion of Pueblo lot 1265 of the Pueblo Lands of San Diego in the City and County of San Diego, California, according to the map thereof prepared by James

Pascoe in 1879, a copy of which was filed in the office of the County Recorder of San Diego County on November 14, 1921, and is known as miscellaneous map NO. 36, more particularly described as follows: The area bounded by the back of the existing inner sidewalk on top of Mt. Soledad, being also a circle with a radius of 84 feet, the center of which circle is located as follows: Beginning at the Southwesterly corner of such Pueblo Lot 1265, such corner being South 17 degrees 14′33″ East (Record South 17 degrees 14′09″ East) 607.21 feet distant along the westerly line of such Pueblo lot 1265 from the intersection with the North line of La Jolla Scenic Drive South as described and dedicated as parcel 2 of City Council Resolution NO. 216644 adopted August 25, 1976; thence North 39 degrees 59′24″ East 1147.62 feet to the center of such circle. The exact boundaries and legal description of the Mt. Soledad Veterans Memorial shall be determined by a survey prepared jointly by the City of San Diego and the Secretary of the Interior. Upon acquisition of the Mt. Soledad Veterans Memorial by the United States, the boundaries of the Memorial may not be expanded.

SEC. 117. Notwithstanding any other provisions of law, except section 551 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2005, $80,000,000 of the funds appropriated for the Department of Defense for fiscal year 2005 may be transferred with the concurrence of the Secretary of Defense to the Department of State under "Peacekeeping Operations."

SEC. 118. In addition, for construction and related expenses of a facility for the United States Institute of Peace, $100,000,000, to remain available until expended.

SEC. 119. Notwithstanding any other provision of law, in addition to amounts otherwise provided in this or any other act for fiscal year 2005, the following amounts are appropriated: $2,000,000 for the Helen Keller National Center for Deaf-Blind Youths and Adults for activities authorized under the Helen Keller National Center Act; and for the Department of Health and Human Services, Health Resources and Services Administration, $1,000,000 for the Hospital for Special Surgery to establish a National Center for Musculoskeletal Research, New York, New York, for facilities and equipment; and for the Department of Health and Human Services, Health Resources and Services Administration, $1,000,000 for the Jesse Helms Nursing Center at Union Regional Medical Center, Union County, North Carolina for facilities and equipment.

SEC. 120. In addition to any amounts provided in this or any other Act for fiscal year 2005, $1,000,000 is appropriated for necessary expenses of the Benjamin A. Gilman Institute for Political and International Studies program at the State University of New York's Orange County Community College in Orange, New York.

SEC. 121. WEIGHT LIMITATIONS.—The next to the last sentence of section 127(a) of title 23, United States Code, is amended by striking "Interstate Route 95" and inserting "Interstate Routes 89, 93, and 95."

SEC. 122. (a) ACROSS-THE-BOARD RESCISSIONS.—There is hereby rescinded an amount equal to 0.83 percent of—

(1) the budget authority provided (or obligation limitation imposed) for fiscal year 2005 for any discretionary account in divisions A through J of this Act and in any other fiscal year 2005 appropriation Act (except any fiscal year 2005 supplemental appopriation Act,

the Department of Homeland Security Appropriations Act, 2005, the Department of Defense Appropriations Act, 2005, or the Military Construction Appropriations Act, 2005);

(2) the budget authority provided in any advance appropriation for fiscal year 2005 for any discretionary account in any prior fiscal year appropriation Act; and

(3) the contract authority provided in fiscal year 2005 for any program subject to limitation contained in any division or appropriation Act subject to paragraph (1).

(b) PROPORTIONATE APPLICATION.—Any rescission made by subsection (a) shall be applied proportionately—

(1) to each discretionary account and each item of budget authority described in such subsection; and

(2) within each such account and item, to each program, project, and activity (with programs, projects, and activities as delineated in the appropriation Act or accompanying reports for the relevant fiscal year covering such account or item, or for accounts and items not included in appropriation Acts, as delineated in the most recently submitted President's budget).

This title may be cited as the "Miscellaneous Appropriations and Offsets Act, 2005".

TITLE II—225TH ANNIVERSARY OF THE AMERICAN REVOLUTION COMMEMORATION ACT

SECTION 1. SHORT TITLE.

This title may be cited as the '225th Anniversary of the American Revolution Commemoration Act'.

SEC. 2. FINDINGS AND PURPOSES.

(a) FINDINGS.—Congress finds the following:

(1) The American Revolution, inspired by the spirit of liberty and independence among the inhabitants of the original 13 colonies of Great Britain, was an event of global significance having a profound and lasting effect upon American Government, laws, culture, society, and values.

(2) The years 2000 through 2008 mark the 225th anniversary of the Revolutionary War.

(3) Every generation of American citizens should have an opportunity to understand and appreciate the continuing legacy of the American Revolution.

(4) This 225th anniversary provides an opportunity to enhance public awareness and understanding of the impact of the American Revolution's legacy on the lives of citizens today.

(5) Although the National Park Service administers battlefields, historical parks, historic sites, and programs that address elements of the story of the American Revolution, there is a need to establish partnerships that link sites and programs administered by the National Park Service with those of other Federal and non-Federal entities in order to place the story of the American Revolution in the broad context of its causes, consequences, and meanings.

(6) The story and significance of the American Revolution can best engage the American people through a national program of the National Park Service that links historic structures and sites, routes, activities, community projects, exhibits, and

multimedia materials, in a manner that is both unified and flexible.

(b) PURPOSES.—The purposes of this Act are as follows:

(1) To recognize the enduring importance of the American Revolution in the lives of American citizens today.

(2) To authorize the National Park Service to coordinate, connect, and facilitate Federal and non-Federal activities to commemorate, honor, and interpret the history of the American Revolution, its significance, and its relevance to the shape and spirit of American Government and society.

SEC. 3. 225TH ANNIVERSARY OF THE AMERICAN REVOLUTION COMMEMORATION PROGRAM.

(a) IN GENERAL.—The Secretary of the Interior (hereinafter in this Act referred to as the "Secretary") shall establish a program to be known as the "225th Anniversary of the American Revolution Commemoration" (hereinafter in this Act referred to as the "225th Anniversary"). In administering the 225th Anniversary, the Secretary shall—

(1) produce and disseminate to appropriate persons educational materials, such as handbooks, maps, interpretive guides, or electronic information related to the 225th Anniversary and the American Revolution;

(2) enter into appropriate cooperative agreements and memoranda of understanding to provide technical assistance under subsection (c);

(3) assist in the protection of resources associated with the American Revolution;

(4) enhance communications, connections, and collaboration among the National Park Service units and programs related to the Revolutionary War;

(5) expand the research base for American Revolution interpretation and education; and

(6) create and adopt an official, uniform symbol or device for the theme "Lighting Freedom's Flame: American Revolution, 225th Anniversary" and issue regulations for its use.

(b) ELEMENTS.—The 225th Anniversary shall encompass the following elements:

(1) All units and programs of the National Park Service determined by the Secretary to pertain to the American Revolution.

(2) Other governmental and nongovernmental sites, facilities, and programs of an educational, research, or interpretive nature that are documented to be directly related to the American Revolution.

(3) Through the Secretary of State, the participation of the Governments of the United Kingdom, France, the Netherlands, Spain, and Canada.

(c) COOPERATIVE AGREEMENTS AND MEMORANDA OF UNDERSTANDING.—To achieve the purposes of this Act and to ensure effective coordination of the Federal and non-Federal elements of the 225th Anniversary with National Park Service units and programs, the Secretary may enter into cooperative agreements and memoranda of understanding with, and provide technical assistance to, the following:

(1) The heads of other Federal agencies, States, units of local government, and private entities.

(2) In cooperation with the Secretary of State, the Governments of the United Kingdom, France, the Netherlands, Spain, and Canada.

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary to carry out this Act $500,000 for each of fiscal years 2004 through 2009.

SEC. 1. TITLE III—RURAL AIR SERVICE IMPROVEMENTS.

(a) SHORT TITLE.—This title may be cited as the "Rural Air Service Improvement Act of 2004".

(b) FURTHER AMENDMENTS.—The amendments made by this section are further amendments to section 5402 of title 39, United States Code, including the amendments made by section 3002 of the 2002 Supplemental Appropriations Act for Further Recovery From and Response To Terrorist Attacks on the United States (Public Law 107–206) to that section of title 39, United States Code.

(c) EXISTING MAINLINE CARRIERS.—Section 5402(a)(10) of title 39, United States Code, is amended by striking subparagraph (C) and inserting the following:

"(C) actually engaged in the carriage, on scheduled service within the State of Alaska, of mainline nonpriority bypass mail tendered to it under its designator code.".

(d) NONPRIORITY BYPASS MAIL.—Section 5402(g) of title 39, United States Code, is amended by striking the matter preceding paragraph (2) and inserting the following:

"(g)(1)(A) The Postal Service, in selecting carriers of nonpriority bypass mail to any point served by more than 1 carrier in the State of Alaska, shall adhere to an equitable tender policy within a qualified group of carriers, in accordance with the regulations of the Postal Service, and shall, at a minimum, require that any such carrier—

"(i) hold a certificate of public convenience and necessity issued under section 41102(a) of title 49;

"(ii) operate at least to such point at least the number of scheduled flights each week established under subparagraph (B)(i);

"(iii) exhibit an adherence to such scheduled flights; and

"(iv) have provided scheduled service with at least the number of scheduled noncontract flights each week established under subparagraph (B)(ii) between 2 points within the State of Alaska for at least 12 consecutive months with aircraft—

"(I) up to 7,500 pounds payload capacity before being selected as a carrier of nonpriority bypass mail at an applicable intra-Alaska bush service mail rate; and

"(II) over 7,500 pounds payload capacity before being selected as a carrier of nonpriority bypass mail at the intra-Alaska mainline service mail rate.

"(B)(i) For purposes of subparagraph (A)(ii)—

"(I) for aircraft described under subparagraph (A)(iv)(I) the number is 3; and

"(II) for aircraft described under subparagraph (A)(iv)(II), the number is 2, except as may be provided under subparagraph (C).

"(ii) For purposes of subparagraph (A)(iv)—

"(I) for aircraft described under subparagraph (A)(iv)(I), the number is 3; and

"(II) for aircraft described under subparagraph (A)(iv)(II), for any week in any month before the effective date of the Rural Air Service Improvement Act of 2004, the number is 3, and after such date, the number is 2.

"(C) The Postal Service, after consultation with affected carriers, may establish for service by aircraft described under subparagraph (A)(iv)(II)—

"(i) a larger number of flights than required under subparagraph (B)(i); or

"(ii) the days that service will operate.".

(e) SUBCONTRACTS BY EXISTING MAINLINE CARRIERS.—Section 5402(g)(4) of title 39, United States Code, is amended by adding at the end the following:

"(C) A providing carrier selected under subparagraph (A) may subcontract the transportation of nonpriority bypass mail to another existing mainline carrier when additional or substitute aircraft are temporarily needed to meet the delivery schedule of the Postal Service or the carrier's operating requirements. The providing carrier shall remain responsible for the mail from origin through destination.".

(f) AIRCRAFT PREFERENCES FOR OTHER POSTAL PRODUCTS.—Section 5402(g) of title 39, United States Code, is amended by adding at the end the following:

"(7) Nothing in this section shall preclude the Postal Service from establishing by regulation aircraft preferences for the dispatch of postal products other than nonpriority bypass mail.".

TITLE IV—VISA REFORM

SEC. 1. SHORT TITLE.

This title may be cited as the "L–1 Visa and H–1B Visa Reform Act".

Subtitle A—L–1 Visa Reform

SEC. 11. SHORT TITLE.

This subtitle may be cited as the "L–1 Visa (Intracompany Transferee) Reform Act of 2004".

SEC. 12. NONIMMIGRANT L–1 VISA CATEGORY.

(a) IN GENERAL.—Section 214(c)(2) of the Immigration and Nationality Act (8 U.S.C. 1184(c)(2)) is amended by adding at the end the following:

"(F) An alien who will serve in a capacity involving specialized knowledge with respect to an employer for purposes of section 101(a)(15)(L) and will be stationed primarily at the worksite of an employer other than the petitioning employer or its affiliate, subsidiary, or parent shall not be eligible for classification under section 101(a)(15)(L) if—

"(i) the alien will be controlled and supervised principally by such unaffiliated employer; or

"(ii) the placement of the alien at the worksite of the unaffiliated employer is essentially an arrangement to provide labor for hire for the unaffiliated employer,

rather than a placement in connection with the provision of a product or service for which specialized knowledge specific to the petitioning employer is necessary.".

(b) APPLICABILITY.—The amendment made by subsection (a) shall apply to petitions filed on or after the effective date of this subtitle, whether for initial, extended, or amended classification.

SEC. 13. REQUIREMENT FOR PRIOR CONTINUOUS EMPLOYMENT FOR CERTAIN INTRACOMPANY TRANSFEREES.

(a) IN GENERAL.—Section 214(c)(2)(A) of the Immigration and Nationality Act (8 U.S.C. 1184(c)(2)(A)) is amended by striking the last sentence (relating to reduction of the 1-year period of continuous employment abroad to 6 months).

(b) APPLICABILITY.—The amendment made by subsection (a) shall apply only to petitions for initial classification filed on or after the effective date of this subtitle.

SEC. 14. MAINTENANCE OF STATISTICS BY THE DEPARTMENT OF HOMELAND SECURITY.

(a) IN GENERAL.—The Department of Homeland Security shall maintain statistics regarding petitions filed, approved, extended, and amended with respect to nonimmigrants described in section 101(a)(15)(L) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(L)), including the number of such nonimmigrants who are classified on the basis of specialized knowledge and the number of nonimmigrants who are classified on the basis of specialized knowledge in order to work primarily at offsite locations.

(b) APPLICABILITY.—Subsection (a) shall apply to petitions filed on or after the effective date of this subtitle.

SEC. 15. INSPECTOR GENERAL REPORT ON L VISA PROGRAM.

Not later than 6 months after the date of enactment of this Act, the Inspector General of the Department of Homeland Security shall, consistent with the authority granted the Department under section 428 of the Homeland Security Act of 2002 (6 U.S.C. 236), examine and report to the Committees on the Judiciary of the House of Representatives and the Senate on the vulnerabilities and potential abuses in the visa program carried out under section 214(c) of the Immigration and Nationality Act (8 U.S.C. 1184(c)) with respect to nonimmigrants described in section 101(a)(15)(L) of such Act (8 U.S.C. 1101(a)(15)(L)).

SEC. 16. ESTABLISHMENT OF TASK FORCE.

(a) ESTABLISHMENT.—Not later than 6 months after the date of enactment of this Act, there shall be established an L Visa Interagency Task Force that consists of representatives from the Department of Homeland Security, the Department of Justice, and the Department of State. The Secretaries of each Department and each relevant bureau of the Department of Homeland Security shall appoint designees to the L Visa Interagency Task Force. The L Visa Interagency Task Force shall consult with other agencies deemed appropriate.

(b) REPORT.—Not later than 6 months after the submission of the report by the Inspector General of the Department of Homeland Security in accordance with section 6, the L Visa Interagency Task Force shall report to the Committees on the Judiciary of the House of Representatives and the Senate on the efforts to implement the

recommendations set forth by the Inspector General's report. The L Visa Interagency Task Force shall note specific areas of agreement and disagreement, and make recommendations to Congress on the findings of the Task Force, including any suggestions for legislation. The Task Force shall also review other additional issues as may be raised by the Inspector General's report or by the Task Force's own deliberations regarding the policies and purposes of the visa program relative to national goals and transnational commerce.

SEC. 17. EFFECTIVE DATE.

This subtitle and the amendments made by this subtitle shall take effect 180 days after the date of enactment of this Act.

Subtitle B—H–1B Visa Reform

SEC. 21. SHORT TITLE.

This subtitle may be cited as the "H–1B Visa Reform Act of 2004".

SEC. 22. TEMPORARY WORKER PROVISIONS.

(a) ATTESTATION REQUIREMENTS FOR H–1B WORKERS.—Section 212(n)(1)(E)(ii) of the Immigration and Nationality Act (8 U.S.C. 1182(n)(1)(E)(ii)) is amended by striking "October 1, 2003,".

(b) H–1B EMPLOYER PETITIONS.—Section 214(c)(9) of the Immigration and Nationality Act (8 U.S.C. 1184(c)(9)) is amended—

(1) in subparagraph (A), by striking "October 1, 2003";

(2) in subparagraph (B), by striking "$1,000" and inserting "$1,500"; and

(3) in subparagraph (B), by inserting before the period "except that the fee shall be half the amount for each such petition by any employer with not more than 25 full-time equivalent employees who are employed in the United States (determined by including any affiliate or subsidiary of such employer)".

SEC. 23. H–1B PREVAILING WAGE LEVEL.

Section 212(p) of the Immigration and Nationality Act (8 U.S.C. 1182(p)) is amended by adding at the end the following:

"(3) The prevailing wage required to be paid pursuant to subsections (a)(5)(A), (n)(1)(A)(i)(II), and (t)(1)(A)(i)(II) shall be 100 percent of the wage determined pursuant to those sections.

"(4) Where the Secretary of Labor uses, or makes available to employers, a governmental survey to determine the prevailing wage, such survey shall provide at least 4 levels of wages commensurate with experience, education, and the level of supervision. Where an existing government survey has only 2 levels, 2 intermediate levels may be created by dividing by 3, the difference between the 2 levels offered, adding the quotient thus obtained to the first level and subtracting that quotient from the second level.".

SEC. 24. DEPARTMENT OF LABOR INVESTIGATIVE AUTHORITIES.

(a) SECRETARY OF LABOR INVESTIGATIVE AUTHORITY.—

(1) IN GENERAL.—Section 212(n)(2) of the Immigration and Nationality Act (8 U.S.C. 1182(n)(2)) is amended by inserting after subparagraph (F) the following:

"(G)(i) The Secretary of Labor may initiate an investigation of any employer that employs nonimmigrants described in section 101(a)(15)(H)(i)(b) if the Secretary of

Labor has reasonable cause to believe that the employer is not in compliance with this subsection. In the case of an investigation under this clause, the Secretary of Labor (or the acting Secretary in the case of the absence of disability of the Secretary of Labor) shall personally certify that reasonable cause exists and shall approve commencement of the investigation. The investigation may be initiated for reasons other than completeness and obvious inaccuracies by the employer in complying with this subsection .

"(ii) If the Secretary of Labor receives specific credible information from a source who is likely to have knowledge of an employer's practices or employment conditions, or an employer's compliance with the employer's labor condition application under paragraph (1), and whose identity is known to the Secretary of Labor, and such information provides reasonable cause to believe that the employer has committed a willful failure to meet a condition of paragraph (1)(A), (1)(B), (1)(C), (1)(E), (1)(F), or (1)(G)(i)(I), has engaged in a pattern or practice of failures to meet such a condition, or has committed a substantial failure to meet such a condition that affects multiple employees, the Secretary of Labor may conduct an investigation into the alleged failure or failures. The Secretary of Labor may withhold the identity of the source from the employer, and the source's identity shall not be subject to disclosure under section 552 of title 5, United States Code.

"(iii) The Secretary of Labor shall establish a procedure for any person desiring to provide to the Secretary of Labor information described in clause (ii) that may be used, in whole or in part, as the basis for the commencement of an investigation described in such clause, to provide the information in writing on a form developed and provided by the Secretary of Labor and completed by or on behalf of the person. The person may not be an officer or employee of the Department of Labor, unless the information satisfies the requirement of clause (iv)(II) (although an officer or employee of the Department of Labor may complete the form on behalf of the person).

"(iv) Any investigation initiated or approved by the Secretary of Labor under clause (ii) shall be based on information that satisfies the requirements of such clause and that—

"(I) originates from a source other than an officer or employee of the Department of Labor; or

"(II) was lawfully obtained by the Secretary of Labor in the course of lawfully conducting another Department of Labor investigation under this Act of any other Act.

"(v) The receipt by the Secretary of Labor of information submitted by an employer to the Attorney General or the Secretary of Labor for purposes of securing the employment of a nonimmigrant described in section 101(a)(15)(H)(i)(b) shall not be considered a receipt of information for purposes of clause (ii).

"(vi) No investigation described in clause (ii) (or hearing described in clause (viii) based on such investigation) may be conducted with respect to information about a failure to meet a condition described in clause (ii), unless the Secretary of Labor receives the information not later than 12 months after the date of the alleged failure.

"(vii) The Secretary of Labor shall provide notice to an employer with respect to whom there is reasonable cause to initiate an investigation described in clauses (i) or (ii), prior to the commencement of an investigation under such clauses, of the intent to conduct an investigation. The notice shall be provided in such a manner, and shall contain sufficient detail, to permit the employer to respond to the allegations before an investigation is commenced. The Secretary of Labor is not required to comply with this clause if the Secretary of Labor determines that to do so would interfere with an effort by the Secretary of Labor to secure compliance by the employer with the requirements of this subsection. There shall be no judicial review of a determination by the Secretary of Labor under this clause.

"(viii) An investigation under clauses (i) or (ii) may be conducted for a period of up to 60 days. If the Secretary of Labor determines after such an investigation that a reasonable basis exists to make a finding that the employer has committed a willful failure to meet a condition of paragraph (1)(A), (1)(B), (1)(C), (1)(E), (1)(F), or (1)(G)(i)(I), has engaged in a pattern or practice of failures to meet such a condition, or has committed a substantial failure to meet such a condition that affects multiple employees, the Secretary of Labor shall provide for notice of such determination to the interested parties and an opportunity for a hearing in accordance with section 556 of title 5, United States Code, within 120 days after the date of the determination. If such a hearing is requested, the Secretary of Labor shall make a finding concerning the matter by not later than 120 days after the date of the hearing.".

(2) RETROACTIVE.—The amendment made by paragraph (1) shall take effect as if enacted on October 1, 2003.

(b) GOOD FAITH COMPLIANCE OR CONFORMITY.—Section 212(n)(2) of the Immigration and Nationality Act (8 U.S.C. 1182(n)(2)) is amended—

(1) by redesignating subparagraph (H) as subparagraph (I); and

(2) by inserting after subparagraph (G), as added by subsection (a)(1), the following:

"(H)(i) Except as provided in clauses (ii) and (iii), a person or entity is considered to have complied with the requirements of this subsection, notwithstanding a technical or procedural failure to meet such requirements, if there was a good faith attempt to comply with the requirements.

"(ii) Clause (i) shall not apply if—

"(I) the Department of Labor (or another enforcement agency) has explained to the person or entity the basis for the failure;

"(II) the person or entity has been provided a period of not less than 10 business days (beginning after the date of the explanation) within which to correct the failure; and

"(III) the person or entity has not corrected the failure voluntarily within such period.

"(iii) A person or entity that, in the course of an investigation, is found to have violated the prevailing wage requirements set forth in paragraph (1)(A), shall not be assessed fines or other penalties for such violation if the person or entity can establish that the manner in which the prevailing wage was calculated was consistent with recognized industry standards and practices.

"(iv) Clauses (i) and (iii) shall not apply to a person or entity that has engaged in or is engaging in a pattern or practice of willful violations this subsection.".

(c) SECRETARY OF LABOR REPORT.—Not later than January 31 of each year, the Secretary of Labor shall report to the Committees on the Judiciary of the Senate and the House of Representatives on the investigations undertaken based on—

(1) the authorities described in clauses (i) and (ii) of section 212(n)(2)(G) of the Immigration and Nationality Act (8 U.S.C. 1182(n)(2)(G)(i) and (ii)); and

(2) the expenditures by the Secretary of Labor described in section 286(v)(2)(D) of the Immigration and Nationality Act (8 U.S.C. 1356(v)(2)(D)).

SEC. 25. EXEMPTION OF CERTAIN ALIENS FROM NUMERICAL LIMITATIONS ON H–1B NONIMMIGRANTS.

(a) IN GENERAL.—Section 214(g)(5) of the Immigration and Nationality Act (8 U.S.C. 1184(g)(5)) is amended—

(1) in the matter preceding subparagraph (A), by striking "is employed (or has received an offer of employment) at";

(2) in subparagraph (A)—

(A) by inserting "is employed (or has received an offer of employment) at" before "an institution"; and

(B) by striking "or" at the end;

(3) in subparagraph (B)—

(A) by inserting "is employed (or has received an offer of employment) at" before "a nonprofit"; and

(B) by striking the period and inserting "; or"; and

(4) by adding at the end the following:

"(C) has earned a master's or higher degree from a United States institution of higher education (as defined in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)), until the number of aliens who are exempted from such numerical limitation during such year exceeds 20,000.".

(b) STATISTICS.—Beginning on the date of enactment of this Act, the Secretary of Homeland Security shall maintain statistical information on the country of origin and occupation of, educational level maintained by, and compensation paid to, each alien who is issued a visa or otherwise provided nonimmigrant status and is exempt under section 214(g)(5) of the Immigration and Nationality Act (8 U.S.C. 1184(g)(5)) for each fiscal year. The statistical information shall be included in the annual report to Congress under section

416(c) of the American Competitiveness and Workforce Improvement Act of 1998 (Public Law 105–277; 112 Stat. 2681–655).

SEC. 26. FRAUD PREVENTION AND DETECTION FEE.

(a) IMPOSITION OF FEE.—Section 214(c) of the Immigration and Nationality Act (8 U.S.C. 1184(c)) is amended by adding at the end the following:

"(12)(A) In addition to any other fees authorized by law, the Secretary of Homeland Security shall impose a fraud prevention and detection fee on an employer filing a petition under paragraph (1)—

"(i) initially to grant an alien nonimmigrant status described in subparagraph (H)(i)(b) or (L) of section 101(a)(15); or

"(ii) to obtain authorization for an alien having such status to change employers.

"(B) In addition to any other fees authorized by law, the Secretary of State shall impose a fraud prevention and detection fee on an alien filing an application abroad for a visa authorizing admission to the United States as a nonimmigrant described in section 101(a)(15)(L), if the alien is covered under a blanket petition described in paragraph (2)(A).

"(C) The amount of the fee imposed under subparagraph (A) or (B) shall be $500.

"(D) The fee imposed under subparagraph (A) or (B) shall only apply to principal aliens and not to the spouses or children who are accompanying or following to join such principal aliens.

"(E) Fees collected under this paragraph shall be deposited in the Treasury in accordance with section 286(v).".

(b) ESTABLISHMENT OF ACCOUNT; USE OF FEES.—Section 286 of the Immigration and Nationality Act (8 U.S.C. 1356) is amended by adding at the end the following:

"(v) H–1B AND L FRAUD PREVENTION AND DETECTION ACCOUNT.—

"(1) IN GENERAL.—There is established in the general fund of the Treasury a separate account, which shall be known as the 'H–1B and L Fraud Prevention and Detection Account'. Notwithstanding any other provision of law, there shall be deposited as offsetting receipts into the account all fees collected under section 214(c)(12).

"(2) USE OF FEES TO COMBAT FRAUD.—

"(A) SECRETARY OF STATE.—One-third of the amounts deposited into the H–1B and L Fraud Prevention and Detection Account shall remain available to the Secretary of State until expended for programs and activities at United States embassies and consulates abroad—

"(i) to increase the number diplomatic security personnel assigned exclusively to the function of preventing and detecting fraud by applicants for visas described in subparagraph (H)(i) or (L) of section 101(a)(15);

"(ii) otherwise to prevent and detect such fraud pursuant to the terms of a memorandum of understanding or other cooperative agreement between the

Secretary of State and the Secretary of Homeland Security; and

"(iii) upon request by the Secretary of Homeland Security, to assist such Secretary in carrying out the fraud prevention and detection programs and activities described in subparagraph (B).

"(B) SECRETARY OF HOMELAND SECURITY.—One-third of the amounts deposited into the H–1B and L Fraud Prevention and Detection Account shall remain available to the Secretary of Homeland Security until expended for programs and activities to prevent and detect fraud with respect to petitions under paragraph (1) or (2)(A) of section 214(c) to grant an alien nonimmigrant status described in subparagraph (H)(i) or (L) of section 101(a)(15).

"(C) SECRETARY OF LABOR.—One-third of the amounts deposited into the H–1B and L Fraud Prevention and Detection Account shall remain available to the Secretary of Labor until expended for enforcement programs and activities described in section 212(n).

"(D) CONSULTATION.—The Secretary of State, the Secretary of Homeland Security, and the Secretary of Labor shall consult one another with respect to the use of the funds in the H–1B and L Fraud Prevention and Detection Account.".

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of enactment of this Act, and the fees imposed under such amendments shall apply to petitions under section 214(c) of the Immigration and Nationality Act, and applications for nonimmigrant visas under section 222 of such Act, filed on or after the date that is 90 days after the date of the enactment of this Act.

SEC. 27. CHANGE OF FEE FORMULA.

Section 286(s) of the Immigration and Nationality Act (8 U.S.C. 1356(s)) is amended—

(1) in paragraph (2), by striking "55 percent" and inserting "50 percent";

(2) in paragraph (3), by striking "22 percent" and inserting "30 percent";

(3) in paragraph (4)(A), by striking "15 percent" and inserting "10 percent";

(4) in paragraph (5)—

(A) by striking "4 percent" and inserting "5 percent"; and

(B) by striking "Attorney General" each place that term appears and inserting "Secretary of Homeland Security"; and

(5) in paragraph (6), by striking "Beginning with fiscal year 2000," and all that follows through "within a 7-day period." and inserting "Beginning with fiscal year 2000, 5 percent of the amounts deposited into the H–1B Nonimmigrant Petitioner Account shall remain available to the Secretary of Labor until expended for decreasing the processing time for applications under section 212(n)(1).".

SEC. 28. GRANTS FOR JOB TRAINING FOR EMPLOYMENT IN HIGH GROWTH INDUSTRIES.

Section 414(c) of the American Competitiveness and Workforce Improvement Act of 1998 (112 Stat. 2681–653) is amended to read as follows:

"(c) JOB TRAINING GRANTS.—

"(1) IN GENERAL.—The Secretary of Labor shall use funds available under section 286(s)(2) of the Immigration and Nationality Act (8 U.S.C. 1356(s)(2)) to award grants to eligible entities to provide job training and related activities for workers to assist them in obtaining or upgrading employment in industries and economic sectors identified pursuant to paragraph (4) that are projected to experience significant growth and ensure that job training and related activities funded by such grants are coordinated with the public workforce investment system.

"(2) USE OF FUNDS.—

"(A) TRAINING PROVIDED.—Funds under this subsection may be used to provide job training services and related activities that are designed to assist workers (including unemployed and employed workers) in gaining the skills and competencies needed to obtain or upgrade career ladder employment positions in the industries and economic sectors identified pursuant to paragraph (4).

"(B) ENHANCED TRAINING PROGRAMS AND INFORMATION.—In order to facilitate the provision of job training services described in subparagraph (A), funds under this subsection may be used to assist in the development and implementation of model activities such as developing appropriate curricula to build core competencies and train workers, identifying and disseminating career and skill information, and increasing the integration of community and technical college activities with activities of businesses and the public workforce investment system to meet the training needs for the industries and economic sectors identified pursuant to paragraph (4).

"(3) ELIGIBLE ENTITIES.—Grants under this subsection may be awarded to partnerships of private and public sector entities, which may include—

"(A) businesses or business-related nonprofit organizations, such as trade associations;

"(B) education and training providers, including community colleges and other community-based organizations; and

"(C) entities involved in administering the workforce investment system established under title I of the Workforce Investment Act of 1998, and economic development agencies.

"(4) HIGH GROWTH INDUSTRIES AND ECONOMIC SECTORS.—For purposes of this subsection, the Secretary of Labor, in consultation with State workforce investment boards, shall identify industries and economic sectors that are projected to experience significant growth, taking into account appropriate factors, such as the industries and sectors that—

"(A) are projected to add substantial numbers of new jobs to the economy;

"(B) are being transformed by technology and innovation requiring new skill sets for workers;

"(C) are new and emerging businesses that are projected to grow; or

"(D) have a significant impact on the economy overall or on the growth of other industries and economic sectors.

"(5) EQUITABLE DISTRIBUTION.—In awarding grants under this subsection, the Secretary of Labor shall ensure an equitable distribution of such grants across geographically diverse areas.

"(6) LEVERAGING OF RESOURCES AND AUTHORITY TO REQUIRE MATCH.—

"(A) LEVERAGING OF RESOURCES.—In awarding grants under this subsection, the Secretary of Labor shall take into account, in addition to other factors the Secretary determines are appropriate—

"(i) the extent to which resources other than the funds provided under this subsection will be made available by the eligible entities applying for grants to support the activities carried out under this subsection; and

"(ii) the ability of such entities to continue to carry out and expand such activities after the expiration of the grants.

"(B) AUTHORITY TO REQUIRE MATCH.—The Secretary of Labor may require the provision of specified levels of a matching share of cash or noncash resources from resources other than the funds provided under this subsection for projects funded under this subsection.

"(7) PERFORMANCE ACCOUNTABILITY.—The Secretary of Labor shall require grantees to report on the employment outcomes obtained by workers receiving training under this subsection using indicators of performance that are consistent with other indicators used for employment and training programs administered by the Secretary, such as entry into employment, retention in employment, and increases in earnings. The Secretary of Labor may also require grantees to participate in evaluations of projects carried out under this subsection.".

SEC. 29. NATIONAL SCIENCE FOUNDATION LOW-INCOME SCHOLARSHIP PROGRAM.

(a) EXPANSION OF ELIGIBILITY.—Section 414(d)(2)(A)(iii) of the American Competitiveness and Workforce Improvement Act of 1998 (42 U.S.C. 1869c(d)(2)(A)(iii)) is amended by striking "or computer science." and inserting "computer science, or other technology and science programs designated by the Director.".

(b) INCREASE IN AWARD AMOUNT.—Section 414(d)(3) of the American Competitiveness and Workforce Improvement Act of 1998 (42 U.S.C. 1869c(d)(3)) is amended by striking "$3,125 per year" and inserting "$10,000 per year".

(c) FUNDS.—Section 414(d)(4) of the American Competitiveness and Workforce Improvement Act of 1998 (42 U.S.C. 1869c(d)(4)) is amended by adding at the end the following: "The Director may use no more than 50 percent of such funds for undergraduate programs for curriculum development, professional and workforce development, and to advance technological education. Funds for these other programs may be used for purposes other than scholarships.".

(d) PUBLICATION OF ELIGIBLE PROGRAMS.—Section 414(d) of the American Competitiveness and Workforce Improvement Act of 1998 (42 U.S.C. 1869c(d)) is amended by adding at the end the following:

"(5) FEDERAL REGISTER.—Not later than 60 days after the date of enactment of the L–1 Visa and H–1B Visa Reform Act, the Director shall publish in the Federal Register a list of eligible programs of study.".

SEC. 30. EFFECTIVE DATES.

(a) IN GENERAL.—Except as provided in subsection (b), this subtitle and the amendments made by this subtitle shall take effect 90 days after the date of enactment of this Act.

(b) EXCEPTIONS.—The amendments made by sections ____22(b), ____26(a), and ____27 shall take effect upon the date of enactment of this Act.

TITLE V—NATIONAL AVIATION HERITAGE AREA

SEC. 1. SHORT TITLE.

This title may be cited as the "National Aviation Heritage Area Act".

SEC. 2. FINDINGS AND PURPOSE.

(a) FINDINGS.—Congress finds the following:

(1) Few technological advances have transformed the world or our Nation's economy, society, culture, and national character as the development of powered flight.

(2) The industrial, cultural, and natural heritage legacies of the aviation and aerospace industry in the State of Ohio are nationally significant.

(3) Dayton, Ohio, and other defined areas where the development of the airplane and aerospace technology established our Nation's leadership in both civil and military aeronautics and astronautics set the foundation for the 20th Century to be an American Century.

(4) Wright-Patterson Air Force Base in Dayton, Ohio, is the birthplace, the home, and an integral part of the future of aerospace.

(5) The economic strength of our Nation is connected integrally to the vitality of the aviation and aerospace industry, which is responsible for an estimated 11,200,000 American jobs.

(6) The industrial and cultural heritage of the aviation and aerospace industry in the State of Ohio includes the social history and living cultural traditions of several generations.

(7) The Department of the Interior is responsible for protecting and interpreting the Nation's cultural and historic resources, and there are significant examples of these resources within Ohio to merit the involvement of the Federal Government to develop programs and projects in cooperation with the Aviation Heritage Foundation, Incorporated, the State of Ohio, and other local and governmental entities to adequately conserve, protect, and interpret this heritage for the educational and recreational benefit of this and future generations of Americans, while providing opportunities for education and revitalization.

(8) Since the enactment of the Dayton Aviation Heritage Preservation Act of 1992 (Public Law 102–419), partnerships

among the Federal, State, and local governments and the private sector have greatly assisted the development and preservation of the historic aviation resources in the Miami Valley.

(9) An aviation heritage area centered in Southwest Ohio is a suitable and feasible management option to increase collaboration, promote heritage tourism, and build on the established partnerships among Ohio's historic aviation resources and related sites.

(10) A critical level of collaboration among the historic aviation resources in Southwest Ohio cannot be achieved without a congressionally established national heritage area and the support of the National Park Service and other Federal agencies which own significant historic aviation-related sites in Ohio.

(11) The Aviation Heritage Foundation, Incorporated, would be an appropriate management entity to oversee the development of the National Aviation Heritage Area.

(12) Five National Park Service and Dayton Aviation Heritage Commission studies and planning documents: "Study of Alternatives: Dayton's Aviation Heritage", "Dayton Aviation Heritage National Historical Park Suitability/Feasibility Study", "Dayton Aviation Heritage General Management Plan", "Dayton Historic Resources Preservation and Development Plan", and Heritage Area Concept Study, demonstrated that sufficient historical resources exist to establish the National Aviation Heritage Area.

(13) With the advent of the 100th anniversary of the first powered flight in 2003, it is recognized that the preservation of properties nationally significant in the history of aviation is an important goal for the future education of Americans.

(14) Local governments, the State of Ohio, and private sector interests have embraced the heritage area concept and desire to enter into a partnership with the Federal government to preserve, protect, and develop the Heritage Area for public benefit.

(15) The National Aviation Heritage Area would complement and enhance the aviation-related resources within the National Park Service, especially the Dayton Aviation Heritage National Historical Park, Ohio.

(b) PURPOSE.—The purpose of this title is to establish the Heritage Area to—

(1) encourage and facilitate collaboration among the facilities, sites, organizations, governmental entities, and educational institutions within the Heritage Area to promote heritage tourism and to develop educational and cultural programs for the public;

(2) preserve and interpret for the educational and inspirational benefit of present and future generations the unique and significant contributions to our national heritage of certain historic and cultural lands, structures, facilities, and sites within the National Aviation Heritage Area;

(3) encourage within the National Aviation Heritage Area a broad range of economic opportunities enhancing the quality of life for present and future generations;

(4) provide a management framework to assist the State of Ohio, its political subdivisions, other areas, and private organi-

zations, or combinations thereof, in preparing and implementing an integrated Management Plan to conserve their aviation heritage and in developing policies and programs that will preserve, enhance, and interpret the cultural, historical, natural, recreation, and scenic resources of the Heritage Area; and

(5) authorize the Secretary to provide financial and technical assistance to the State of Ohio, its political subdivisions, and private organizations, or combinations thereof, in preparing and implementing the private Management Plan.

SEC. 3. DEFINITIONS.

For purposes of this title:

(1) BOARD.—The term "Board" means the Board of Directors of the Foundation.

(2) FINANCIAL ASSISTANCE.—The term "financial assistance" means funds appropriated by Congress and made available to the management entity for the purpose of preparing and implementing the Management Plan.

(3) HERITAGE AREA.—The term "Heritage Area" means the National Aviation Heritage Area established by section 104 to receive, distribute, and account for Federal funds appropriated for the purpose of this title.

(4) MANAGEMENT PLAN.—The term "Management Plan" means the management plan for the Heritage Area developed under section 106.

(5) MANAGEMENT ENTITY.—The term "management entity" means the Aviation Heritage Foundation, Incorporated (a nonprofit corporation established under the laws of the State of Ohio).

(6) PARTNER.—The term "partner" means a Federal, State, or local governmental entity, organization, private industry, educational institution, or individual involved in promoting the conservation and preservation of the cultural and natural resources of the Heritage Area.

(7) SECRETARY.—The term "Secretary" means the Secretary of the Interior.

(8) TECHNICAL ASSISTANCE.—The term "technical assistance" means any guidance, advice, help, or aid, other than financial assistance, provided by the Secretary.

SEC. 4. NATIONAL AVIATION HERITAGE AREA.

(a) ESTABLISHMENT.—There is established in the States of Ohio and Indiana, the National Aviation Heritage Area.

(b) BOUNDARIES.—The Heritage Area shall include the following:

(1) A core area consisting of resources in Montgomery, Greene, Warren, Miami, Clark, Champaign, Shelby, and Auglaize Counties in Ohio.

(2) The Neil Armstrong Air & Space Museum, Wapakoneta, Ohio.

(3) Sites, buildings, and districts within the core area recommended by the Management Plan.

(c) MAP.—A map of the Heritage Area shall be included in the Management Plan. The map shall be on file in the appropriate offices of the National Park Service, Department of the Interior.

(d) MANAGEMENT ENTITY.—The management entity for the Heritage Area shall be the Aviation Heritage Foundation.

SEC. 5. AUTHORITIES AND DUTIES OF THE MANAGEMENT ENTITY.

(a) AUTHORITIES.—For purposes of implementing the Management Plan, the management entity may use Federal funds made available through this title to—

(1) make grants to, and enter into cooperative agreements with, the State of Ohio and political subdivisions of that State, private organizations, or any person;

(2) hire and compensate staff; and

(3) enter into contracts for goods and services.

(b) DUTIES.—The management entity shall—

(1) develop and submit to the Secretary for approval the proposed Management Plan in accordance with section 106;

(2) give priority to implementing actions set forth in the Management Plan, including taking steps to assist units of government and nonprofit organizations in preserving resources within the Heritage Area;

(3) consider the interests of diverse governmental, business, and nonprofit groups within the Heritage Area in developing and implementing the Management Plan;

(4) maintain a collaboration among the partners to promote heritage tourism and to assist partners to develop educational and cultural programs for the public;

(5) encourage economic viability in the Heritage Area consistent with the goals of the Management Plan;

(6) assist units of government and nonprofit organizations in—

(A) establishing and maintaining interpretive exhibits in the Heritage Area;

(B) developing recreational resources in the Heritage Area;

(C) increasing public awareness of and appreciation for the historical, natural, and architectural resources and sites in the Heritage Area; and

(D) restoring historic buildings that relate to the purposes of the Heritage Area;

(7) conduct public meetings at least quarterly regarding the implementation of the Management Plan;

(8) submit substantial amendments to the Management Plan to the Secretary for the approval of the Secretary; and

(9) for any year in which Federal funds have been received under this title—

(A) submit an annual report to the Secretary that sets forth the accomplishments of the management entity and its expenses and income;

(B) make available to the Secretary for audit all records relating to the expenditure of such funds and any matching funds; and

(C) require, with respect to all agreements authorizing expenditure of Federal funds by other organizations, that the receiving organizations make available to the Secretary for audit all records concerning the expenditure of such funds.

(c) USE OF FEDERAL FUNDS.—

(1) IN GENERAL.—The management entity shall not use Federal funds received under this title to acquire real property or an interest in real property.

(2) OTHER SOURCES.—Nothing in this title precludes the management entity from using Federal funds from other sources for authorized purposes.

SEC. 6. MANAGEMENT PLAN.

(a) PREPARATION OF PLAN.—Not later than 3 years after the date of the enactment of this title, the management entity shall submit to the Secretary for approval a proposed Management Plan that shall take into consideration State and local plans and involve residents, public agencies, and private organizations in the Heritage Area.

(b) CONTENTS.—The Management Plan shall incorporate an integrated and cooperative approach for the protection, enhancement, and interpretation of the natural, cultural, historic, scenic, and recreational resources of the Heritage Area and shall include the following:

(1) An inventory of the resources contained in the core area of the Heritage Area, including the Dayton Aviation Heritage Historical Park, the sites, buildings, and districts listed in section 202 of the Dayton Aviation Heritage Preservation Act of 1992 (Public Law 102–419), and any other property in the Heritage Area that is related to the themes of the Heritage Area and that should be preserved, restored, managed, or maintained because of its significance.

(2) An assessment of cultural landscapes within the Heritage Area.

(3) Provisions for the protection, interpretation, and enjoyment of the resources of the Heritage Area consistent with the purposes of this title.

(4) An interpretation plan for the Heritage Area.

(5) A program for implementation of the Management Plan by the management entity, including the following:

(A) Facilitating ongoing collaboration among the partners to promote heritage tourism and to develop educational and cultural programs for the public.

(B) Assisting partners planning for restoration and construction.

(C) Specific commitments of the partners for the first 5 years of operation.

(6) The identification of sources of funding for implementing the plan.

(7) A description and evaluation of the management entity, including its membership and organizational structure.

(c) DISQUALIFICATION FROM FUNDING.—If a proposed Management Plan is not submitted to the Secretary within 3 years of the date of the enactment of this title, the management entity shall be ineligible to receive additional funding under this title until the date on which the Secretary receives the proposed Management Plan.

(d) APPROVAL AND DISAPPROVAL OF MANAGEMENT PLAN.—The Secretary, in consultation with the State of Ohio, shall approve or disapprove the proposed Management Plan submitted under this

title not later than 90 days after receiving such proposed Management Plan.

(e) ACTION FOLLOWING DISAPPROVAL.—If the Secretary disapproves a proposed Management Plan, the Secretary shall advise the management entity in writing of the reasons for the disapproval and shall make recommendations for revisions to the proposed Management Plan. The Secretary shall approve or disapprove a proposed revision within 90 days after the date it is submitted.

(f) APPROVAL OF AMENDMENTS.—The Secretary shall review and approve substantial amendments to the Management Plan. Funds appropriated under this title may not be expended to implement any changes made by such amendment until the Secretary approves the amendment.

SEC. 7. TECHNICAL AND FINANCIAL ASSISTANCE; OTHER FEDERAL AGENCIES.

(a) TECHNICAL AND FINANCIAL ASSISTANCE.—Upon the request of the management entity, the Secretary may provide technical assistance, on a reimbursable or nonreimbursable basis, and financial assistance to the Heritage Area to develop and implement the management plan. The Secretary is authorized to enter into cooperative agreements with the management entity and other public or private entities for this purpose. In assisting the Heritage Area, the Secretary shall give priority to actions that in general assist in—

(1) conserving the significant natural, historic, cultural, and scenic resources of the Heritage Area; and

(2) providing educational, interpretive, and recreational opportunities consistent with the purposes of the Heritage Area.

(b) DUTIES OF OTHER FEDERAL AGENCIES.—Any Federal agency conducting or supporting activities directly affecting the Heritage Area shall—

(1) consult with the Secretary and the management entity with respect to such activities;

(2) cooperate with the Secretary and the management entity in carrying out their duties under this title;

(3) to the maximum extent practicable, coordinate such activities with the carrying out of such duties; and

(4) to the maximum extent practicable, conduct or support such activities in a manner which the management entity determines will not have an adverse effect on the Heritage Area.

SEC. 8. COORDINATION BETWEEN THE SECRETARY AND THE SECRETARY OF DEFENSE AND THE ADMINISTRATOR OF NASA.

The decisions concerning the execution of this title as it applies to properties under the control of the Secretary of Defense and the Administrator of the National Aeronautics and Space Administration shall be made by such Secretary or such Administrator, in consultation with the Secretary of the Interior.

SEC. 9. REQUIREMENTS FOR INCLUSION OF PRIVATE PROPERTY.

(a) NOTIFICATION AND CONSENT OF PROPERTY OWNERS REQUIRED.—No privately owned property shall be preserved, conserved, or promoted by the management plan for the Heritage Area until the owner of that private property has been notified in writing by the management entity and has given written consent for such preservation, conservation, or promotion to the management entity.

(b) LANDOWNER WITHDRAW.—Any owner of private property included within the boundary of the Heritage Area shall have their property immediately removed from the boundary by submitting a written request to the management entity.

SEC. 10. PRIVATE PROPERTY PROTECTION.

(a) ACCESS TO PRIVATE PROPERTY.—Nothing in this title shall be construed to—

(1) require any private property owner to allow public access (including Federal, State, or local government access) to such private property; or

(2) modify any provision of Federal, State, or local law with regard to public access to or use of private property.

(b) LIABILITY.—Designation of the Heritage Area shall not be considered to create any liability, or to have any effect on any liability under any other law, of any private property owner with respect to any persons injured on such private property.

(c) RECOGNITION OF AUTHORITY TO CONTROL LAND USE.—Nothing in this title shall be construed to modify the authority of Federal, State, or local governments to regulate land use.

(d) PARTICIPATION OF PRIVATE PROPERTY OWNERS IN HERITAGE AREA.—Nothing in this title shall be construed to require the owner of any private property located within the boundaries of the Heritage Area to participate in or be associated with the Heritage Area.

(e) EFFECT OF ESTABLISHMENT.—The boundaries designated for the Heritage Area represent the area within which Federal funds appropriated for the purpose of this title may be expended. The establishment of the Heritage Area and its boundaries shall not be construed to provide any nonexisting regulatory authority on land use within the Heritage Area or its viewshed by the Secretary, the National Park Service, or the management entity.

SEC. 11. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—To carry out this title there is authorized to be appropriated $10,000,000, except that not more than $1,000,000 may be appropriated to carry out this title for any fiscal year.

(b) FIFTY PERCENT MATCH.—The Federal share of the cost of activities carried out using any assistance or grant under this title shall not exceed 50 percent.

SEC. 12. SUNSET PROVISION.

The authority of the Secretary to provide assistance under this title terminates on the date that is 15 years after the date that funds are first made available for this title.

SEC. 13. WRIGHT COMPANY FACTORY STUDY AND REPORT.

(a) STUDY.—

(1) IN GENERAL.—The Secretary shall conduct a special resource study updating the study required under section 104 of the Dayton Aviation Heritage Preservation Act of 1992 (Public Law 102–419) and detailing alternatives for incorporating the Wright Company factory as a unit of Dayton Aviation Heritage National Historical Park.

(2) CONTENTS.—The study shall include an analysis of alternatives for including the Wright Company factory as a unit of Dayton Aviation Heritage National Historical Park that detail management and development options and costs.

(3) CONSULTATION.—In conducting the study, the Secretary shall consult with the Delphi Corporation, the Aviation Heritage Foundation, State and local agencies, and other interested parties in the area.

(b) REPORT.—Not later than 3 years after funds are first made available for this section, the Secretary shall submit to the Committee on Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report describing the results of the study conducted under this section.

TITLE VI—OIL REGION NATIONAL HERITAGE AREA

SEC. 1. SHORT TITLE; DEFINITIONS.

(a) SHORT TITLE.—This title may be cited as the "Oil Region National Heritage Area Act.".

(b) DEFINITIONS.—For purposes of this title, the following definitions shall apply:

(1) HERITAGE AREA.—The term "Heritage Area" means the Oil Region National Heritage Area established in section 3(a).

(2) MANAGEMENT ENTITY.—The term "management entity" means the Oil Heritage Region, Inc., or its successor entity.

(3) SECRETARY.—The term "Secretary" means the Secretary of the Interior.

SEC. 2. FINDINGS AND PURPOSE.

(a) FINDINGS.—The Congress finds the following:

(1) The Oil Region of Northwestern Pennsylvania, with numerous sites and districts listed on the National Register of Historic Places, and designated by the Governor of Pennsylvania as one of the State Heritage Park Areas, is a region with tremendous physical and natural resources and possesses a story of State, national, and international significance.

(2) The single event of Colonel Edwin Drake's drilling of the world's first successful oil well in 1859 has affected the industrial, natural, social, and political structures of the modern world.

(3) Six national historic districts are located within the State Heritage Park boundary, in Emlenton, Franklin, Oil City, and Titusville, as well as 17 separate National Register sites.

(4) The Allegheny River, which was designated as a component of the national wild and scenic rivers system in 1992 by Public Law 102–271, traverses the Oil Region and connects several of its major sites, as do some of the river's tributaries such as Oil Creek, French Creek, and Sandy Creek.

(5) The unspoiled rural character of the Oil Region provides many natural and recreational resources, scenic vistas, and excellent water quality for people throughout the United States to enjoy.

(6) Remnants of the oil industry, visible on the landscape to this day, provide a direct link to the past for visitors, as do the historic valley settlements, riverbed settlements, plateau developments, farmlands, and industrial landscapes.

(7) The Oil Region also represents a cross section of American history associated with Native Americans, frontier settlements, the French and Indian War, African Americans and the

Underground Railroad, and immigration of Swedish and Polish individuals, among others.

(8) Involvement by the Federal Government shall serve to enhance the efforts of the Commonwealth of Pennsylvania, local subdivisions of the Commonwealth of Pennsylvania, volunteer organizations, and private businesses, to promote the cultural, national, and recreational resources of the region in order to fulfill their full potential.

(b) PURPOSE.—The purpose of this title is to enhance a cooperative management framework to assist the Commonwealth of Pennsylvania, its units of local government, and area citizens in conserving, enhancing, and interpreting the significant features of the lands, water, and structures of the Oil Region, in a manner consistent with compatible economic development for the benefit and inspiration of present and future generations in the Commonwealth of Pennsylvania and the United States.

SEC. 3. OIL REGION NATIONAL HERITAGE AREA.

(a) ESTABLISHMENT.—There is hereby established the Oil Region National Heritage Area.

(b) BOUNDARIES.—The boundaries of the Heritage Area shall include all of those lands depicted on a map entitled "Oil Region National Heritage Area", numbered OIRE/20,000 and dated October, 2000. The map shall be on file in the appropriate offices of the National Park Service. The Secretary of the Interior shall publish in the Federal Register, as soon as practical after the date of the enactment of this Act, a detailed description and map of the boundaries established under this subsection.

(c) MANAGEMENT ENTITY.—The management entity for the Heritage Area shall be the Oil Heritage Region, Inc., the locally based private, nonprofit management corporation which shall oversee the development of a management plan in accordance with section 5(b).

SEC. 4. COMPACT.

To carry out the purposes of this title, the Secretary shall enter into a compact with the management entity. The compact shall include information relating to the objectives and management of the area, including a discussion of the goals and objectives of the Heritage Area, including an explanation of the proposed approach to conservation and interpretation and a general outline of the protection measures committed to by the Secretary and management entity.

SEC. 5. AUTHORITIES AND DUTIES OF MANAGEMENT ENTITY.

(a) AUTHORITIES OF THE MANAGEMENT ENTITY.—The management entity may use funds made available under this title for purposes of preparing, updating, and implementing the management plan developed under subsection (b). Such purposes may include—

(1) making grants to, and entering into cooperative agreements with, States and their political subdivisions, private organizations, or any other person;

(2) hiring and compensating staff; and

(3) undertaking initiatives that advance the purposes of the Heritage Area.

(b) MANAGEMENT PLAN.—The management entity shall develop a management plan for the Heritage Area that—

(1) presents comprehensive strategies and recommendations for conservation, funding, management, and development of the Heritage Area;

(2) takes into consideration existing State, county, and local plans and involves residents, public agencies, and private organizations working in the Heritage Area;

(3) includes a description of actions that units of government and private organizations have agreed to take to protect the resources of the Heritage Area;

(4) specifies the existing and potential sources of funding to protect, manage, and develop the Heritage Area;

(5) includes an inventory of the resources contained in the Heritage Area, including a list of any property in the Heritage Area that is related to the themes of the Heritage Area and that should be preserved, restored, managed, developed, or maintained because of its natural, cultural, historic, recreational, or scenic significance;

(6) describes a program for implementation of the management plan by the management entity, including plans for restoration and construction, and specific commitments for that implementation that have been made by the management entity and any other persons for the first 5 years of implementation;

(7) lists any revisions to the boundaries of the Heritage Area proposed by the management entity and requested by the affected local government; and

(8) includes an interpretation plan for the Heritage Area.

(c) DEADLINE; TERMINATION OF FUNDING.—

(1) DEADLINE.—The management entity shall submit the management plan to the Secretary within 2 years after the funds are made available for this title.

(2) TERMINATION OF FUNDING.—If a management plan is not submitted to the Secretary in accordance with this subsection, the management entity shall not qualify for Federal assistance under this title.

(d) DUTIES OF MANAGEMENT ENTITY.—The management entity shall—

(1) give priority to implementing actions set forth in the compact and management plan;

(2) assist units of government, regional planning organizations, and nonprofit organizations in—

(A) establishing and maintaining interpretive exhibits in the Heritage Area;

(B) developing recreational resources in the Heritage Area;

(C) increasing public awareness of and appreciation for the natural, historical, and architectural resources and sites in the Heritage Area;

(D) the restoration of any historic building relating to the themes of the Heritage Area;

(E) ensuring that clear signs identifying access points and sites of interest are put in place throughout the Heritage Area; and

(F) carrying out other actions that the management entity determines to be advisable to fulfill the purposes of this title;

(3) encourage by appropriate means economic viability in the Heritage Area consistent with the goals of the management plan;

(4) consider the interest of diverse governmental, business, and nonprofit groups within the Heritage Area; and

(5) for any year in which Federal funds have been provided to implement the management plan under subsection (b)—

(A) conduct public meetings at least annually regarding the implementation of the management plan;

(B) submit an annual report to the Secretary setting forth accomplishments, expenses and income, and each person to which any grant was made by the management entity in the year for which the report is made; and

(C) require, for all agreements entered into by the management entity authorizing expenditure of Federal funds by any other person, that the person making the expenditure make available to the management entity for audit all records pertaining to the expenditure of such funds.

(e) PROHIBITION ON THE ACQUISITION OF REAL PROPERTY.—The management entity may not use Federal funds received under this title to acquire real property or an interest in real property.

SEC. 6. DUTIES AND AUTHORITIES OF THE SECRETARY.

(a) TECHNICAL AND FINANCIAL ASSISTANCE.—

(1) IN GENERAL.—

(A) OVERALL ASSISTANCE.—The Secretary may, upon the request of the management entity, and subject to the availability of appropriations, provide technical and financial assistance to the management entity to carry out its duties under this title, including updating and implementing a management plan that is submitted under section 5(b) and approved by the Secretary and, prior to such approval, providing assistance for initiatives.

(B) OTHER ASSISTANCE.—If the Secretary has the resources available to provide technical assistance to the management entity to carry out its duties under this title (including updating and implementing a management plan that is submitted under section 5(b) and approved by the Secretary and, prior to such approval, providing assistance for initiatives), upon the request of the management entity the Secretary shall provide such assistance on a reimbursable basis. This subparagraph does not preclude the Secretary from providing nonreimbursable assistance under subparagraph (A).

(2) PRIORITY.—In assisting the management entity, the Secretary shall give priority to actions that assist in the—

(A) implementation of the management plan;

(B) provision of educational assistance and advice regarding land and water management techniques to conserve the significant natural resources of the region;

(C) development and application of techniques promoting the preservation of cultural and historic properties;

(D) preservation, restoration, and reuse of publicly and privately owned historic buildings.

(E) design and fabrication of a wide range of interpretive materials based on the management plan, including

guide brochures, visitor displays, audio-visual and interactive exhibits, and educational curriculum materials for public education; and

(F) implementation of initiatives prior to approval of the management plan.

(3) DOCUMENTATION OF STRUCTURES.—The Secretary, acting through the Historic American Building Survey and the Historic American Engineering Record, shall conduct studies necessary to document the industrial, engineering, building, and architectural history of the Heritage Area.

(b) APPROVAL AND DISAPPROVAL OF MANAGEMENT PLANS.—The Secretary, in consultation with the Governor of Pennsylvania, shall approve a management plan submitted under this title not later than 90 days after receiving such plan. In approving the plan, the Secretary shall take into consideration the following criteria:

(1) The extent to which the management plan adequately preserves and protects the natural, cultural, and historical resources of the Heritage Area.

(2) The level of public participation in the development of the management plan.

(3) The extent to which the board of directors of the management entity is representative of the local government and a wide range of interested organizations and citizens.

(c) ACTION FOLLOWING DISAPPROVAL.—If the Secretary disapproves a management plan, the Secretary shall advise the management entity in writing of the reasons for the disapproval and shall make recommendations for revisions in the management plan. The Secretary shall approve or disapprove a proposed revision within 90 days after the date it is submitted.

(d) APPROVING CHANGES.—The Secretary shall review and approve amendments to the management plan under section 5(b) that make substantial changes. Funds appropriated under this title may not be expended to implement such changes until the Secretary approves the amendments.

(e) EFFECT OF INACTION.—If the Secretary does not approve or disapprove a management plan, revision, or change within 90 days after it is submitted to the Secretary, then such management plan, revision, or change shall be deemed to have been approved by the Secretary.

SEC. 7. DUTIES OF OTHER FEDERAL ENTITIES.

Any Federal entity conducting or supporting activities directly affecting the Heritage Area shall—

(1) consult with the Secretary and the management entity with respect to such activities;

(2) cooperate with the Secretary and the management entity in carrying out their duties under this rule and, to the maximum extent practicable, coordinate such activities with the carrying out of such duties; and

(3) to the maximum extent practicable, conduct or support such activities in a manner that the management entity determines shall not have an adverse effect on the Heritage Area.

SEC. 8. SUNSET.

The Secretary may not make any grant or provide any assistance under this title after the expiration of the 15-year period beginning on the date that funds are first made available for this title.

SEC. 9. REQUIREMENTS FOR INCLUSION OF PRIVATE PROPERTY.

(a) NOTIFICATION AND CONSENT OF PROPERTY OWNERS REQUIRED.—No privately owned property shall be preserved, conserved, or promoted by the management plan for the Heritage Area until the owner of that private property has been notified in writing by the management entity and has given written request consent for such preservation, conservation, or promotion to the management entity.

(b) LANDOWNER WITHDRAW.—Any owner of private property included within the boundary of the Heritage Area shall have their property immediately removed from the boundary by submitting a written request to the management entity.

SEC. 10. PRIVATE PROPERTY PROTECTION.

(a) ACCESS TO PRIVATE PROPERTY.—Nothing in this title shall be construed to—

(1) require any private property owner to allow public access (including Federal, State, or local government access) to such private property; or

(2) modify any provision of Federal, State, or local law with regard to public access to or use of private property.

(b) LIABILITY.—Designation of the Heritage Area shall not be considered to create any liability, or to have any effect on any liability under any other law, of any private property owner with respect to any persons injured on such private property.

(c) RECOGNITION OF AUTHORITY TO CONTROL LAND USE.—Nothing in this title shall be construed to modify the authority of Federal, State, or local governments to regulate land use.

(d) PARTICIPATION OF PRIVATE PROPERTY OWNERS IN HERITAGE AREA.—Nothing in this title shall be construed to require the owner of any private property located within the boundaries of the Heritage Area to participate in or be associated with the Heritage Area.

(e) EFFECT OF ESTABLISHMENT.—The boundaries designated for the Heritage Area represent the area within which Federal funds appropriated for the purpose of this title may be expended. The establishment of the Heritage Area and its boundaries shall not be construed to provide any nonexisting regulatory authority on land use within the Heritage Area or its viewshed by the Secretary, the National Park Service, or the management entity.

SEC. 11. USE OF FEDERAL FUNDS FROM OTHER SOURCES.

Nothing in this title shall preclude the management entity from using Federal funds available under Acts other than this title for the purposes for which those funds were authorized.

SEC 12. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There are authorized to be appropriated to carry out this title—

(1) not more than $1,000,000 for any fiscal year; and

(2) not more than a total of $10,000,000.

(b) 50 PERCENT MATCH.—Financial assistance provided under this title may not be used to pay more than 50 percent of the total cost of any activity carried out with that assistance.

TITLE VII—MISSISSIPPI GULF COAST NATIONAL HERITAGE AREA ACT

SECTION 1. SHORT TITLE.

This title may be cited as the "Mississippi Gulf Coast National Heritage Area Act".

SEC. 2. CONGRESSIONAL FINDINGS.

Congress finds that—

(1) the 6-county area in southern Mississippi located on the Gulf of Mexico and in the Mississippi Coastal Plain has a unique identity that is shaped by—

(A) the coastal and riverine environment; and

(B) the diverse cultures that have settled in the area;

(2) The area is rich with diverse cultural and historical significance, including—

(A) early Native American settlements; and

(B) Spanish, French, and English settlements originating in the 1600s;

(3) the area includes spectacular natural, scenic, and recreational resources;

(4) there is broad support from local governments and other interested individuals for the establishment of the Mississippi Gulf Coast National Heritage Area to coordinate and assist in the preservation and interpretation of those resources;

(5) the Comprehensive Resource Management Plan, coordinated by the Mississippi Department of Marine Resources—

(A) is a collaborative effort of the Federal Government and State and local governments in the area; and

(B) is a natural foundation on which to establish the Heritage Area; and

(6) establishment of the Heritage Area would assist local communities and residents in preserving the unique cultural, historical, and natural resources of the area.

SEC. 3. DEFINITIONS.

In this Act:

(1) HERITAGE AREA.—The term "Heritage Area" means the Mississippi Gulf Coast National Heritage Area established by section 4(a).

(2) COORDINATING ENTITY.—The term "coordinating entity" means the coordinating entity for the Heritage Area designated by section 4(c).

(3) MANAGEMENT PLAN.—The term "management plan" means the management plan for the Heritage Area developed under section 5.

(4) SECRETARY.—The term "Secretary" means the Secretary of the Interior.

(5) STATE.—The term "State" means the State of Mississippi.

SEC. 4. MISSISSIPPI GULF COAST NATIONAL HERITAGE AREA.

(a) ESTABLISHMENT.—There is established in the State the Mississippi Gulf Coast National Heritage Area.

(b) BOUNDARIES.—The Heritage Area shall consist of the counties of Pearl River, Stone, George, Hancock, Harrison, and Jackson in the State.

(c) COORDINATING ENTITY.—

(1) IN GENERAL.—The Mississippi Department of Marine Resources, in consultation with the Mississippi Department of Archives and History, shall serve as the coordinating entity for the Heritage Area.

(2) OVERSIGHT COMMITTEE.—The coordinating entity shall ensure that each of the 6 counties included in the Heritage Area is appropriately represented on any oversight committee.

SEC. 5. MANAGEMENT PLAN.

(a) IN GENERAL.—Not later than 3 years after the date of enactment of this Act, the coordinating entity shall develop and submit to the Secretary a management plan for the Heritage Area.

(b) REQUIREMENTS.—The management plan shall—

(1) provide recommendations for the conservation, funding, management, interpretation, and development of the cultural, historical, archaeological, natural, and recreational resources of the Heritage Area;

(2) identify sources of funding for the Heritage Area;

(3) include—

(A) an inventory of the cultural, historical, archaeological, natural, and recreational resources of the Heritage Area; and

(B) an analysis of ways in which Federal, State, tribal, and local programs may best be coordinated to promote the purposes of this Act;

(4) provide recommendations for educational and interpretive programs to inform the public about the resources of the Heritage Area; and

(5) involve residents of affected communities and tribal and local governments.

(c) FAILURE TO SUBMIT.—If a management plan is not submitted to the Secretary by the date specified in subsection (a), the Secretary shall not provide any additional funding under this Act until a management plan for the Heritage Area is submitted to the Secretary.

(d) APPROVAL OR DISAPPROVAL OF THE MANAGEMENT PLAN.—

(1) IN GENERAL.—Not later than 90 days after receipt of the management plan under subsection (a), the Secretary shall approve or disapprove the management plan.

(2) ACTION FOLLOWING DISAPPROVAL.—If the Secretary disapproves a management plan under paragraph (1), the Secretary shall—

(A) advise the coordinating entity in writing of the reasons for disapproval;

(B) make recommendations for revision of the management plan; and

(C) allow the coordinating entity to submit to the Secretary revisions to the management plan.

(e) REVISION.—After approval by the Secretary of the management plan, the coordinating entity shall periodically—

(1) review the management plan; and

(2) submit to the Secretary, for review and approval by the Secretary, any recommendations for revisions to the management plan.

SEC. 6. AUTHORITIES AND DUTIES OF COORDINATING ENTITY.

(a) AUTHORITIES.—For purposes of developing and implementing the management plan and otherwise carrying out this Act, the coordinating entity may make grants to and provide technical assistance to tribal and local governments, and other public and private entities.

(b) DUTIES.—In addition to developing the management plan under section 5, in carrying out this Act, the coordinating entity shall—

(1) implement the management plan; and

(2) assist local and tribal governments and non-profit organizations in—

(A) establishing and maintaining interpretive exhibits in the Heritage Area;

(B) developing recreational resources in the Heritage Area;

(C) increasing public awareness of, and appreciation for, the cultural, historical, archaeological, and natural resources of the Heritage Area;

(D) restoring historic structures that relate to the Heritage Area; and

(E) carrying out any other activity that the coordinating entity determines to be appropriate to carry out this Act, consistent with the management plan;

(3) conduct public meetings at least annually regarding the implementation of the management plan; and

(4) for any fiscal year for which Federal funds are made available under section 9—

(A) submit to the Secretary a report that describes, for the fiscal year, the actions of the coordinating entity in carrying out this Act;

(B) make available to the Secretary for audit all records relating to the expenditure of funds and any matching funds; and

(C) require, for all agreements authorizing the expenditure of Federal funds by any entity, that the receiving entity make available to the Secretary for audit all records relating to the expenditure of the funds.

(c) PROHIBITION ON ACQUISITION OF REAL PROPERTY.—The coordinating entity shall not use Federal funds made available under this Act to acquire real property or any interest in real property.

SEC. 7. TECHNICAL AND FINANCIAL ASSISTANCE; OTHER FEDERAL AGENCIES.

(a) IN GENERAL.—On the request of the coordinating entity, the Secretary may provide technical and financial assistance to the coordinating entity for use in the development and implementation of the management plan.

(b) PROHIBITION OF CERTAIN REQUIREMENTS.—The Secretary may not, as a condition of the provision of technical or financial assistance under this section, require any recipient of the assistance to impose or modify any land use restriction or zoning ordinance.

SEC. 8. EFFECT OF ACT.

Nothing in this Act—

(1) affects or authorizes the coordinating entity to interfere with—

(A) the right of any person with respect to private property; or

(B) any local zoning ordinance or land use plan;

(2) restricts an Indian tribe from protecting cultural or religious sites on tribal land;

(3) modifies, enlarges, or diminishes the authority of any State, tribal, or local government to regulate any use of land under any other law (including regulations);

(4)(A) modifies, enlarges, or diminishes the authority of the State to manage fish and wildlife in the Heritage Area, including the regulation of fishing and hunting; or

(B) authorizes the coordinating entity to assume any management authorities over such lands; or

(5) diminishes the trust responsibilities or government-to-government obligations of the United States to any federally recognized Indian tribe.

SEC. 9. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There is authorized to be appropriated to carry out this Act $10,000,000, of which not more than $1,000,000 may be made available for any fiscal year.

(b) COST-SHARING REQUIREMENT.—The Federal share of the total cost of any activity assisted under this Act shall be not more than 50 percent.

TITLE VIII—FEDERAL LANDS RECREATION ENHANCEMENT ACT

SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.

(a) SHORT TITLE.—This title may be cited as the "Federal Lands Recreation Enhancement Act".

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title and table of contents.
Sec. 2. Definitions.
Sec. 3. Recreation fee authority.
Sec. 4. Public participation.
Sec. 5. Recreation passes.
Sec. 6. Cooperative agreements.
Sec. 7. Special account and distribution of fees and revenues.
Sec. 8. Expenditures.
Sec. 9. Reports.
Sec. 10. Sunset provision.
Sec. 11. Volunteers.
Sec. 12. Enforcement and protection of receipts.
Sec. 13. Repeal of superseded admission and use fee authorities.
Sec. 14. Relation to other laws and fee collection authorities.
Sec. 15. Limitation on use of fees for employee bonuses.

SEC. 2. DEFINITIONS.

In this Act:

(1) STANDARD AMENITY RECREATION FEE.—The term "standard amenity recreation fee" means the recreation fee authorized by section 3(f).

(2) EXPANDED AMENITY RECREATION FEE.—The term "expanded amenity recreation fee" means the recreation fee authorized by section 3(g).

(3) ENTRANCE FEE.—The term "entrance fee" means the recreation fee authorized to be charged to enter onto lands managed by the National Park Service or the United States Fish and Wildlife Service.

(4) FEDERAL LAND MANAGEMENT AGENCY.—The term "Federal land management agency" means the National Park Service, the United States Fish and Wildlife Service, the Bureau of Land Management, the Bureau of Reclamation, or the Forest Service.

(5) FEDERAL RECREATIONAL LANDS AND WATERS.—The term "Federal recreational lands and waters" means lands or waters managed by a Federal land management agency.

(6) NATIONAL PARKS AND FEDERAL RECREATIONAL LANDS PASS.—The term "National Parks and Federal Recreational Lands Pass" means the interagency national pass authorized by section 5.

(7) PASSHOLDER.—The term "passholder" means the person who is issued a recreation pass.

(8) RECREATION FEE.—The term "recreation fee" means an entrance fee, standard amenity recreation fee, expanded amenity recreation fee, or special recreation permit fee.

(9) RECREATION PASS.—The term "recreation pass" means the National Parks and Federal Recreational Lands Pass or one of the other recreation passes available as authorized by section 5.

(10) SECRETARY.—The term "Secretary" means—

(A) the Secretary of the Interior, with respect to a Federal land management agency (other than the Forest Service); and

(B) the Secretary of Agriculture, with respect to the Forest Service.

(11) SECRETARIES.—The term "Secretaries" means the Secretary of the Interior and the Secretary of Agriculture acting jointly.

(12) SPECIAL ACCOUNT.—The term "special account" means the special account established in the Treasury under section 7 for a Federal land management agency.

(13) SPECIAL RECREATION PERMIT FEE.—The term "special recreation permit fee" means the fee authorized by section 3(h).

SEC. 3. RECREATION FEE AUTHORITY.

(a) AUTHORITY OF SECRETARY.—Beginning in fiscal year 2005 and thereafter, the Secretary may establish, modify, charge, and collect recreation fees at Federal recreational lands and waters as provided for in this section.

(b) BASIS FOR RECREATION FEES.—Recreation fees shall be established in a manner consistent with the following criteria:

(1) The amount of the recreation fee shall be commensurate with the benefits and services provided to the visitor.

(2) The Secretary shall consider the aggregate effect of recreation fees on recreation users and recreation service providers.

(3) The Secretary shall consider comparable fees charged elsewhere and by other public agencies and by nearby private sector operators.

(4) The Secretary shall consider the public policy or management objectives served by the recreation fee.

(5) The Secretary shall obtain input from the appropriate Recreation Resource Advisory Committee, as provided in section 4(d).

(6) The Secretary shall consider such other factors or criteria as determined appropriate by the Secretary.

(c) SPECIAL CONSIDERATIONS.—The Secretary shall establish the minimum number of recreation fees and shall avoid the collection of multiple or layered recreation fees for similar uses, activities, or programs.

(d) LIMITATIONS ON RECREATION FEES.—

(1) PROHIBITION ON FEES FOR CERTAIN ACTIVITIES OR SERVICES.—The Secretary shall not charge any standard amenity recreation fee or expanded amenity recreation fee for Federal recreational lands and waters administered by the Bureau of Land Management, the Forest Service, or the Bureau of Reclamation under this Act for any of the following:

(A) Solely for parking, undesignated parking, or picnicking along roads or trailsides.

(B) For general access unless specifically authorized under this section.

(C) For dispersed areas with low or no investment unless specifically authorized under this section.

(D) For persons who are driving through, walking through, boating through, horseback riding through, or hiking through Federal recreational lands and waters without using the facilities and services.

(E) For camping at undeveloped sites that do not provide a minimum number of facilities and services as described in subsection (g)(2)(A).

(F) For use of overlooks or scenic pullouts.

(G) For travel by private, noncommercial vehicle over any national parkway or any road or highway established as a part of the Federal-aid System, as defined in section 101 of title 23, United States Code, which is commonly used by the public as a means of travel between two places either or both of which are outside any unit or area at which recreation fees are charged under this Act.

(H) For travel by private, noncommercial vehicle, boat, or aircraft over any road or highway, waterway, or airway to any land in which such person has any property right if such land is within any unit or area at which recreation fees are charged under this Act.

(I) For any person who has a right of access for hunting or fishing privileges under a specific provision of law or treaty.

(J) For any person who is engaged in the conduct of official Federal, State, Tribal, or local government business.

(K) For special attention or extra services necessary to meet the needs of the disabled.

(2) RELATION TO FEES FOR USE OF HIGHWAYS OR ROADS.—An entity that pays a special recreation permit fee or similar permit fee shall not be subject to a road cost-sharing fee or a fee for the use of highways or roads that are open to private, noncommercial use within the boundaries of any Federal recreational lands or waters, as authorized under section 6 of Public Law 88–657 (16 U.S.C. 537; commonly known as the Forest Roads and Trails Act).

(3) PROHIBITION ON FEES FOR CERTAIN PERSONS OR PLACES.—The Secretary shall not charge an entrance fee or standard amenity recreation fee for the following:

(A) Any person under 16 years of age.

(B) Outings conducted for noncommercial educational purposes by schools or bona fide academic institutions.

(C) The U.S.S. Arizona Memorial, Independence National Historical Park, any unit of the National Park System within the District of Columbia, or Arlington House-Robert E. Lee National Memorial.

(D) The Flight 93 National Memorial.

(E) Entrance on other routes into the Great Smoky Mountains National Park or any part thereof unless fees are charged for entrance into that park on main highways and thoroughfares.

(F) Entrance on units of the National Park System containing deed restrictions on charging fees.

(G) An area or unit covered under section 203 of the Alaska National Interest Lands Conservation Act (Public Law 96–487; 16 U.S.C. 410hh–2), with the exception of Denali National Park and Preserve.

(H) A unit of the National Wildlife Refuge System created, expanded, or modified by the Alaska National Interest Lands Conservation Act (Public Law 96–487).

(I) Any person who visits a unit or area under the jurisdiction of the United States Fish and Wildlife Service and who has been issued a valid migratory bird hunting and conservation stamp issued under section 2 of the Act of March 16, 1934 (16 U.S.C. 718b; commonly known as the Duck Stamp Act).

(J) Any person engaged in a nonrecreational activity authorized under a valid permit issued under any other Act, including a valid grazing permit.

(4) NO RESTRICTION ON RECREATION OPPORTUNITIES.—Nothing in this Act shall limit the use of recreation opportunities only to areas designated for collection of recreation fees.

(e) ENTRANCE FEE.—

(1) AUTHORIZED SITES FOR ENTRANCE FEES.—The Secretary of the Interior may charge an entrance fee for a unit of the National Park System, including a national monument administered by the National Park Service, or for a unit of the National Wildlife Refuge System.

(2) PROHIBITED SITES.—The Secretary shall not charge an entrance fee for Federal recreational lands and waters managed by the Bureau of Land Management, the Bureau of Reclamation, or the Forest Service.

(f) STANDARD AMENITY RECREATION FEE.—Except as limited by subsection (d), the Secretary may charge a standard amenity recreation fee for Federal recreational lands and waters under the jurisdiction of the Bureau of Land Management, the Bureau of Reclamation, or the Forest Service, but only at the following:

(1) A National Conservation Area.

(2) A National Volcanic Monument.

(3) A destination visitor or interpretive center that provides a broad range of interpretive services, programs, and media.

(4) An area—

(A) that provides significant opportunities for outdoor recreation;

(B) that has substantial Federal investments;

(C) where fees can be efficiently collected; and

(D) that contains all of the following amenities:

(i) Designated developed parking.

(ii) A permanent toilet facility.

(iii) A permanent trash receptacle.

(iv) Interpretive sign, exhibit, or kiosk.

(v) Picnic tables.

(vi) Security services.

(g) EXPANDED AMENITY RECREATION FEE.—

(1) NPS AND USFWS AUTHORITY.—Except as limited by subsection (d), the Secretary of the Interior may charge an expanded amenity recreation fee, either in addition to an entrance fee or by itself, at Federal recreational lands and waters under the jurisdiction of the National Park Service or the United States Fish and Wildlife Service when the Secretary of the Interior determines that the visitor uses a specific or specialized facility, equipment, or service.

(2) OTHER FEDERAL LAND MANAGEMENT AGENCIES.—Except as limited by subsection (d), the Secretary may charge an expanded amenity recreation fee, either in addition to a standard amenity fee or by itself, at Federal recreational lands and waters under the jurisdiction of the Forest Service, the Bureau of Land Management, or the Bureau of Reclamation, but only for the following facilities or services:

(A) Use of developed campgrounds that provide at least a majority of the following:

(i) Tent or trailer spaces.

(ii) Picnic tables.

(iii) Drinking water.

(iv) Access roads.

(v) The collection of the fee by an employee or agent of the Federal land management agency.

(vi) Reasonable visitor protection.

(vii) Refuse containers.

(viii) Toilet facilities.

(ix) Simple devices for containing a campfire.

(B) Use of highly developed boat launches with specialized facilities or services such as mechanical or hydraulic boat lifts or facilities, multi-lane paved ramps, paved parking, restrooms and other improvements such as boarding floats, loading ramps, or fish cleaning stations.

(C) Rental of cabins, boats, stock animals, lookouts, historic structures, group day-use or overnight sites, audio tour devices, portable sanitation devices, binoculars or other equipment.

(D) Use of hookups for electricity, cable, or sewer.

(E) Use of sanitary dump stations.

(F) Participation in an enhanced interpretive program or special tour.

(G) Use of reservation services.

(H) Use of transportation services.

(I) Use of areas where emergency medical or first-aid services are administered from facilities staffed by public employees or employees under a contract or reciprocal agreement with the Federal Government.

(J) Use of developed swimming sites that provide at least a majority of the following:

(i) Bathhouse with showers and flush toilets.

(ii) Refuse containers.

(iii) Picnic areas.

(iv) Paved parking.

(v) Attendants, including lifeguards.

(vi) Floats encompassing the swimming area.

(vii) Swimming deck.

(h) SPECIAL RECREATION PERMIT FEE.—The Secretary may issue a special recreation permit, and charge a special recreation permit fee in connection with the issuance of the permit, for specialized recreation uses of Federal recreational lands and waters, such as group activities, recreation events, motorized recreational vehicle use.

SEC. 4. PUBLIC PARTICIPATION.

(a) IN GENERAL.—As required in this section, the Secretary shall provide the public with opportunities to participate in the development of or changing of a recreation fee established under this Act.

(b) ADVANCE NOTICE.—The Secretary shall publish a notice in the Federal Register of the establishment of a new recreation fee area for each agency 6 months before establishment. The Secretary shall publish notice of a new recreation fee or a change to an existing recreation fee established under this Act in local newspapers and publications located near the site at which the recreation fee would be established or changed.

(c) PUBLIC INVOLVEMENT.—Before establishing any new recreation fee area, the Secretary shall provide opportunity for public involvement by—

(1) establishing guidelines for public involvement;

(2) establishing guidelines on how agencies will demonstrate on an annual basis how they have provided information to the public on the use of recreation fee revenues; and

(3) publishing the guidelines in paragraphs (1) and (2) in the Federal Register.

(d) RECREATION RESOURCE ADVISORY COMMITTEE.—

(1) ESTABLISHMENT.—

(A) AUTHORITY TO ESTABLISH.—Except as provided in subparagraphs (C) and (D), the Secretary or the Secretaries shall establish a Recreation Resource Advisory Committee

in each State or region for Federal recreational lands and waters managed by the Forest Service or the Bureau of Land Management to perform the duties described in paragraph (2).

(B) NUMBER OF COMMITTEES.—The Secretary may have as many additional Recreation Resource Advisory Committees in a State or region as the Secretary considers necessary for the effective operation of this Act.

(C) EXCEPTION.—The Secretary shall not establish a Recreation Resource Advisory Committee in a State if the Secretary determines, in consultation with the Governor of the State, that sufficient interest does not exist to ensure that participation on the Committee is balanced in terms of the points of view represented and the functions to be performed.

(D) USE OF OTHER ENTITIES.—In lieu of establishing a Recreation Resource Advisory Committee under subparagraph (A), the Secretary may use a Resource Advisory Committee established pursuant to another provision of law and in accordance with that law or a recreation fee advisory board otherwise established by the Secretary to perform the duties specified in paragraph (2).

(2) DUTIES.—In accordance with the procedures required by paragraph (9), a Recreation Resource Advisory Committee may make recommendations to the Secretary regarding a standard amenity recreation fee or an expanded amenity recreation fee, whenever the recommendations relate to public concerns in the State or region covered by the Committee regarding—

(A) the implementation of a standard amenity recreation fee or an expanded amenity recreation fee or the establishment of a specific recreation fee site;

(B) the elimination of a standard amenity recreation fee or an expanded amenity recreation fee; or

(C) the expansion or limitation of the recreation fee program.

(3) MEETINGS.—A Recreation Resource Advisory Committee shall meet at least annually, but may, at the discretion of the Secretary, meet as often as needed to deal with citizen concerns about the recreation fee program in a timely manner.

(4) NOTICE OF REJECTION.—If the Secretary rejects the recommendation of a Recreation Resource Advisory Committee, the Secretary shall issue a notice that identifies the reasons for rejecting the recommendation to the Committee on Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate not later than 30 days before the Secretary implements a decision pertaining to that recommendation.

(5) COMPOSITION OF THE ADVISORY COMMITTEE.—

(A) NUMBER.—A Recreation Resource Advisory Committee shall be comprised of 11 members.

(B) NOMINATIONS.—The Governor and the designated county official from each county in the relevant State or Region may submit a list of nominations in the categories described under subparagraph (D).

(C) APPOINTMENT.—The Secretary may appoint members of the Recreation Resource Advisory Committee from the list as provided in subparagraph (B).

(D) BROAD AND BALANCED REPRESENTATION.—In appointing the members of a Recreation Resource Advisory Committee, the Secretary shall provide for a balanced and broad representation from the recreation community that shall include the following:

(i) Five persons who represent recreation users and that include, as appropriate, persons representing the following:

(I) Winter motorized recreation, such as snowmobiling.

(II) Winter non-motorized recreation, such as snowshoeing, cross country and down hill skiing, and snowboarding.

(III) Summer motorized recreation, such as motorcycles, boaters, and off-highway vehicles.

(IV) Summer nonmotorized recreation, such as backpacking, horseback riding, mountain biking, canoeing, and rafting.

(V) Hunting and fishing.

(ii) Three persons who represent interest groups that include, as appropriate, the following:

(I) Motorized outfitters and guides.

(II) Non-motorized outfitters and guides.

(III) Local environmental groups.

(iii) Three persons, as follows:

(I) State tourism official to represent the State.

(II) A person who represents affected Indian tribes.

(III) A person who represents affected local government interests.

(6) TERM.—

(A) LENGTH OF TERM.—The Secretary shall appoint the members of a Recreation Resource Advisory Committee for staggered terms of two and three years beginning on the date the members are first appointed. The Secretary may reappoint members to subsequent two- or three-year terms.

(B) EFFECT OF VACANCY.—The Secretary shall make appointments to fill a vacancy on a Recreation Resource Advisory Committee as soon as practicable after the vacancy has occurred.

(C) EFFECT OF UNEXPECTED VACANCY.—Where an unexpected vacancy occurs, the Governor and the designated county officials from each county in the relevant state shall provide the Secretary with a list of nominations in the relevant category, as described under paragraph (5)(D), not later than two months after notification of the vacancy. To the extent possible, a vacancy shall be filled in the same category and term in which the original appointment was made.

(7) CHAIRPERSON.—The chairperson of a Recreation Resource Advisory Committee shall be selected by the majority vote of the members of the Committee.

(8) QUORUM.—Eight members shall constitute a quorum. A quorum must be present to constitute an official meeting of a Recreation Resource Advisory Committee.

(9) APPROVAL PROCEDURES.—A Recreation Resource Advisory Committee shall establish procedures for making recommendations to the Secretary. A recommendation may be submitted to the Secretary only if the recommendation is approved by a majority of the members of the Committee from each of the categories specified in paragraph (5)(D) and general public support for the recommendation is documented.

(10) COMPENSATION.—Members of the Recreation Resource Advisory Committee shall not receive any compensation.

(11) PUBLIC PARTICIPATION IN THE RECREATION RESOURCE ADVISORY COMMITTEE.—

(A) NOTICE OF MEETINGS.—All meetings of a Recreation Resource Advisory Committee shall be announced at least one week in advance in a local newspaper of record and the Federal Register, and shall be open to the public.

(B) RECORDS.—A Recreation Resource Advisory Committee shall maintain records of the meetings of the Recreation Resource Advisory Committee and make the records available for public inspection.

(12) FEDERAL ADVISORY COMMITTEE ACT.—A Recreation Resource Advisory Committee is subject to the provisions of the Federal Advisory Committee Act (5 U.S.C. App.).

(e) MISCELLANEOUS ADMINISTRATIVE PROVISIONS REGARDING RECREATION FEES AND RECREATION PASSES.—

(1) NOTICE OF ENTRANCE FEES, STANDARD AMENITY RECREATION FEES, AND PASSES.—The Secretary shall post clear notice of any entrance fee, standard amenity recreation fee, and available recreation passes at appropriate locations in each unit or area of a Federal land management agency where an entrance fee or a standard amenity recreation fee is charged. The Secretary shall include such notice in publications distributed at the unit or area.

(2) NOTICE OF RECREATION FEE PROJECTS.—To the extent practicable, the Secretary shall post clear notice of locations where work is performed using recreation fee or recreation pass revenues collected under this Act.

SEC. 5. RECREATION PASSES.

(a) AMERICA THE BEAUTIFUL—THE NATIONAL PARKS AND FEDERAL RECREATIONAL LANDS PASS.—

(1) AVAILABILITY AND USE.—The Secretaries shall establish, and may charge a fee for, an interagency national pass to be known as the "America the Beautiful—the National Parks and Federal Recreational Lands Pass", which shall cover the entrance fee and standard amenity recreation fee for all Federal recreational lands and waters for which an entrance fee or a standard amenity recreation fee is charged.

(2) IMAGE COMPETITION FOR RECREATION PASS.—The Secretaries shall hold an annual competition to select the image to be used on the National Parks and Federal Recreational Lands Pass for a year. The competition shall be open to the public and used as a means to educate the American people about Federal recreational lands and waters.

(3) NOTICE OF ESTABLISHMENT.—The Secretaries shall publish a notice in the Federal Register when the National Parks and Federal Recreational Lands Pass is first established and available for purchase.

(4) DURATION.—The National Parks and Federal Recreational Lands Pass shall be valid for a period of 12 months from the date of the issuance of the recreation pass to a passholder, except in the case of the age and disability discounted passes issued under subsection (b).

(5) PRICE.—The Secretaries shall establish the price at which the National Parks and Federal Recreational Lands Pass will be sold to the public.

(6) SALES LOCATIONS AND MARKETING.—

(A) IN GENERAL.—The Secretary shall sell the National Parks and Federal Recreational Lands Pass at all Federal recreational lands and waters at which an entrance fee or a standard amenity recreation fee is charged and at such other locations as the Secretaries consider appropriate and feasible.

(B) USE OF VENDORS.—The Secretary may enter into fee management agreements as provided in section 6.

(C) MARKETING.—The Secretaries shall take such actions as are appropriate to provide for the active marketing of the National Parks and Federal Recreational Lands Pass.

(7) ADMINISTRATIVE GUIDELINES.—The Secretaries shall issue guidelines on administration of the National Parks and Federal Recreational Lands Pass, which shall include agreement on price, the distribution of revenues between the Federal land management agencies, the sharing of costs, benefits provided, marketing and design, adequate documentation for age and disability discounts under subsection (b), and the issuance of that recreation pass to volunteers. The Secretaries shall take into consideration all relevant visitor and sales data available in establishing the guidelines.

(8) DEVELOPMENT AND IMPLEMENTATION AGREEMENTS.—The Secretaries may enter into cooperative agreements with governmental and nongovernmental entities for the development and implementation of the National Parks and Federal Recreational Lands Pass Program.

(9) PROHIBITION ON OTHER NATIONAL RECREATION PASSES.—The Secretary may not establish any national recreation pass, except as provided in this section.

(b) DISCOUNTED PASSES.—

(1) AGE DISCOUNT.—The Secretary shall make the National Parks and Federal Recreational Lands Pass available, at a cost of $10.00, to any United States citizen or person domiciled in the United States who is 62 years of age or older, if the citizen or person provides adequate proof of such age and such citizenship or residency. The National Parks and Federal Recreational Lands Pass made available under this subsection shall be valid for the lifetime of the pass holder.

(2) DISABILITY DISCOUNT.—The Secretary shall make the National Parks and Federal Recreational Lands Pass available, without charge, to any United States citizen or person domi-

ciled in the United States who has been medically determined to be permanently disabled for purposes of section 7(20)(B)(i)of the Rehabilitation Act of 1973 (29 U.S.C. 705(20)(B)(i)), if the citizen or person provides adequate proof of the disability and such citizenship or residency. The National Parks and Federal Recreational Lands Pass made available under this subsection shall be valid for the lifetime of the passholder.

(c) SITE-SPECIFIC AGENCY PASSES.—The Secretary may establish and charge a fee for a site-specific pass that will cover the entrance fee or standard amenity recreation fee for particular Federal recreational lands and waters for a specified period not to exceed 12 months.

(d) REGIONAL MULTIENTITY PASSES.—

(1) PASSES AUTHORIZED.—The Secretary may establish and charge a fee for a regional multientity pass that will be accepted by one or more Federal land management agencies or by one or more governmental or nongovernmental entities for a specified period not to exceed 12 months. To include a Federal land management agency or governmental or nongovernmental entity over which the Secretary does not have jurisdiction, the Secretary shall obtain the consent of the head of such agency or entity.

(2) REGIONAL MULTIENTITY PASS AGREEMENT.—In order to establish a regional multientity pass under this subsection, the Secretary shall enter into a regional multientity pass agreement with all the participating agencies or entities on price, the distribution of revenues between participating agencies or entities, the sharing of costs, benefits provided, marketing and design, and the issuance of the pass to volunteers. The Secretary shall take into consideration all relevant visitor and sales data available when entering into this agreement.

(e) DISCOUNTED OR FREE ADMISSION DAYS OR USE.—The Secretary may provide for a discounted or free admission day or use of Federal recreational lands and waters.

(f) EFFECT ON EXISTING PASSPORTS AND PERMITS.—

(1) EXISTING PASSPORTS.—A passport issued under section 4 of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460l–6a) or title VI of the National Parks Omnibus Management Act of 1998 (Public Law 105–391; 16 U.S.C. 5991–5995), such as the Golden Eagle Passport, the Golden Age Passport, the Golden Access Passport, and the National Parks Passport, that was valid on the day before the publication of the Federal Register notice required under subsection (a)(3) shall be valid in accordance with the terms agreed to at the time of issuance of the passport, to the extent practicable, and remain in effect until expired, lost, or stolen.

(2) PERMITS.—A permit issued under section 4 of the Land and Water Conservation Fund Act of 1965 that was valid on the day before the date of the enactment of this Act shall be valid and remain in effect until expired, revoked, or suspended.

SEC. 6. COOPERATIVE AGREEMENTS.

(a) FEE MANAGEMENT AGREEMENT.—Notwithstanding chapter 63 of title 31, United States Code, the Secretary may enter into a fee management agreement, including a contract, which may pro-

vide for a reasonable commission, reimbursement, or discount, with the following entities for the following purposes:

(1) With any governmental or nongovernmental entity, including those in a gateway community, for the purpose of obtaining fee collection and processing services, including visitor reservation services.

(2) With any governmental or nongovernmental entity, including those in a gateway community, for the purpose of obtaining emergency medical services.

(3) With any governmental entity, including those in a gateway community, to obtain law enforcement services.

(b) REVENUE SHARING.—A State or legal subdivision of a State that enters into an agreement with the Secretary under subsection (a) may share in a percentage of the revenues collected at the site in accordance with that fee management agreement.

(c) COUNTY PROPOSALS.—The Secretary shall consider any proposal submitted by a county to provide services described in subsection (a). If the Secretary decides not to enter into a fee management agreement with the county under subsection (a), the Secretary shall notify the county in writing of the decision, identifying the reasons for the decision. The fee management agreement may include cooperative site planning and management provisions.

SEC. 7. SPECIAL ACCOUNT AND DISTRIBUTION OF FEES AND REVENUES.

(a) SPECIAL ACCOUNT.—The Secretary of the Treasury shall establish a special account in the Treasury for each Federal land management agency.

(b) DEPOSITS.—Subject to subsections (c), (d), and (e), revenues collected by each Federal land management agency under this Act shall—

(1) be deposited in its special account; and

(2) remain available for expenditure, without further appropriation, until expended.

(c) DISTRIBUTION OF RECREATION FEES AND SINGLE-SITE AGENCY PASS REVENUES.—

(1) LOCAL DISTRIBUTION OF FUNDS.—

(A) RETENTION OF REVENUES.—Not less than 80 percent of the recreation fees and site-specific agency pass revenues collected at a specific unit or area of a Federal land management agency shall remain available for expenditure, without further appropriation, until expended at that unit or area.

(B) REDUCTION.—The Secretary may reduce the percentage allocation otherwise applicable under subparagraph (A) to a unit or area of a Federal land management agency, but not below 60 percent, for a fiscal year if the Secretary determines that the revenues collected at the unit or area exceed the reasonable needs of the unit or area for which expenditures may be made for that fiscal year.

(2) AGENCY-WIDE DISTRIBUTION OF FUNDS.—The balance of the recreation fees and site-specific agency pass revenues collected at a specific unit or area of a Federal land management and not distributed in accordance with paragraph (1) shall remain available to that Federal land management agency for ex-

penditure on an agency-wide basis, without further appropriation, until expended.

(3) OTHER AMOUNTS.—Other amounts collected at other locations, including recreation fees collected by other entities or for a reservation service, shall remain available, without further appropriation, until expended in accordance with guidelines established by the Secretary.

(d) DISTRIBUTION OF NATIONAL PARKS AND FEDERAL RECREATIONAL LANDS PASS REVENUES.—Revenues collected from the sale of the National Parks and Federal Recreational Lands Pass shall be deposited in the special accounts established for the Federal land management agencies in accordance with the guidelines issued under section 5(a)(7).

(e) DISTRIBUTION OF REGIONAL MULTIENTITY PASS REVENUES.—Revenues collected from the sale of a regional multientity pass authorized under section 5(d) shall be deposited in each participating Federal land management agency's special account in accordance with the terms of the region multientity pass agreement for the regional multientity pass.

SEC. 8. EXPENDITURES.

(a) USE OF FEES AT SPECIFIC SITE OR AREA.—Amounts available for expenditure at a specific site or area—

(1) shall be accounted for separately from the amounts collected;

(2) may be distributed agency-wide; and

(3) shall be used only for—

(A) repair, maintenance, and facility enhancement related directly to visitor enjoyment, visitor access, and health and safety;

(B) interpretation, visitor information, visitor service, visitor needs assessments, and signs;

(C) habitat restoration directly related to wildlife-dependent recreation that is limited to hunting, fishing, wildlife observation, or photography;

(D) law enforcement related to public use and recreation;

(E) direct operating or capital costs associated with the recreation fee program; and

(F) a fee management agreement established under section 6(a) or a visitor reservation service.

(b) LIMITATION ON USE OF FEES.—The Secretary may not use any recreation fees for biological monitoring on Federal recreational lands and waters under the Endangered Species Act of 1973 for listed or candidate species.

(c) ADMINISTRATION, OVERHEAD, AND INDIRECT COSTS.—The Secretary may use not more than an average of 15 percent of total revenues collected under this Act for administration, overhead, and indirect costs related to the recreation fee program by that Secretary.

(d) TRANSITIONAL EXCEPTION.—Notwithstanding any other provision of this Act, the Secretary may use amounts available in the special account of a Federal land management agency to supplement administration and marketing costs associated with—

(1) the National Parks and Federal Recreational Lands Pass during the five-year period beginning on the date the joint guidelines are issued under section 5(a)(7); and

(2) a regional multientity pass authorized section 5(d) during the five-year period beginning on the date the regional multientity pass agreement for that recreation pass takes effect.

SEC. 9. REPORTS.

Not later than May 1, 2006, and every three years thereafter, the Secretary shall submit to the Congress a report detailing the status of the recreation fee program conducted for Federal recreational lands and waters, including an evaluation of the recreation fee program, examples of projects that were funded using such fees, and future projects and programs for funding with fees, and containing any recommendations for changes in the overall fee system.

SEC. 10. SUNSET PROVISION.

The authority of the Secretary to carry out this Act shall terminate 10 years after the date of the enactment of this Act.

SEC. 11. VOLUNTEERS.

(a) AUTHORITY TO USE VOLUNTEERS.—The Secretary may use volunteers, as appropriate, to collect recreation fees and sell recreation passes.

(b) WAIVER OR DISCOUNT OF FEES; SITE-SPECIFIC AGENCY PASS.—In exchange for volunteer services, the Secretary may waive or discount an entrance fee, standard amenity recreation fee, or an expanded amenity recreation fee that would otherwise apply to the volunteer or issue to the volunteer a site-specific agency pass authorized under section 5(c).

(c) NATIONAL PARKS AND FEDERAL RECREATIONAL LANDS PASS.—In accordance with the guidelines issued under section 5(a)(7), the Secretaries may issue a National Parks and Federal Recreational Lands Pass to a volunteer in exchange for significant volunteer services performed by the volunteer.

(d) REGIONAL MULTIENTITY PASSES.—The Secretary may issue a regional multientity pass authorized under section 5(d) to a volunteer in exchange for significant volunteer services performed by the volunteer, if the regional multientity pass agreement under which the regional multientity pass was established provides for the issuance of the pass to volunteers.

SEC. 12. ENFORCEMENT AND PROTECTION OF RECEIPTS.

(a) ENFORCEMENT AUTHORITY.—The Secretary concerned shall enforce payment of the recreation fees authorized by this Act.

(b) EVIDENCE OF NONPAYMENT.—If the display of proof of payment of a recreation fee, or the payment of a recreation fee within a certain time period is required, failure to display such proof as required or to pay the recreation fee within the time period specified shall constitute nonpayment.

(c) JOINT LIABILITY.—The registered owner and any occupant of a vehicle charged with a nonpayment violation involving the vehicle shall be jointly liable for penalties imposed under this section, unless the registered owner can show that the vehicle was used without the registered owner's express or implied permission.

(d) LIMITATION ON PENALTIES.—The failure to pay a recreation fee established under this Act shall be punishable as a Class A or

Class B misdemeanor, except that in the case of a first offense of nonpayment, the fine imposed may not exceed $100, notwithstanding section 3571(e) of title 18, United States Code.

SEC. 13. REPEAL OF SUPERSEDED ADMISSION AND USE FEE AUTHORITIES.

(a) LAND AND WATER CONSERVATION FUND ACT.—Subsections (a), (b), (c), (d), (e), (f), (g), and (i) of section 4 of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460l–6a et seq.) are repealed, except that the Secretary may continue to issue Golden Eagle Passports, Golden Age Passports, and Golden Access Passports under such section until the date the notice required by section 5(a)(3) is published in the Federal Register regarding the establishment of the National Parks and Federal Recreational Lands Pass.

(b) RECREATIONAL FEE DEMONSTRATION PROGRAM.—Section 315 of the Department of the Interior and Related Agencies Appropriations Act, 1996 (as contained in section 101(c) of Public Law 104–134; 16 U.S.C. 460l–6a), is repealed.

(c) ADMISSION PERMITS FOR REFUGE UNITS.—Section 201 of the Emergency Wetlands Resources Act of 1986 (16 U.S.C. 3911) is repealed.

(d) NATIONAL PARK PASSPORT, GOLDEN EAGLE PASSPORT, GOLDEN AGE PASSPORT, AND GOLDEN ACCESS PASSPORT.—Effective on the date the notice required by section 5(a)(3) is published in the Federal Register, the following provisions of law authorizing the establishment of a national park passport program or the establishment and sale of a national park passport, Golden Eagle Passport, Golden Age Passport, or Golden Access Passport are repealed:

(1) Section 502 of the National Parks Omnibus Management Act of 1998 (Public Law 105–391; 16 U.S.C. 5982).

(2) Title VI of the National Parks Omnibus Management Act of 1998 (Public Law 105–391; 16 U.S.C. 5991–5995).

(e) TREATMENT OF UNOBLIGATED FUNDS.—

(1) LAND AND WATER CONSERVATION FUND SPECIAL ACCOUNTS.—Amounts in the special accounts established under section 4(i)(1) of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460l–6a(i)(1)) for Federal land management agencies that are unobligated on the date of the enactment of this Act shall be transferred to the appropriate special account established under section 7 and shall be available to the Secretary in accordance with this Act. A special account established under section 4(i)(1) of the Land and Water Conservation Fund Act of 1965 for a Federal agency that is not a Federal land management area, and the use of such special account, is not affected by the repeal of section 4 of the Land and Water Conservation Fund Act of 1965 by subsection (a) of this section.

(2) NATIONAL PARKS PASSPORT.—Any funds collected under title VI of the National Parks Omnibus Management Act of 1998 (Public Law 105–391; 16 U.S.C. 5991–5995) that are unobligated on the day before the publication of the Federal Register notice required under section 5(a)(3) shall be transferred to the special account of the National Park Service for use in accordance with this Act. The Secretary of the Interior may use amounts available in that special account to pay any outstanding administration, marketing, or close-out costs associated with the national parks passport.

(3) RECREATIONAL FEE DEMONSTRATION PROGRAM.—Any funds collected in accordance with section 315 of the Department of the Interior and Related Agencies Appropriations Act, 1996 (as contained in section 101(c) of Public Law 104–134; 16 U.S.C. 460l–6a), that are unobligated on the day before the date of the enactment of this Act shall be transferred to the appropriate special account and shall be available to the Secretary in accordance with this Act.

(4) ADMISSION PERMITS FOR REFUGE UNITS.—Any funds collected in accordance with section 201 of the Emergency Wetlands Resources Act of 1986 (16 U.S.C. 3911) that are available as provided in subsection (c)(A) of such section and are unobligated on the day before the date of the enactment of this Act shall be transferred to the special account of the United States Fish and Wildlife Service for use in accordance with this Act.

(f) EFFECT OF REGULATIONS.—A regulation or policy issued under a provision of law repealed by this section shall remain in effect to the extent such a regulation or policy is consistent with the provisions of this Act until the Secretary issues a regulation, guideline, or policy under this Act that supersedes the earlier regulation.

SEC. 14. RELATION TO OTHER LAWS AND FEE COLLECTION AUTHORITIES.

(a) FEDERAL AND STATE LAWS UNAFFECTED.—Nothing in this Act shall authorize Federal hunting or fishing licenses or fees or charges for commercial or other activities not related to recreation, affect any rights or authority of the States with respect to fish and wildlife, or repeal or modify any provision of law that permits States or political subdivisions of States to share in the revenues from Federal lands or, except as provided in subsection (b), any provision of law that provides that any fees or charges collected at particular Federal areas be used for or credited to specific purposes or special funds as authorized by that provision of law.

(b) RELATION TO REVENUE ALLOCATION LAWS.—Amounts collected under this Act, and the existence of a fee management agreement with a governmental entity under section 6(a), may not be taken into account for the purposes of any of the following laws:

(1) The sixth paragraph under the heading "FOREST SERVICE" in the Act of May 23, 1908 (16 U.S.C. 500).

(2) Section 13 of the Act of March 1, 1911 (16 U.S.C. 500; commonly known as the Weeks Act).

(3) The fourteenth paragraph under the heading "FOREST SERVICE" in the Act of March 4, 1913 (16 U.S.C. 501).

(4) Section 33 of the Bankhead-Jones Farm Tenant Act (7 U.S.C. 1012).

(5) Title II of the Act of August 8, 1937, and the Act of May 24, 1939 (43 U.S.C. 1181f et seq.).

(6) Section 6 of the Act of June 14, 1926 (43 U.S.C. 869–4).

(7) Chapter 69 of title 31, United States Code.

(8) Section 401 of the Act of June 15, 1935 (16 U.S.C. 715s; commonly known as the Refuge Revenue Sharing Act).

(9) The Secure Rural Schools and Community Self-Determination Act of 2000 (Public Law 106–393; 16 U.S.C. 500 note), except that the exception made for such Act by this subsection is unique and is not intended to be construed as prece-

dent for amounts collected from the use of Federal lands under any other provision of law.

(10) Section 2 of the Boulder Canyon Project Adjustment Act (43 U.S.C. 618a).

(11) The Federal Water Project Recreation Act (16 U.S.C. 460l–12 et seq.).

(12) The first section of the Act of June 17, 1902, as amended or supplemented (43 U.S.C. 391).

(13) The Act of February 25, 1920 (30 U.S.C. 181 et seq.; commonly known as the Mineral Leasing Act).

(14) Section 4(e) of the Southern Nevada Public Land Management Act of 1998 (Public Law 105–263; 31 U.S.C. 6901 note).

(15) Section 5(a) of the Lincoln County Land Act of 2000 (Public Law 106–298; 114 Stat. 1047).

(16) Any other provision of law relating to revenue allocation.

(c) CONSIDERATION OF OTHER FUNDS COLLECTED.—Amounts collected under any other law may not be disbursed under this Act.

(d) SOLE RECREATION FEE AUTHORITY.—Recreation fees charged under this Act shall be in lieu of fees charged for the same purposes under any other provision of law.

(e) FEES CHARGED BY THIRD PARTIES.—Notwithstanding any other provision of this Act, a third party may charge a fee for providing a good or service to a visitor of a unit or area of the Federal land management agencies in accordance with any other applicable law or regulation.

(f) MIGRATORY BIRD HUNTING STAMP ACT.—Revenues from the stamp established under the Act of March 16, 1934 (16 U.S.C. 718 et seq.; commonly known as the Migratory Bird Hunting Stamp Act or Duck Stamp Act), shall not be covered by this Act.

SEC. 15. LIMITATION ON USE OF FEES FOR EMPLOYEE BONUSES.

Notwithstanding any other provision of law, fees collected under the authorities of this Act may not be used for employee bonuses.

TITLE IX—SATELLITE HOME VIEWER EXTENSION AND REAUTHORIZATION ACT OF 2004

SECTION 1. SHORT TITLES; TABLE OF CONTENTS.

(a) SHORT TITLES.—This title may be cited as the "Satellite Home Viewer Extension and Reauthorization Act of 2004" or the "W. J. (Billy) Tauzin Satellite Television Act of 2004".

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short titles; table of contents.

TITLE I—STATUTORY LICENSE FOR SATELLITE CARRIERS

Sec. 101. Extension of authority.
Sec. 102. Reporting of subscribers; significantly viewed and other signals; technical amendments.
Sec. 103. Statutory license for satellite carriers outside local markets.
Sec. 104. Statutory license for satellite retransmission of low power television stations.
Sec. 105. Definitions.
Sec. 106. Effect on certain proceedings.

Sec. 107. Statutory license for satellite carriers retransmitting superstation signals to commercial establishments.
Sec. 108. Expedited consideration of voluntary agreements to provide satellite secondary transmissions to local markets.
Sec. 109. Study.
Sec. 110. Additional study.
Sec. 111 Special rules.
Sec. 112. Technical amendment.

TITLE II—FEDERAL COMMUNICATIONS COMMISSION OPERATIONS

Sec. 201. Extension of retransmission consent exemption.
Sec. 202. Cable/satellite comparability.
Sec. 203. Carriage of local stations on a single dish.
Sec. 204. Replacement of distant signals with local signals.
Sec. 205. Additional notices to subscribers, networks, and stations concerning signal carriage.
Sec. 206. Privacy rights of satellite subscribers.
Sec. 207. Reciprocal bargaining obligations.
Sec. 208. Study of impact on cable television service.
Sec. 209. Reduction of required tests.
Sec. 210. Satellite carriage of television stations in noncontiguous States.
Sec. 211. Carriage of television signals to certain subscribers.
Sec. 212. Digital transition savings provision.
Sec. 213. Authorizing broadcast service in unserved areas of Alaska.

TITLE I—STATUTORY LICENSE FOR SATELLITE CARRIERS

SEC. 101. EXTENSION OF AUTHORITY.

(a) IN GENERAL.—Section 4(a) of the Satellite Home Viewer Act of 1994 (17 U.S.C. 119 note; Public Law 103–369; 108 Stat. 3481) is amended by striking "December 31, 2004" and inserting "December 31, 2009".

(b) EXTENSION FOR CERTAIN SUBSCRIBERS.—Section 119(e) of title 17, United States Code, is amended by striking "December 31, 2004" and inserting "December 31, 2009".

SEC. 102. REPORTING OF SUBSCRIBERS; SIGNIFICANTLY VIEWED AND OTHER SIGNALS; TECHNICAL AMENDMENTS.

Section 119(a) of title 17, United States Code, is amended—

(1) in paragraph (1)—

(A) in the paragraph heading, by striking "AND PBS SATELLITE FEED";

(B) in the first sentence, by striking "(3), (4), and (6)" and inserting "(5), (6), and (8)";

(C) in the first sentence, by striking "or by the Public Broadcasting Service satellite feed"; and

(D) by striking the second sentence;

(2) in paragraph (2)—

(A) in subparagraph (A), by striking "(3), (4), (5), and (6)" and inserting "(5), (6), (7), and (8)"; and

(B) by striking subparagraph (C) and inserting the following:

"(C) EXCEPTIONS.—

"(i) STATES WITH SINGLE FULL-POWER NETWORK STATION.—In a State in which there is licensed by the Federal Communications Commission a single full-power station that was a network station on January 1, 1995, the statutory license provided for in subpara-

graph (A) shall apply to the secondary transmission by a satellite carrier of the primary transmission of that station to any subscriber in a community that is located within that State and that is not within the first 50 television markets as listed in the regulations of the Commission as in effect on such date (47 CFR 76.51).

"(ii) STATES WITH ALL NETWORK STATIONS AND SUPERSTATIONS IN SAME LOCAL MARKET.—In a State in which all network stations and superstations licensed by the Federal Communications Commission within that State as of January 1, 1995, are assigned to the same local market and that local market does not encompass all counties of that State, the statutory license provided under subparagraph (A) shall apply to the secondary transmission by a satellite carrier of the primary transmissions of such station to all subscribers in the State who reside in a local market that is within the first 50 major television markets as listed in the regulations of the Commission as in effect on such date (section 76.51 of title 47 of the Code of Federal Regulations).

"(iii) ADDITIONAL STATIONS.—In the case of that State in which are located 4 counties that—

"(I) on January 1, 2004, were in local markets principally comprised of counties in another State, and

"(II) had a combined total of 41,340 television households, according to the U.S. Television Household Estimates by Nielsen Media Research for 2004,

the statutory license provided under subparagraph (A) shall apply to secondary transmissions by a satellite carrier to subscribers in any such county of the primary transmissions of any network station located in that State, if the satellite carrier was making such secondary transmissions to any subscribers in that county on January 1, 2004.

"(iv) CERTAIN ADDITIONAL STATIONS.—If 2 adjacent counties in a single State are in a local market comprised principally of counties located in another State, the statutory license provided for in subparagraph (A) shall apply to the secondary transmission by a satellite carrier to subscribers in those 2 counties of the primary transmissions of any network station located in the capital of the State in which such 2 counties are located, if—

"(I) the 2 counties are located in a local market that is in the top 100 markets for the year 2003 according to Nielsen Media Research; and

"(II) the total number of television households in the 2 counties combined did not exceed 10,000 for the year 2003 according to Nielsen Media Research.

"(v) APPLICABILITY OF ROYALTY RATES.—The royalty rates under subsection (b)(1)(B) apply to the sec-

ondary transmissions to which the statutory license under subparagraph (A) applies under clauses (i), (ii), (iii), and (iv).

"(D) SUBMISSION OF SUBSCRIBER LISTS TO NETWORKS.—

"(i) INITIAL LISTS.—A satellite carrier that makes secondary transmissions of a primary transmission made by a network station pursuant to subparagraph (A) shall, 90 days after commencing such secondary transmissions, submit to the network that owns or is affiliated with the network station—

"(I) a list identifying (by name and address, including street or rural route number, city, State, and zip code) all subscribers to which the satellite carrier makes secondary transmissions of that primary transmission to subscribers in unserved households; and

"(II) a separate list, aggregated by designated market area (as defined in section 122(j)) (by name and address, including street or rural route number, city, State, and zip code), which shall indicate those subscribers being served pursuant to paragraph (3), relating to significantly viewed stations.

"(ii) MONTHLY LISTS.—After the submission of the initial lists under clause (i), on the 15th of each month, the satellite carrier shall submit to the network—

"(I) a list identifying (by name and address, including street or rural route number, city, State, and zip code) any persons who have been added or dropped as subscribers under clause (i)(I) since the last submission under clause (i); and

"(II) a separate list, aggregated by designated market area (by name and street address, including street or rural route number, city, State, and zip code), identifying those subscribers whose service pursuant to paragraph (3), relating to significantly viewed stations, has been added or dropped.

"(iii) USE OF SUBSCRIBER INFORMATION.—Subscriber information submitted by a satellite carrier under this subparagraph may be used only for purposes of monitoring compliance by the satellite carrier with this subsection.

"(iv) APPLICABILITY.—The submission requirements of this subparagraph shall apply to a satellite carrier only if the network to which the submissions are to be made places on file with the Register of Copyrights a document identifying the name and address of the person to whom such submissions are to be made. The Register shall maintain for public inspection a file of all such documents.";

(3) by striking paragraph (8);

(4) by redesignating paragraphs (9) through (12) as paragraphs (10) through (13), respectively;

(5) by redesignating paragraphs (3) through (7) as paragraphs (5) through (9), respectively;

(6) by inserting after paragraph (2) the following:

"(3) SECONDARY TRANSMISSIONS OF SIGNIFICANTLY VIEWED SIGNALS.—

"(A) IN GENERAL.—Notwithstanding the provisions of paragraph (2)(B), and subject to subparagraph (B) of this paragraph, the statutory license provided for in paragraphs (1) and (2) shall apply to the secondary transmission of the primary transmission of a network station or a superstation to a subscriber who resides outside the station's local market (as defined in section 122(j)) but within a community in which the signal has been determined by the Federal Communications Commission, to be significantly viewed in such community, pursuant to the rules, regulations, and authorizations of the Federal Communications Commission in effect on April 15, 1976, applicable to determining with respect to a cable system whether signals are significantly viewed in a community.

"(B) LIMITATION.—Subparagraph (A) shall apply only to secondary transmissions of the primary transmissions of network stations and superstations to subscribers who receive secondary transmissions from a satellite carrier pursuant to the statutory license under section 122.

"(C) WAIVER.—

"(i) IN GENERAL.—A subscriber who is denied the secondary transmission of the primary transmission of a network station under subparagraph (B) may request a waiver from such denial by submitting a request, through the subscriber's satellite carrier, to the network station in the local market affiliated with the same network where the subscriber is located. The network station shall accept or reject the subscriber's request for a waiver within 30 days after receipt of the request. If the network station fails to accept or reject the subscriber's request for a waiver within that 30-day period, that network station shall be deemed to agree to the waiver request. Unless specifically stated by the network station, a waiver that was granted before the date of the enactment of the Satellite Home Viewer Extension and Reauthorization Act of 2004 under section 339(c)(2) of the Communications Act of 1934 shall not constitute a waiver for purposes of this subparagraph.

"(ii) SUNSET.—The authority under clause (i) to grant waivers shall terminate on December 31, 2008, and any such waiver in effect shall terminate on that date.";

(7) in paragraph (2)(B)(i), by adding at the end the following new sentence: "The limitation in this clause shall not apply to secondary transmissions under paragraph (3).".

SEC. 103. STATUTORY LICENSE FOR SATELLITE CARRIERS OUTSIDE LOCAL MARKETS.

Section 119 of title 17, United States Code, is amended as follows:

(1) Subsection (a) is amended by inserting after paragraph (3), as added by section 102 of this Act, the following:

"(4) STATUTORY LICENSE WHERE RETRANSMISSIONS INTO LOCAL MARKET AVAILABLE.—

"(A) RULES FOR SUBSCRIBERS TO ANALOG SIGNALS UNDER SUBSECTION (e).—

"(i) FOR THOSE RECEIVING DISTANT ANALOG SIGNALS.—In the case of a subscriber of a satellite carrier who is eligible to receive the secondary transmission of the primary analog transmission of a network station solely by reason of subsection (e) (in this subparagraph referred to as a 'distant analog signal'), and who, as of October 1, 2004, is receiving the distant analog signal of that network station, the following shall apply:

"(I) In a case in which the satellite carrier makes available to the subscriber the secondary transmission of the primary analog transmission of a local network station affiliated with the same television network pursuant to the statutory license under section 122, the statutory license under paragraph (2) shall apply only to secondary transmissions by that satellite carrier to that subscriber of the distant analog signal of a station affiliated with the same television network—

"(aa) if, within 60 days after receiving the notice of the satellite carrier under section 338(h)(1) of the Communications Act of 1934, the subscriber elects to retain the distant analog signal; but

"(bb) only until such time as the subscriber elects to receive such local analog signal.

"(II) Notwithstanding subclause (I), the statutory license under paragraph (2) shall not apply with respect to any subscriber who is eligible to receive the distant analog signal of a television network station solely by reason of subsection (e), unless the satellite carrier, within 60 days after the date of the enactment of the Satellite Home Viewer Extension and Reauthorization Act of 2004, submits to that television network a list, aggregated by designated market area (as defined in section 122(j)(2)(C)), that—

"(aa) identifies that subscriber by name and address (street or rural route number, city, State, and zip code) and specifies the distant analog signals received by the subscriber; and

"(bb) states, to the best of the satellite carrier's knowledge and belief, after having made diligent and good faith inquiries, that the subscriber is eligible under subsection (e) to receive the distant analog signals.

"(ii) FOR THOSE NOT RECEIVING DISTANT ANALOG SIGNALS.—In the case of any subscriber of a satellite carrier who is eligible to receive the distant analog signal of a network station solely by reason of subsection

(e) and who did not receive a distant analog signal of a station affiliated with the same network on October 1, 2004, the statutory license under paragraph (2) shall not apply to secondary transmissions by that satellite carrier to that subscriber of the distant analog signal of a station affiliated with the same network.

"(B) RULES FOR OTHER SUBSCRIBERS.—In the case of a subscriber of a satellite carrier who is eligible to receive the secondary transmission of the primary analog transmission of a network station under the statutory license under paragraph (2) (in this subparagraph referred to as a 'distant analog signal'), other than subscribers to whom subparagraph (A) applies, the following shall apply:

"(i) In a case in which the satellite carrier makes available to that subscriber, on January 1, 2005, the secondary transmission of the primary analog transmission of a local network station affiliated with the same television network pursuant to the statutory license under section 122, the statutory license under paragraph (2) shall apply only to secondary transmissions by that satellite carrier to that subscriber of the distant analog signal of a station affiliated with the same television network if the subscriber's satellite carrier, not later than March 1, 2005, submits to that television network a list, aggregated by designated market area (as defined in section 122(j)(2)(C)), that identifies that subscriber by name and address (street or rural route number, city, State, and zip code) and specifies the distant analog signals received by the subscriber.

"(ii) In a case in which the satellite carrier does not make available to that subscriber, on January 1, 2005, the secondary transmission of the primary analog transmission of a local network station affiliated with the same television network pursuant to the statutory license under section 122, the statutory license under paragraph (2) shall apply only to secondary transmissions by that satellite carrier of the distant analog signal of a station affiliated with the same network to that subscriber if—

"(I) that subscriber seeks to subscribe to such distant analog signal before the date on which such carrier commences to provide pursuant to the statutory license under section 122 the secondary transmissions of the primary analog transmission of stations from the local market of such local network station; and

"(II) the satellite carrier, within 60 days after such date, submits to each television network a list that identifies each subscriber in that local market provided such an analog signal by name and address (street or rural route number, city, State, and zip code) and specifies the distant analog signals received by the subscriber.

"(C) FUTURE APPLICABILITY.—The statutory license under paragraph (2) shall not apply to the secondary transmission by a satellite carrier of a primary analog transmission of a network station to a person who—

"(i) is not a subscriber lawfully receiving such secondary transmission as of the date of the enactment of the Satellite Home Viewer Extension and Reauthorization Act of 2004; and

"(ii) at the time such person seeks to subscribe to receive such secondary transmission, resides in a local market where the satellite carrier makes available to that person the secondary transmission of the primary analog transmission of a local network station affiliated with the same television network pursuant to the statutory license under section 122, and such secondary transmission of such primary transmission can reach such person.

"(D) SPECIAL RULES FOR DISTANT DIGITAL SIGNALS.—The statutory license under paragraph (2) shall apply to secondary transmissions by a satellite carrier to a subscriber of primary digital transmissions of network stations if such secondary transmissions to such subscriber are permitted under section 339(a)(2)(D) of the Communications Act of 1934, as in effect on the day after the date of the enactment of the Satellite Home Viewer Extension and Reauthorization Act of 2004, except that the reference to section 73.683(a) of title 47, Code of Federal Regulations, referred to in section 339(a)(2)(D)(i)(I) shall refer to such section as in effect on the date of the enactment of the Satellite Home Viewer Extension and Reauthorization Act of 2004.

"(E) OTHER PROVISIONS NOT AFFECTED.—This paragraph shall not affect the applicability of the statutory license to secondary transmissions under paragraph (3) or to unserved households included under paragraph (12).

"(F) WAIVER.—A subscriber who is denied the secondary transmission of a network station under subparagraph (C) or (D) may request a waiver from such denial by submitting a request, through the subscriber's satellite carrier, to the network station in the local market affiliated with the same network where the subscriber is located. The network station shall accept or reject the subscriber's request for a waiver within 30 days after receipt of the request. If the network station fails to accept or reject the subscriber's request for a waiver within that 30-day period, that network station shall be deemed to agree to the waiver request. Unless specifically stated by the network station, a waiver that was granted before the date of the enactment of the Satellite Home Viewer Extension and Reauthorization Act of 2004 under section 339(c)(2) of the Communications Act of 1934 shall not constitute a waiver for purposes of this subparagraph.

"(G) AVAILABLE DEFINED.—For purposes of this paragraph, a satellite carrier makes available a secondary transmission of the primary transmission of a local station to a subscriber or person if the satellite carrier offers that

secondary transmission to other subscribers who reside in the same zip code as that subscriber or person.".

(2) Subsection (a) is amended by adding at the end the following:

"(14) WAIVERS.—A subscriber who is denied the secondary transmission of a signal of a network station under subsection (a)(2)(B) may request a waiver from such denial by submitting a request, through the subscriber's satellite carrier, to the network station asserting that the secondary transmission is prohibited. The network station shall accept or reject a subscriber's request for a waiver within 30 days after receipt of the request. If a television network station fails to accept or reject a subscriber's request for a waiver within the 30-day period after receipt of the request, that station shall be deemed to agree to the waiver request and have filed such written waiver. Unless specifically stated by the network station, a waiver that was granted before the date of the enactment of the Satellite Home Viewer Extension and Reauthorization Act of 2004 under section 339(c)(2) of the Communications Act of 1934, and that was in effect on such date of enactment, shall constitute a waiver for purposes of this paragraph.".

(3) Subsection (b)(1) is amended by striking subparagraph (B) and inserting the following:

"(B) a royalty fee for that 6-month period, computed by multiplying the total number of subscribers receiving each secondary transmission of each superstation or network station during each calendar month by the appropriate rate in effect under this section.".

(4) Subsection (b)(1) is further amended by adding at the end the following flush sentence: "Notwithstanding the provisions of subparagraph (B), a satellite carrier whose secondary transmissions are subject to statutory licensing under paragraph (1) or (2) of subsection (a) shall have no royalty obligation for secondary transmissions to a subscriber under paragraph (3) of such subsection.".

(5) Subsection (c) is amended to read as follows:

"(c) ADJUSTMENT OF ROYALTY FEES.—

"(1) APPLICABILITY AND DETERMINATION OF ROYALTY FEES FOR ANALOG SIGNALS.—

"(A) INITIAL FEE.—The appropriate fee for purposes of determining the royalty fee under subsection (b)(1)(B) for the secondary transmission of the primary analog transmissions of network stations and superstations shall be the appropriate fee set forth in part 258 of title 37, Code of Federal Regulations, as in effect on July 1, 2004, as modified under this paragraph.

"(B) FEE SET BY VOLUNTARY NEGOTIATION.—On or before January 2, 2005, the Librarian of Congress shall cause to be published in the Federal Register of the initiation of voluntary negotiation proceedings for the purpose of determining the royalty fee to be paid by satellite carriers for the secondary transmission of the primary analog transmission of network stations and superstations under subsection (b)(1)(B).

"(C) NEGOTIATIONS.—Satellite carriers, distributors, and copyright owners entitled to royalty fees under this section shall negotiate in good faith in an effort to reach a voluntary agreement or agreements for the payment of royalty fees. Any such satellite carriers, distributors and copyright owners may at any time negotiate and agree to the royalty fee, and may designate common agents to negotiate, agree to, or pay such fees. If the parties fail to identify common agents, the Librarian of Congress shall do so, after requesting recommendations from the parties to the negotiation proceeding. The parties to each negotiation proceeding shall bear the cost thereof.

"(D) AGREEMENTS BINDING ON PARTIES; FILING OF AGREEMENTS; PUBLIC NOTICE.—(i) Voluntary agreements negotiated at any time in accordance with this paragraph shall be binding upon all satellite carriers, distributors, and copyright owners that a parties thereto. Copies of such agreements shall be filed with the Copyright Office within 30 days after execution in accordance with regulations that the Register of Copyrights shall prescribe.

"(ii)(I) Within 10 days after publication in the Federal Register of a notice of the initiation of voluntary negotiation proceedings, parties who have reached a voluntary agreement may request that the royalty fees in that agreement be applied to all satellite carriers, distributors, and copyright owners without convening an arbitration proceeding pursuant to subparagraph (E).

"(II) Upon receiving a request under subclause (I), the Librarian of Congress shall immediately provide public notice of the royalty fees from the voluntary agreement and afford parties an opportunity to state that they object to those fees.

"(III) The Librarian shall adopt the royalty fees from the voluntary agreement for all satellite carriers, distributors, and copyright owners without convening an arbitration proceeding unless a party with an intent to participate in the arbitration proceeding and a significant interest in the outcome of that proceeding objects under subclause (II).

"(E) PERIOD AGREEMENT IS IN EFFECT.—The obligation to pay the royalty fees established under a voluntary agreement which has been filed with the Copyright Office in accordance with this paragraph shall become effective on the date specified in the agreement, and shall remain in effect until December 31, 2009, or in accordance with the terms of the agreement, whichever is later.

"(F) FEE SET BY COMPULSORY ARBITRATION.—

"(i) NOTICE OF INITIATION OF PROCEEDINGS.—On or before May 1, 2005, the Librarian of Congress shall cause notice to be published in the Federal Register of the initiation of arbitration proceedings for the purpose of determining the royalty fee to be paid for the secondary transmission of primary analog transmission of network stations and superstations under subsection (b)(1)(B) by satellite carriers and distributors—

"(I) in the absence of a voluntary agreement filed in accordance with subparagraph (D) that establishes royalty fees to be paid by all satellite carriers and distributors; or

"(II) if an objection to the fees from a voluntary agreement submitted for adoption by the Librarian of Congress to apply to all satellite carriers, distributors, and copyright owners is received under subparagraph (D) from a party with an intent to participate in the arbitration proceeding and a significant interest in the outcome of that proceeding.

Such arbitrary proceeding shall be conducted under chapter 8 as in effect on the day before the date of the enactment of the Copyright Royalty and Distribution Act of 2004.

"(ii) ESTABLISHMENT OF ROYALTY FEES.—In determining royalty fees under this subparagraph, the copyright arbitration royalty panel appointed under chapter 8, as in effect on the day before the date of the enactment of the Copyright Royalty and Distribution Act of 2004 shall establish fees for the secondary transmissions of the primary analog transmission of network stations and superstations that most clearly represent the fair market value of secondary transmissions, except that the Librarian of Congress and any copyright arbitration royalty panel shall adjust those fees to account for the obligations of the parties under any applicable voluntary agreement filed with the Copyright Office pursuant to subparagraph (D). In determining the fair market value, the panel shall base its decision on economic, competitive, and programming information presented by the parties, including—

"(I) the competitive environment in which such programming is distributed, the cost of similar signals in similar private and compulsory license marketplaces, and any special features and conditions of the retransmission marketplace;

"(II) the economic impact of such fees on copyright owners and satellite carriers; and

"(III) the impact on the continued availability of secondary transmissions to the public.

"(iii) PERIOD DURING WHICH DECISION OF ARBITRATION PANEL OR ORDER OF LIBRARIAN EFFECTIVE.—The obligation to pay the royalty fee established under a determination which—

"(I) is made by a copyright arbitration royalty panel in an arbitration proceeding under this paragraph and is adopted by the Librarian of Congress under section 802(f), as in effect on the day before the date of the enactment of the Copyright Royalty and Distribution Act of 2004; or

"(II) is established by the Librarian under section 802(f) as in effect on the day before such date

of enactment shall be effective as of January 1, 2005.

"(iv) PERSONS SUBJECT TO ROYALTY FEE.—The royalty fee referred to in (iii) shall be binding on all satellite carriers, distributors and copyright owners, who are not party to a voluntary agreement filed with the Copyright Office under subparagraph (D).

"(2) APPLICABILITY AND DETERMINATION OF ROYALTY FEES FOR DIGITAL SIGNALS.—The process and requirements for establishing the royalty fee payable under subsection (b)(1)(B) for the secondary transmission of the primary digital transmissions of network stations and superstations shall be the same as that set forth in paragraph (1) for the secondary transmission of the primary analog transmission of network stations and superstations, except that—

"(A) the initial fee under paragraph (1)(A) shall be the rates set forth in section 298.3(b)(1) and (2) of title 37, Code of Federal Regulations, as in effect on the date of the enactment of the Satellite Home Viewer Extension and Reauthorization Act of 2004, reduced by 22.5 percent;

"(B) the notice of initiation of arbitration proceedings required in paragraph (1)(F)(i) shall be published on or before December 31, 2005; and

"(C) the royalty fees that are established for the secondary transmission of the primary digital transmission of network stations and superstations in accordance with to the procedures set forth in paragraph (1)(F)(iii) and are payable under subsection (b)(1)(B)—

"(i) shall be reduced by 22.5 percent; and

"(ii) shall be adjusted by the Librarian of Congress on January 1, 2007, and on January 1 of each year thereafter, to reflect any changes occurring during the preceding 12 months in the cost of living as determined by the most recent Consumer Price Index (for all consumers and items) published by the Secretary of Labor.".

(6) Subsection (a)(7), as redesignated by section 102(5) of this Act, is amended—

(A) in subparagraph (A), by striking "who does not reside in an unserved household" and inserting "who is not eligible to receive the transmission under this section";

(B) in subparagraph (B), by striking "who do not reside in unserved households" and inserting "who are not eligible to receive the transmission under this section"; and

(C) in subparagraph (D), by striking "is for private home viewing to an unserved household" and inserting "is to a subscriber who is eligible to receive the secondary transmission under this section".

SEC. 104. STATUTORY LICENSE FOR SATELLITE RETRANSMISSION OF LOW POWER TELEVISION STATIONS.

(a) IN GENERAL.—Section 119(a) of title 17, United States Code (as amended by sections 102 and 103 of this Act), is further amended by adding at the end the following:

"(15) CARRIAGE OF LOW POWER TELEVISION STATIONS.—

"(A) IN GENERAL.—Notwithstanding paragraph (2)(B), and subject to subparagraphs (B) through (F) of this paragraph, the statutory license provided for in paragraphs (1) and (2) shall apply to the secondary transmission of the primary transmission of a network station or a superstation that is licensed as a low power television station, to a subscriber who resides within the same local market.

"(B) GEOGRAPHIC LIMITATION.—

"(i) NETWORK STATIONS.—With respect to network stations, secondary transmissions provided for in subparagraph (A) shall be limited to secondary transmissions to subscribers who—

"(I) reside in the same local market as the station originating the signal; and

"(II) reside within 35 miles of the transmitter site of such station, except that in the case of such a station located in a standard metropolitan statistical area which has 1 of the 50 largest populations of all standard metropolitan statistical areas (based on the 1980 decennial census of population taken by the Secretary of Commerce), the number of miles shall be 20.

"(ii) SUPERSTATIONS.—With respect to superstations, secondary transmissions provided for in subparagraph (A) shall be limited to secondary transmissions to subscribers who reside in the same local market as the station originating the signal.

"(C) NO APPLICABILITY TO REPEATERS AND TRANSLATORS.—Secondary transmissions provided for in subparagraph (A) shall not apply to any low power television station that retransmits the programs and signals of another television station for more than 2 hours each day.

"(D) ROYALTY FEES.—Notwithstanding subsection (b)(1)(B), a satellite carrier whose secondary transmissions of the primary transmissions of a low power television station are subject to statutory licensing under this section shall have no royalty obligation for secondary transmissions to a subscriber who resides within 35 miles of the transmitter site of such station, except that in the case of such a station located in a standard metropolitan statistical area which has 1 of the 50 largest populations of all standard metropolitan statistical areas (based on the 1980 decennial census of population taken by the Secretary of Commerce), the number of miles shall be 20. Carriage of a superstation that is a low power television station within the station's local market, but outside of the 35-mile or 20-mile radius described in the preceding sentence, shall be subject to royalty payments under section (b)(1)(B).

"(E) LIMITATION TO SUBSCRIBERS TAKING LOCAL-INTO-LOCAL SERVICE.—Secondary transmissions provided for in subparagraph (A) may be made only to subscribers who receive secondary transmissions of primary transmissions from that satellite carrier pursuant to the statutory license under section 122, and only in conformity with the requirements under 340(b) of the Communications Act of 1934, as

in effect on the date of the enactment of the Satellite Home Viewer Extension and Reauthorization Act of 2004.".

SEC. 105. DEFINITIONS.

Section 119(d) of title 17, United States Code, is amended—

(1) in paragraph (2)(A), by striking "a television broadcast station" and inserting "a television station licensed by the Federal Communications Commission";

(2) by amending paragraph (9) to read as follows:

"(9) SUPERSTATION.—The term 'superstation' means a television station, other than a network station, licensed by the Federal Communications Commission, that is secondarily transmitted by a satellite carrier.";

(3) in paragraph (10)—

(A) in subparagraph (B), by striking "granted under regulations established under section 339(c)(2) of the Communications Act of 1934" and inserting "that meets the standards of subsection (a)(14) whether or not the waiver was granted before the date of the enactment of the Satellite Home Viewer Extension and Reauthorization Act of 2004"; and

(B) in subparagraph (D), by striking "(a)(11)" and inserting "(a)(12)"; and

(4) by striking paragraphs (11) and (12) and inserting the following:

"(11) LOCAL MARKET.—The term 'local market' has the meaning given such term under section 122(j), except that with respect to a low power television station, the term 'local market' means the designated market area in which the station is located.

"(12) LOW POWER TELEVISION STATION.—The term 'low power television station' means a low power television as defined under section 74.701(f) of title 47, Code of Federal Regulations, as in effect on June 1, 2004. For purposes of this paragraph, the term 'low power television station' includes a low power television station that has been accorded primary status as a Class A television licensee under section 73.6001(a) of title 47, Code of Federal Regulations.

"(13) COMMERCIAL ESTABLISHMENT.—The term 'commercial establishment'—

"(A) means an establishment used for commercial purposes, such as a bar, restaurant, private office, fitness club, oil rig, retail store, bank or other financial institution, supermarket, automobile or boat dealership, or any other establishment with a common business area; and

"(B) does not include a multi-unit permanent or temporary dwelling where private home viewing occurs, such as a hotel, dormitory, hospital, apartment, condominium, or prison.".

SEC. 106. EFFECT ON CERTAIN PROCEEDINGS.

Nothing in this title shall modify any remedy imposed on a party that is required by the judgment of a court in any action that was brought before May 1, 2004, against that party for a violation of section 119 of title 17, United States Code.

SEC. 107. STATUTORY LICENSE FOR SATELLITE CARRIERS RETRANSMITTING SUPERSTATION SIGNALS TO COMMERCIAL ESTABLISHMENTS.

(a) IN GENERAL.—Section 119 of title 17, United States Code, is amended—

(1) in subsection (a)(1)—

(A) by inserting "or for viewing in a commercial establishment" after "for private home viewing" each place it appears; and

(B) by striking "household" and inserting "subscriber";

(2) in subsection (b), by striking "for private home viewing" each place it appears;

(3) in subsection (d)(1)—

(A) by striking "for private home viewing"; and

(B) by inserting "in accordance with the provisions of this section" before the period;

(4) in subsection (d)(6), by inserting "pursuant to this section" before the period; and

(5) in subsection (d)(8)—

(A) by striking "who" and inserting "or entity that";

(B) by striking "for private home viewing"; and

(C) by inserting "in accordance with the provisions of this section" before the period.

(b) CONFORMING AMENDMENTS.—Subsections (a)(4) and (d)(1)(A) of section 111 of title 17, United States Code, are each amended by striking "for private home viewing".

SEC. 108. EXPEDITED CONSIDERATION OF VOLUNTARY AGREEMENTS TO PROVIDE SATELLITE SECONDARY TRANSMISSIONS TO LOCAL MARKETS.

Section 119 of title 17, United States Code, is amended by adding at the end the following:

"(f) EXPEDITED CONSIDERATION BY JUSTICE DEPARTMENT OF VOLUNTARY AGREEMENTS TO PROVIDE SATELLITE SECONDARY TRANSMISSIONS TO LOCAL MARKETS.—

"(1) IN GENERAL.—In a case in which no satellite carrier makes available, to subscribers located in a local market, as defined in section 122(j)(2), the secondary transmission into that market of a primary transmission of one or more television broadcast stations licensed by the Federal Communications Commission, and two or more satellite carriers request a business review letter in accordance with section 50.6 of title 28, Code of Federal Regulations (as in effect on July 7, 2004), in order to assess the legality under the antitrust laws of proposed business conduct to make or carry out an agreement to provide such secondary transmission into such local market, the appropriate official of the Department of Justice shall respond to the request no later than 90 days after the date on which the request is received.

"(2) DEFINITION.—For purposes of this subsection, the term 'antitrust laws'—

"(A) has the meaning given that term in subsection (a) of the first section of the Clayton Act (15 U.S.C. 12(a)), except that such term includes section 5 of the Federal Trade Commission Act (15 U.S.C. 45) to the extent such section 5 applies to unfair methods of competition; and

"(B) includes any State law similar to the laws referred to in paragraph (1).".

SEC. 109. STUDY.

No later than June 30, 2008, the Register of Copyrights shall report to the Committee on the Judiciary of the House of Representatives and the Committee on the Judiciary of the Senate the Register's findings and recommendations on the operation and revision of the statutory licenses under sections 111, 119, and 122 of title 17, United States Code. The report shall include, but not be limited to, the following:

(1) A comparison of the royalties paid by licensees under such sections, including historical rates of increases in these royalties, a comparison between the royalties under each such section and the prices paid in the marketplace for comparable programming.

(2) An analysis of the differences in the terms and conditions of the licenses under such sections, an analysis of whether these differences are required or justified by historical, technological, or regulatory differences that affect the satellite and cable industries, and an analysis of whether the cable or satellite industry is placed in a competitive disadvantage due to these terms and conditions.

(3) An analysis of whether the licenses under such sections are still justified by the bases upon which they were originally created.

(4) An analysis of the correlation, if any, between the royalties, or lack thereof, under such sections and the fees charged to cable and satellite subscribers, addressing whether cable and satellite companies have passed to subscribers any savings realized as a result of the royalty structure and amounts under such sections.

(5) An analysis of issues that may arise with respect to the application of the licenses under such sections to the secondary transmissions of the primary transmissions of network stations and superstations that originate as digital signals, including issues that relate to the application of the unserved household limitations under section 119 of title 17, United States Code, and to the determination of royalties of cable systems and satellite carriers.

SEC. 110. ADDITIONAL STUDY.

No later than December 31, 2005, the Register of Copyrights shall report to the Committee on the Judiciary of the House of Representatives and the Committee on the Judiciary of the Senate the Register's findings and recommendations on the following:

(1) The extent to which the unserved household limitation for network stations contained in section 119 of title 17, United States Code, has operated efficiently and effectively and has forwarded the goal of title 17, United States Code, to protect copyright owners of over-the-air television programming, including what amendments, if any, are necessary to effectively identify the application of the limitation to individual households to receive secondary transmissions of primary digital transmissions of network stations.

(2) The extent to which secondary transmissions of primary transmissions of network stations and superstations under section 119 of title 17, United States Code, harm copyright owners of broadcast programming throughout the United States and the effect, if any, of the statutory license under section 122 of title 17, United States Code, in reducing such harm.

SEC. 111. SPECIAL RULES.

(a) RESTRICTIONS ON TRANSMISSION OF DISTANT TELEVISION STATIONS IN AREAS OF ALASKA WHERE LOCAL-INTO-LOCAL SERVICE IS AVAILABLE.—Section 119(a) of title 17, United States Code, is amended by adding at the end thereof the following:

"(16) RESTRICTED TRANSMISSION OF OUT-OF-STATE DISTANT NETWORK SIGNALS INTO CERTAIN MARKETS.—

"(A) OUT-OF-STATE NETWORK AFFILIATES.—Notwithstanding any other provision of this title, the statutory license in this subsection and subsection (b) shall not apply to any secondary transmission of the primary transmission of a network station located outside of the State of Alaska to any subscriber in that State to whom the secondary transmission of the primary transmission of a television station located in that State is made available by the satellite carrier pursuant to section 122.

"(B) EXCEPTION.—The limitation in subparagraph (A) shall not apply to the secondary transmission of the primary transmission of a digital signal of a network station located outside of the State of Alaska if at the time that the secondary transmission is made, no television station licensed to a community in the State and affiliated with the same network makes primary transmissions of a digital signal.".

(b) EXTRA DMA DEEMED LOCAL.—Section 122(j)(2) of title 17, United States Code, is amended by adding at the end thereof the following:

"(D) CERTAIN AREAS OUTSIDE OF ANY DESIGNATED MARKET AREA.—Any census area, borough, or other area in the State of Alaska that is outside of a designated market area, as determined by Nielsen Media Research, shall be deemed to be part of one of the local markets in the State of Alaska. A satellite carrier may determine which local market in the State of Alaska will be deemed to be the relevant local market in connection with each subscriber in such census area, borough, or other area.".

SEC. 112. TECHNICAL AMENDMENT.

Section 803(b)(1)(A)(i)(V) of title 17, United States Code, as amended by the Copyright Royalty and Distribution Reform Act of 2004, is amended by inserting before the period at the end the following: ", except that in the case of proceedings under section 111 that are scheduled to commence in 2005, such notice may not be published.

TITLE II—FEDERAL COMMUNICATIONS COMMISSION OPERATIONS

SEC. 201. EXTENSION OF RETRANSMISSION CONSENT EXEMPTION.

Section 325(b)(2)(C) of the Communications Act of 1934 (47 U.S.C. 325(b)(2)(C)) is amended by striking "December 31, 2004" and inserting "December 31, 2009".

SEC. 202. CABLE/SATELLITE COMPARABILITY.

(a) AMENDMENT.—Part I of title III of the Communications Act of 1934 is amended by inserting after section 339 (47 U.S.C. 339) the following new section:

"SEC. 340. SIGNIFICANTLY VIEWED SIGNALS PERMITTED TO BE CARRIED.

"(a) SIGNIFICANTLY VIEWED STATIONS.—In addition to the broadcast signals that subscribers may receive under section 338 and 339, a satellite carrier is also authorized to retransmit to a subscriber located in a community the signal of any station located outside the local market in which such subscriber is located, to the extent such signal—

"(1) has, before the date of enactment of the Satellite Home Viewer Extension and Reauthorization Act of 2004, been determined by the Federal Communications Commission to be a signal a cable operator may carry as significantly viewed in such community, except to the extent that such signal is prevented from being carried by a cable system in such community under the Commission's network nonduplication and syndicated exclusivity rules; or

"(2) is, after such date of enactment, determined by the Commission to be significantly viewed in such community in accordance with the same standards and procedures concerning shares of viewing hours and audience surveys as are applicable under the rules, regulations, and authorizations of the Commission to determining with respect to a cable system whether signals are significantly viewed in a community.

"(b) LIMITATIONS.—

"(1) ANALOG SERVICE LIMITED TO SUBSCRIBERS TAKING LOCAL-INTO-LOCAL SERVICE.—With respect to a signal that originates as an analog signal of a network station, this section shall apply only to retransmissions to subscribers of a satellite carrier who receive retransmissions of a signal that originates as an analog signal of a local network station from that satellite carrier pursuant to section 338.

"(2) DIGITAL SERVICE LIMITATIONS.—With respect to a signal that originates as a digital signal of a network station, this section shall apply only if—

"(A) the subscriber receives from the satellite carrier pursuant to section 338 the retransmission of the digital signal of a network station in the subscriber's local market that is affiliated with the same television network; and

"(B) either—

"(i) the retransmission of the local network station occupies at least the equivalent bandwidth as the digital signal retransmitted pursuant to this section; or

"(ii) the retransmission of the local network station is comprised of the entire bandwidth of the digital signal broadcast by such local network station.

"(3) LIMITATION NOT APPLICABLE WHERE NO NETWORK AFFILIATES.—The limitations in paragraphs (1) and (2) shall not prohibit a retransmission under this section to a subscriber located in a local market in which there are no network stations affiliated with the same television network as the station whose signal is being retransmitted pursuant to this section.

"(4) AUTHORITY TO GRANT STATION-SPECIFIC WAIVERS.—Paragraphs (1) and (2) shall not prohibit a retransmission of a network station to a subscriber if and to the extent that the network station in the local market in which the subscriber is located, and that is affiliated with the same television network, has privately negotiated and affirmatively granted a waiver from the requirements of paragraph (1) and (2) to such satellite carrier with respect to retransmission of the significantly viewed station to such subscriber.

"(c) PUBLICATION AND MODIFICATIONS OF LISTS; REGULATIONS.—

"(1) IN GENERAL.—The Commission shall—

"(A) within 60 days after the date of enactment of the Satellite Home Viewer Extension and Reauthorization Act of 2004—

"(i) publish a list of the stations that are eligible for retransmission under subsection (a) (1) and the communities in which such stations are eligible for such retransmission; and

"(ii) commence a rulemaking proceeding to implement this section by publication of a notice of proposed rulemaking;

"(B) adopt rules pursuant to such rulemaking within one year after such date of enactment.

"(2) PUBLIC AVAILABILITY OF LIST.—The Commission shall make readily available to the public in electronic form, on the Internet website of the Commission or other comparable facility, a list of the stations that are eligible for retransmission under subsection (a) and the communities in which such stations are eligible for such retransmission. The Commission shall update such list within 10 business days after the date on which the Commission issues an order making any modification of such stations and communities.

"(3) MODIFICATIONS.—In addition to cable operators and television broadcast station licensees, the Commission shall permit a satellite carrier to petition for decisions and orders—

"(A) by which stations may be added to those that are eligible for retransmission under subsection (a), and by which communities may be added in which such stations are eligible for such retransmission; and

"(B) by which network nonduplication or syndicated exclusivity regulations are applied to the retransmission in accordance with subsection (e).

"(d) EFFECT ON OTHER OBLIGATIONS AND RIGHTS.—

"(1) NO EFFECT ON CARRIAGE OBLIGATIONS.—Carriage of a signal under this section is not mandatory, and any right of a

station licensee to have the signal of such station carried under section 338 is not affected by the eligibility of such station to be carried under this section.

"(2) RETRANSMISSION CONSENT RIGHTS NOT AFFECTED.—The eligibility of the signal of a station to be carried under this section does not affect any right of the licensee of such station to grant (or withhold) retransmission consent under section 325(b)(1).

"(e) NETWORK NONDUPLICATION AND SYNDICATED EXCLUSIVITY.—

"(1) NOT APPLICABLE EXCEPT AS PROVIDED BY COMMISSION REGULATIONS.—Signals eligible to be carried under this section are not subject to the Commission's regulations concerning network nonduplication or syndicated exclusivity unless, pursuant to regulations adopted by the Commission, the Commission determines to permit network nonduplication or syndicated exclusivity to apply within the appropriate zone of protection.

"(2) LIMITATION.—Nothing in this subsection or Commission regulations shall permit the application of network nonduplication or syndicated exclusivity regulations to the retransmission of distant signals of network stations that are carried by a satellite carrier pursuant to a statutory license under section 119(a)(2)(A) or (B) of title 17, United States Code, with respect to persons who reside in unserved households, under 119(a)(4)(A), or under section 119(a)(12), of such title.

"(f) ENFORCEMENT.—

"(1) ORDERS AND DAMAGES.—Upon complaint, the Commission shall issue a cease and desist order to any satellite carrier found to have violated this section in carrying any television broadcast station. Such order may, if a complaining station requests damages—

"(A) provide for the award of damages to a complaining station that establishes that the violation was committed in bad faith, in an amount up to $50 per subscriber, per station, per day of the violation; and

"(B) provide for the award of damages to a prevailing satellite carrier if the Commission determines that the complaint was frivolous, in an amount up to $50 per subscriber alleged to be in violation, per station alleged, per day of the alleged violation.

"(2) COMMISSION DECISION.—The Commission shall issue a final determination resolving a complaint brought under this subsection not later than 180 days after the submission of a complaint under this subsection. The Commission may hear witnesses if it clearly appears, based on written filings by the parties, that there is a genuine dispute about material facts. Except as provided in the preceding sentence, the Commission may issue a final ruling based on written filings by the parties.

"(3) REMEDIES IN ADDITION.—The remedies under this subsection are in addition to any remedies available under title 17, United States Code.

"(4) NO EFFECT ON COPYRIGHT PROCEEDINGS.—Any determination, action, or failure to act of the Commission under this subsection shall have no effect on any proceeding under title 17, United States Code, and shall not be introduced in evidence in

any proceeding under that title. In no instance shall a Commission enforcement proceeding under this subsection be required as a predicate to the pursuit of a remedy available under title 17.

"(g) NOTICES CONCERNING SIGNIFICANTLY VIEWED STATIONS.—Each satellite carrier that proposes to commence the retransmission of a station pursuant to this section in any local market shall—

"(1) not less than 60 days before commencing such retransmission, provide a written notice to any television broadcast station in such local market of such proposal; and

"(2) designate on such carrier's website all significantly viewed signals carried pursuant to section 340 and the communities in which the signals are carried.

"(h) ADDITIONAL CORRESPONDING CHANGES IN REGULATIONS.—

"(1) COMMUNITY-BY-COMMUNITY ELECTIONS.—The Commission shall, no later than October 30, 2005, revise section 76.66 of its regulations (47 CFR 76.66), concerning satellite broadcast signal carriage, to permit (at the next cycle of elections under section 325) a television broadcast station that is located in a local market into which a satellite carrier retransmits a television broadcast station pursuant to section 338, to elect, with respect to such satellite carrier, between retransmission consent pursuant to such section 325 and mandatory carriage pursuant to section 338 separately for each county within such station's local market, if—

"(A) the satellite carrier has notified the station, pursuant to paragraph (3), that it intends to carry another affiliate of the same network pursuant to this section during the relevant election period in the station's local market; or

"(B) on the date notification under paragraph (3) was due, the satellite carrier was retransmitting into the station's local market pursuant to this section an affiliate of the same television network.

"(2) UNIFIED NEGOTIATIONS.—In revising its regulations as required by paragraph (1), the Commission shall provide that any such station shall conduct a unified negotiation for the entire portion of its local market for which retransmission consent is elected.

"(3) ADDITIONAL PROVISIONS.—The Commission shall, no later than October 30, 2005, revise its regulations to provide the following:

"(A) NOTIFICATIONS BY SATELLITE CARRIER.—A satellite carrier's retransmission of television broadcast stations pursuant to this section shall be subject to the following limitations:

"(i) In any local market in which the satellite carrier provides service pursuant to section 338 on the date of enactment of the Satellite Home Viewer Extension and Reauthorization Act of 2004, the carrier may notify a television broadcast station in that market, at least 60 days prior to any date on which the station must thereafter make an election under section 76.66 of the Commission's regulations (47 CFR 76.66), of—

"(I) each affiliate of the same television network that the carrier reserves the right to re-

transmit into that station's local market pursuant to this section during the next election cycle under such section of such regulations; and

"(II) for each such affiliate, the communities into which the satellite carrier reserves the right to make such retransmissions.

"(ii) In any local market in which the satellite carrier commences service pursuant to section 338 after the date of enactment of the Satellite Home Viewer Extension and Reauthorization Act of 2004, the carrier may notify a station in that market, at least 60 days prior to the introduction of such service in that market, and thereafter at least 60 days prior to any date on which the station must thereafter make an election under section 76.66 of the Commission's regulations (47 CFR 76.66), of each affiliate of the same television network that the carrier reserves the right to retransmit into that station's local market during the next election cycle under such section of such regulations.

"(iii) Beginning with the 2005 election cycle, a satellite carrier may only retransmit pursuant to this section during the pertinent election period a signal—

"(I) as to which it has provided the notifications set forth in clauses (i) and (ii); or

"(II) that it was retransmitting into the local market under this section as of the date such notifications were due.

"(B) HARMONIZATION OF ELECTIONS AND RETRANSMISSION CONSENT AGREEMENTS.—If a satellite carrier notifies a television broadcast station that it reserves the right to retransmit an affiliate of the same television network during the next election cycle pursuant to this section, the station may choose between retransmission consent and mandatory carriage for any portion of the 3-year election cycle that is not covered by an existing retransmission consent agreement.

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

"(1) LOCAL MARKET; SATELLITE CARRIER; SUBSCRIBER; TELEVISION BROADCAST STATION.—The terms 'local market', 'satellite carrier', 'subscriber', and 'television broadcast station' have the meanings given such terms in section 338(k).

"(2) NETWORK STATION; TELEVISION NETWORK.—The terms 'network station' and 'television network' have the meanings given such terms in section 339(d).

"(3) COMMUNITY.—The term 'community' means—

"(A) a county or a cable community, as determined under the rules, regulations, and authorizations of the Commission applicable to determining with respect to a cable system whether signals are significantly viewed; or

"(B) a satellite community, as determined under such rules, regulations, and authorizations (or revisions thereof) as the Commission may prescribe in implementing the requirements of this section.

"(4) BANDWIDTH.—The terms 'equivalent bandwidth' and 'entire bandwidth' shall be defined by the Commission by regulation, except that this paragraph shall not be construed—

"(A) to prevent a satellite operator from using compression technology;

"(B) to require a satellite operator to use the identical bandwidth or bit rate as the local or distant broadcaster whose signal it is retransmitting;

"(C) to require a satellite operator to use the identical bandwidth or bit rate for a local network station as it does for a distant network station;

"(D) to affect a satellite operator's obligations under subsection (a)(1); or

"(E) to affect the definitions of 'program related' and 'primary video'.".

SEC. 203. CARRIAGE OF LOCAL STATIONS ON A SINGLE DISH.

(a) AMENDMENTS.—Section 338 of the Communications Act of 1934 (47 U.S.C. 338(d)) is amended—

(1) by redesignating subsections (g) and (h) as subsections (j) and (k), respectively; and

(2) by inserting after subsection (f) the following new subsection:

"(g) CARRIAGE OF LOCAL STATIONS ON A SINGLE DISH.—

"(1) SINGLE DISH.—Each satellite carrier that retransmits the analog signals of local television broadcast stations in a local market shall retransmit such analog signals in such market by means of a single reception antenna and associated equipment.

"(2) EXCEPTION.—If the carrier retransmits signals in the digital television service, the carrier shall retransmit such digital signals in such market by means of a single reception antenna and associated equipment, but such antenna and associated equipment may be separate from the single reception antenna and associated equipment used for analog television service signals.

"(3) EFFECTIVE DATE.—The requirements of paragraphs (1) and (2) of this subsection shall apply on and after 18 months after the date of enactment of the Satellite Home Viewer Extension and Reauthorization Act of 2004.

"(4) NOTICE OF DISRUPTIONS.—A carrier that is providing signals of a local television broadcast station in a local market under this section on the date of enactment of the Satellite Home Viewer Extension and Reauthorization Act of 2004 shall, not later than 15 months after such date of enactment, provide to the licensees for such stations and the carrier's subscribers in such local market a notice that displays prominently and conspicuously a clear statement of—

"(A) any reallocation of signals between different reception antennas and associated equipment that the carrier intends to make in order to comply with the requirements of this subsection;

"(B) the need, if any, for subscribers to obtain an additional reception antenna and associated equipment to receive such signals; and

"(C) any cessation of carriage or other material change in the carriage of signals as a consequence of the requirements of this paragraph.".

(b) CONFORMING AMENDMENTS: COMMISSION ENFORCEMENT OF SECTION; LOW POWER TELEVISION STATIONS.—

(1) Section 338(a) of such Act is amended by striking paragraphs (1) and (2) and inserting the following:

"(1) IN GENERAL.—Each satellite carrier providing, under section 122 of title 17, United States Code, secondary transmissions to subscribers located within the local market of a television broadcast station of a primary transmission made by that station shall carry upon request the signals of all television broadcast stations located within that local market, subject to section 325(b).

"(2) REMEDIES FOR FAILURE TO CARRY.—In addition to the remedies available to television broadcast stations under section 501(f) of title 17, United States Code, the Commission may use the Commission's authority under this Act to assure compliance with the obligations of this subsection, but in no instance shall a Commission enforcement proceeding be required as a predicate to the pursuit of a remedy available under such section 501(f).

"(3) LOW POWER STATION CARRIAGE OPTIONAL.—No low power television station whose signals are provided under section 119(a)(14) of title 17, United States Code, shall be entitled to insist on carriage under this section, regardless of whether the satellite carrier provides secondary transmissions of the primary transmissions of other stations in the same local market pursuant to section 122 of such title, nor shall any such carriage be considered in connection with the requirements of subsection (c) of this section.".

(2) Section 338(c)(1) of such Act is amended by striking "subsection (a)" and inserting "subsection (a)(1)".

(3) Section 338(k) of such Act (as redesignated by subsection (a)(1)) is amended—

(A) by redesignating paragraphs (4) through (7) as paragraphs (5) through (8), respectively; and

(B) by inserting after paragraph (3) the following new paragraph:

"(4) LOW POWER TELEVISION STATION.—The term 'low power television station' means a low power television station as defined under section 74.701(f) of title 47, Code of Federal Regulations, as in effect on June 1, 2004. For purposes of this paragraph, the term 'low power television station' includes a low power television station that has been accorded primary status as a Class A television licensee under section 73.6001(a) of title 47, Code of Federal Regulations.".

SEC. 204. REPLACEMENT OF DISTANT SIGNALS WITH LOCAL SIGNALS.

(a) REPLACEMENT.—Section 339(a) of the Communications Act of 1934 (47 U.S.C. 339(a)) is amended—

(1) in paragraph (1), by adding at the end the following new sentence: "Such two network stations may be comprised of both the analog signal and digital signal of not more than two network stations.";

(2) by redesignating paragraph (2) as paragraph (3);

(3) by inserting after paragraph (1) the following new paragraph:

"(2) REPLACEMENT OF DISTANT SIGNALS WITH LOCAL SIGNALS.—Notwithstanding any other provision of paragraph (1), the following rules shall apply after the date of enactment of the Satellite Home Viewer Extension and Reauthorization Act of 2004:

"(A) RULES FOR GRANDFATHERED SUBSCRIBERS TO ANALOG SIGNALS.—

"(i) FOR THOSE RECEIVING DISTANT ANALOG SIGNALS.—In the case of a subscriber of a satellite carrier who is eligible to receive the analog signal of a network station solely by reason of section 119(e) of title 17, United States Code (in this subparagraph referred to as a 'distant analog signal'), and who, as of October 1, 2004, is receiving the distant analog signal of that network station, the following shall apply:

"(I) In a case in which the satellite carrier makes available to the subscriber the analog signal of a local network station affiliated with the same television network pursuant to section 338, the carrier may only provide the secondary transmissions of the distant analog signal of a station affiliated with the same network to that subscriber—

"(aa) if, within 60 days after receiving the notice of the satellite carrier under section 338(h)(1) of this Act, the subscriber elects to retain the distant analog signal; but

"(bb) only until such time as the subscriber elects to receive such local analog signal.

"(II) Notwithstanding subclause (I), the carrier may not retransmit the distant analog signal to any subscriber who is eligible to receive the analog signal of a network station solely by reason of section 119(e) of title 17, United States Code, unless such carrier, within 60 days after the date of the enactment of the Satellite Home Viewer Extension and Reauthorization Act of 2004, submits to that television network the list and statement required by subparagraph (F)(i).

"(ii) FOR THOSE NOT RECEIVING DISTANT ANALOG SIGNALS.—In the case of any subscriber of a satellite carrier who is eligible to receive the distant analog signal of a network station solely by reason of section 119(e) of title 17, United States Code, and who did not receive a distant analog signal of a station affiliated with the same network on October 1, 2004, the carrier may not provide the secondary transmissions of the distant analog signal of a station affiliated with the same network to that subscriber.

"(B) RULES FOR OTHER SUBSCRIBERS TO ANALOG SIGNALS.—In the case of a subscriber of a satellite carrier who is eligible to receive the analog signal of a network station under this section (in this subparagraph referred to as a

'distant analog signal'), other than subscribers to whom subparagraph (A) applies, the following shall apply:

"(i) In a case in which the satellite carrier makes available to that subscriber, on January 1, 2005, the analog signal of a local network station affiliated with the same television network pursuant to section 338, the carrier may only provide the secondary transmissions of the distant analog signal of a station affiliate with the same network to that subscriber if the subscriber's satellite carrier, not later than March 1, 2005, submits to that television network the list and statement required by subparagraph (F)(i).

"(ii) In a case in which the satellite carrier does not make available to that subscriber, on January 1, 2005, the analog signal of a local network station pursuant to section 338, the carrier may only provide the secondary transmissions of the distant analog signal of a station affiliated with the same network to that subscriber if—

"(I) that subscriber seeks to subscribe to such distant analog signal before the date on which such carrier commences to carry pursuant to section 338 the analog signals of stations from the local market of such local network station; and

"(II) the satellite carrier, within 60 days after such date, submits to each television network the list and statement required by subparagraph (F)(ii).

"(C) FUTURE APPLICABILITY.—A satellite carrier may not provide a distant analog signal (within the meaning of subparagraph (A) or (B)) to a person who—

"(i) is not a subscriber lawfully receiving such secondary transmission as of the date of the enactment of the Satellite Home Viewer Extension and Reauthorization Act of 2004; and

"(ii) at the time such person seeks to subscribe to receive such secondary transmission, resides in a local market where the satellite carrier makes available to that person the analog signal of a local network station affiliated with the same television network pursuant to section 338, and the retransmission of such signal by such carrier can reach such subscriber.

"(D) SPECIAL RULES FOR DISTANT DIGITAL SIGNALS.—

"(i) ELIGIBILITY.—In the case of a subscriber of a satellite carrier who, with respect to a local network station—

"(I) is a subscriber whose household is located outside the coverage area of the analog signal of such station as predicted by the model specified in subsection (c)(3) of this section for the signal intensity required under section 73.683(a) of title 47 of the Code of Federal Regulations, or a successor regulation;

"(II) is in an unserved household as determined under section 119(d)(1)(A) of title 17, United States Code; or

"(III) is, after the date on which the conditions required by clause (vii) are met with respect to such station, determined under clause (vi) of this subparagraph to be unable to receive a digital signal of such local network station that exceeds the signal intensity standard specified in such clause;

such subscriber is eligible to receive the digital signal of a distant network station affiliated with the same network under this section (in this subparagraph referred to as a 'distant digital signal') subject to the provisions of this subparagraph.

"(ii) PRE-ENACTMENT DISTANT DIGITAL SIGNAL SUBSCRIBERS.—Any eligible subscriber under this subparagraph who is a lawful subscriber to such a distant digital signal as of the date of enactment of the Satellite Home Viewer Extension and Reauthorization Act of 2004 may continue to receive such distant digital signal, whether or not such subscriber elects to subscribe to local digital signals.

"(iii) LOCAL-TO-LOCAL ANALOG MARKETS.—In a case in which the satellite carrier makes available to an eligible subscriber under this subparagraph the analog signal of a local network station pursuant to section 338, the carrier may only provide the distant digital signal of a station affiliated with the same network to that subscriber if—

"(I) in the case of any local market in the 48 contiguous States of the United States, the distant digital signal is the secondary transmission of a station whose prime time network programming is generally broadcast simultaneously with, or later than, the prime time network programming of the affiliate of the same network in the local market;

"(II) in any local market, the retransmission of the distant digital signal of the distant station occupies at least the equivalent bandwidth (as such term is defined by the Commission under section 340(h)(4)) as the digital signal broadcast by such station; and

"(III) the subscriber subscribes to the analog signal of such local network station within 60 days after such signal is made available by the satellite carrier, and adds to or replaces such analog signal with the digital signal from such local network station within 60 days after such signal is made available by the satellite carrier, except that such distant digital signal may continue to be provided to a subscriber who cannot be reached by the satellite transmission of the local digital signal.

"(iv) LOCAL-TO-LOCAL DIGITAL MARKETS.—After the date on which a satellite carrier makes available the digital signal of a local network station, the carrier

may not offer the distant digital signal of a network station affiliated with the same television network to any new subscriber to such distant digital signal after such date, except that such distant digital signal may be provided to a new subscriber who cannot be reached by the satellite transmission of the local digital signal.

"(v) NON-LOCAL-TO-LOCAL MARKETS.—After the date of enactment of the Satellite Home Viewer Extension and Reauthorization Act of 2004, if the satellite carrier does not make available the digital signal of a local network station in a local market, the satellite carrier may offer a new subscriber after such date who is eligible under this subparagraph a distant digital signal from a station affiliated with the same network and, in the case of any local market in the 48 contiguous States of the United States, whose prime time network programming is generally broadcast simultaneously with, or later than, the prime time network programming of the affiliate of the same network in the local market, except that—

"(I) such carrier may continue to provide such distant digital signal to such a subscriber after the date on which the carrier makes available the digital signal of a local network station affiliated with such network only if such subscriber subscribes to the digital signal from such local network station; and

"(II) the limitation contained in subclause (I) of this clause shall not apply to a subscriber that cannot be reached by the satellite transmission of the local digital signal.

"(vi) SIGNAL TESTING FOR DIGITAL SIGNALS.—

"(I) A subscriber shall be eligible for a distant digital signal under clause (i)(III) if such subscriber is determined, based on a test conducted in accordance with section 73.686(d) of title 47, Code of Federal Regulations, or any successor regulation, not to be able to receive a signal that exceeds the signal intensity standard in section 73.622(e)(1) of title 47, Code of Federal Regulations, as in effect on the date of enactment of the Satellite Home Viewer Extension and Reauthorization Act of 2004.

"(II) Such test shall be conducted, upon written request for a digital signal strength test by the subscriber to the satellite carrier, within 30 days after the date the subscriber submits such request for the test. Such test shall be conducted by a qualified and independent person selected by the satellite carrier and the network station or stations, or who has been previously approved by the satellite carrier and by each affected network station but not previously disapproved. A tester may not be so disapproved for a test after the tester has commenced such test.

"(III) Unless the satellite carrier and the network station or stations otherwise agree, the costs of conducting the test shall be borne as follows:

"(aa) If the subscriber is not eligible for a distant digital signal under clause (i)(I) of this subparagraph (by reason of being outside of the coverage area of the analog signal), the satellite carrier may request the station licensee for a waiver.

"(bb) If the licensee agrees to a waiver, or fails to respond to a waiver request within 30 days, the subscriber may receive such distant digital signal.

"(cc) If the licensee refuses to grant a waiver, the subscriber may request the satellite carrier to conduct the test.

"(dd) If the satellite carrier requests the test and—

"(AA) the station's signal is determined to exceed such signal intensity standard, the costs of the test shall be borne by the satellite carrier;

"(BB) the station's signal is determined to not exceed such signal intensity standard, the costs of the test shall be borne by the licensee.

"(ee) If the satellite carrier does not request the test, or fails to respond within 30 days, the subscriber may request the test be conducted under the supervision of the carrier, and the costs of the test shall be borne by the subscriber in accordance with regulations prescribed by the Commission. Such regulations shall also require the carrier to notify the subscriber of the typical costs of such test.

"(vii) TRIGGER EVENTS FOR USE OF TESTING.—A subscriber shall not be eligible for a distant digital signal under clause (i)(III) pursuant to a test conducted under clause (vii) until—

"(I) in the case of a subscriber whose household is located within the area predicted to be served (by the predictive model for analog signals under subsection (b)(3) of this section) by the signal of a local network station and who is seeking a distant digital signal of a station affiliated with the same network as that local network station—

"(aa) April 30, 2006, if such local network station is within the top 100 television markets and—

"(AA) has received a tentative digital television service channel designation that is the same as such station's current digital television service channel; or

"(BB) has been found by the Commission to have lost interference protection; or

"(bb) July 15, 2007, for any other local network stations, other than translator stations licensed to broadcast on the date of en-

actment of the Satellite Home Viewer Extension and Reauthorization Act of 2004; or

"(II) in the case of a translator station, one year after the date on which the Commission completes all actions necessary for the allocation and assignment of digital television licenses to television translator stations.

"(viii) TESTING WAIVERS.—Upon request by a local network station, the Commission may grant a waiver with respect to such station to the beginning of testing under clause (vii), and prohibit subscribers from receiving digital signal strength testing with respect to such station. Such a request shall be filed not less than 5 months prior to the implementation deadline specified in such clause, and the Commission shall act on such request by such implementation deadline. Such a waiver shall expire at the end of not more than 6 months, except that a waiver may be renewed upon a proper showing. The Commission may only grant such a request upon submission of clear and convincing evidence that the station's digital signal coverage is limited due to the unremediable presence of one or more of the following:

"(I) the need for international coordination or approvals;

"(II) clear zoning or environmental legal impediments;

"(III) force majeure;

"(IV) the station experiences a substantial decrease in its digital signal coverage area due to necessity of using side-mounted antenna;

"(V) substantial technical problems that result in a station experiencing a substantial decrease in its coverage area solely due to actions to avoid interference with emergency response providers; or

"(VI) no satellite carrier is providing the retransmission of the analog signals of local network stations under section 338 in the local market.

Under no circumstances may such a waiver be based upon financial exigency.

"(ix) SPECIAL WAIVER PROVISION FOR TRANSLATORS.—Upon request by a television translator station, the Commission may grant, for not more than 3 years, a waiver with respect to such station to the beginning of testing under clause (vii), and prohibit subscribers from receiving digital signal strength testing with respect to such station, if the Commission determines that the translator station is not broadcasting a digital signal due to one or more of the following:

"(I) frequent occurrence of inclement weather; or

"(II) mountainous terrain at the transmitter tower location.

"(x) SAVINGS PROVISION.—Nothing in this subparagraph shall be construed to affect a satellite carrier's obligations under section 338.

"(xi) DEFINITION.—For purposes of clause (viii), the term 'emergency response providers' means Federal, State, or local governmental and nongovernmental emergency public safety, law enforcement, fire, emergency response, emergency medical (including hospital emergency facilities), and related personnel, organizations, agencies, or authorities.

"(E) AUTHORITY TO GRANT STATION-SPECIFIC WAIVERS.—This paragraph shall not prohibit a retransmission of a distant analog signal or distant digital signal (within the meaning of subparagraph (A), (B), or (D)) of any distant network station to any subscriber to whom the signal of a local network station affiliated with the same network is available, if and to the extent that such local network station has affirmatively granted a waiver from the requirements of this paragraph to such satellite carrier with respect to retransmission of such distant network station to such subscriber.

"(F) NOTICES TO NETWORKS OF DISTANT SIGNAL SUBSCRIBERS.—

"(i) Within 60 days after the date of enactment of the Satellite Home Viewer Extension and Reauthorization Act of 2004, each satellite carrier that provides a distant signal of a network station to a subscriber pursuant to subparagraph (A) or (B)(i) of this paragraph shall submit to each network—

"(I) a list, aggregated by designated market area, identifying each subscriber provided such a signal by—

"(aa) name;

"(bb) address (street or rural route number, city, State, and zip code); and

"(cc) the distant network signal or signals received; and

"(II) a statement that, to the best of the carrier's knowledge and belief after having made diligent and good faith inquiries, the subscriber is qualified under the existing law to receive the distant network signal or signals pursuant to subparagraph (A) or (B)(i) of this paragraph.

"(ii) Within 60 days after the date a satellite carrier commences to carry pursuant to section 338 the signals of stations from a local market, such a satellite carrier that provides a distant signal of a network station to a subscriber pursuant to subparagraph (B)(ii) of this paragraph shall submit to each network—

"(I) a list identifying each subscriber in that local market provided such a signal by—

"(aa) name;

"(bb) address (street or rural route number, city, State, and zip code); and

"(cc) the distant network signal or signals received; and

"(II) a statement that, to the best of the carrier's knowledge and belief after having made diligent and good faith inquiries, the subscriber is qualified under the existing law to receive the distant network signal or signals pursuant to subparagraph (B)(ii) of this paragraph.

"(G) OTHER PROVISIONS NOT AFFECTED.—This paragraph shall not affect the eligibility of a subscriber to receive secondary transmissions under section 340 of this Act or as an unserved household included under section 119(a)(12) of title 17, United States Code.

"(H) AVAILABLE DEFINED.—For purposes of this paragraph, a satellite carrier makes available a local signal to a subscriber or person if the satellite carrier offers that local signal to other subscribers who reside in the same zip code as that subscriber or person."; and

(4) in paragraph (3) (as redesignated by paragraph (2) of this subsection), by adding at the end the following: ", except that paragraph (2)(D) of this subsection, relating to the provision of distant digital signals, shall be enforceable under the provisions of section 340(f)".

(b) STUDY OF DIGITAL STRENGTH TESTING PROCEDURES.—Section 339(c) of such Act (47 U.S.C. 339(c)) is amended by striking paragraph (1) and inserting the following:

"(1) STUDY OF DIGITAL STRENGTH TESTING PROCEDURES.—

"(A) STUDY REQUIRED.—Not later than one year after the date of the enactment of the Satellite Home Viewer Extension and Reauthorization Act of 2004, the Federal Communications Commission shall complete an inquiry regarding whether, for purposes of identifying if a household is unserved by an adequate digital signal under section 119(d)(10) of title 17, United States Code, the digital signal strength standard in section 73.622(e)(1) of title 47, Code of Federal Regulations, or the testing procedures in section 73.686(d) of title 47, Code of Federal Regulations, such statutes or regulations should be revised to take into account the types of antennas that are available to consumers.

"(B) STUDY CONSIDERATIONS.—In conducting the study under this paragraph, the Commission shall consider whether—

"(i) to account for the fact that an antenna can be mounted on a roof or placed in a home and can be fixed or capable of rotating;

"(ii) section 73.686(d) of title 47, Code of Federal Regulations, should be amended to create different procedures for determining if the requisite digital signal strength is present than for determining if the requisite analog signal strength is present;

"(iii) a standard should be used other than the presence of a signal of a certain strength to ensure that a household can receive a high-quality picture using antennas of reasonable cost and ease of installation;

"(iv) to develop a predictive methodology for determining whether a household is unserved by an adequate digital signal under section 119(d)(10) of title 17, United States Code;

"(v) there is a wide variation in the ability of reasonably priced consumer digital television sets to receive over-the-air signals, such that at a given signal strength some may be able to display high-quality pictures while others cannot, whether such variation is related to the price of the television set, and whether such variation should be factored into setting a standard for determining whether a household is unserved by an adequate digital signal; and

"(vi) to account for factors such as building loss, external interference sources, or undesired signals from both digital television and analog television stations using either the same or adjacent channels in nearby markets, foliage, and man-made clutter.

"(C) REPORT.—Not later than one year after the date of the enactment of the Satellite Home Viewer Extension and Reauthorization Act of 2004, the Federal Communications Commission shall submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report containing—

"(i) the results of the study under this paragraph; and

"(ii) recommendations, if any, as to what changes should be made to Federal statutes or regulations.".

SEC. 205. ADDITIONAL NOTICES TO SUBSCRIBERS, NETWORKS, AND STATIONS CONCERNING SIGNAL CARRIAGE.

Section 338 of the Communications Act of 1934 (47 U.S.C. 338) is further amended by inserting after subsection (g) (as added by section 203) the following new subsection:

"(h) ADDITIONAL NOTICES TO SUBSCRIBERS, NETWORKS, AND STATIONS CONCERNING SIGNAL CARRIAGE.—

"(1) NOTICES TO AND ELECTIONS BY SUBSCRIBERS CONCERNING GRANDFATHERED SIGNALS.—Any carrier that provides a distant signal of a network station to a subscriber pursuant section 339(a)(2)(A) shall—

"(A) within 60 days after the local signal of a network station of the same television network is available pursuant to section 338, or within 60 days after the date of enactment of the Satellite Home Viewer Extension and Reauthorization Act of 2004, whichever is later, send a notice to the subscriber—

"(i) offering to substitute the local network signal for the duplicating distant network signal; and

"(ii) informing the subscriber that, if the subscriber fails to respond in 60 days, the subscriber will lose the distant network signal but will be permitted to subscribe to the local network signal; and

"(B) if the subscriber—

"(i) elects to substitute such local network signal within such 60 days, switch such subscriber to such

local network signal within 10 days after the end of such 60-day period; or

"(ii) fails to respond within such 60 days, terminate the distant network signal within 10 days after the end of such 60-day period.

"(2) NOTICE TO STATION LICENSEES OF COMMENCEMENT OF LOCAL-INTO-LOCAL SERVICE.—

"(A) NOTICE REQUIRED.—Within 180 days after the date of enactment of the Satellite Home Viewer Extension and Reauthorization Act of 2004, the Commission shall revise the regulations under this section relating to notice to broadcast station licensees to comply with the requirements of this paragraph.

"(B) CONTENTS OF COMMENCEMENT NOTICE.—The notice required by such regulations shall inform each television broadcast station licensee within any local market in which a satellite carrier proposes to commence carriage of signals of stations from that market, not later than 60 days prior to the commencement of such carriage—

"(i) of the carrier's intention to launch local-into-local service under this section in a local market, the identity of that local market, and the location of the carrier's proposed local receive facility for that local market;

"(ii) of the right of such licensee to elect carriage under this section or grant retransmission consent under section 325(b);

"(iii) that such licensee has 30 days from the date of the receipt of such notice to make such election; and

"(iv) that failure to make such election will result in the loss of the right to demand carriage under this section for the remainder of the 3-year cycle of carriage under section 325.

"(C) TRANSMISSION OF NOTICES.—Such regulations shall require that each satellite carrier shall transmit the notices required by such regulation via certified mail to the address for such television station licensee listed in the consolidated database system maintained by the Commission.".

SEC. 206. PRIVACY RIGHTS OF SATELLITE SUBSCRIBERS.

(a) AMENDMENT.—Section 338 of the Communications Act of 1934 (47 U.S.C. 338) is further amended by inserting after subsection (h) (as added by section 205) the following new subsection:

"(i) PRIVACY RIGHTS OF SATELLITE SUBSCRIBERS.—

"(1) NOTICE.—At the time of entering into an agreement to provide any satellite service or other service to a subscriber and at least once a year thereafter, a satellite carrier shall provide notice in the form of a separate, written statement to such subscriber which clearly and conspicuously informs the subscriber of—

"(A) the nature of personally identifiable information collected or to be collected with respect to the subscriber and the nature of the use of such information;

"(B) the nature, frequency, and purpose of any disclosure which may be made of such information, including an

identification of the types of persons to whom the disclosure may be made;

"(C) the period during which such information will be maintained by the satellite carrier;

"(D) the times and place at which the subscriber may have access to such information in accordance with paragraph (5); and

"(E) the limitations provided by this section with respect to the collection and disclosure of information by a satellite carrier and the right of the subscriber under paragraphs (7) and (9) to enforce such limitations.

In the case of subscribers who have entered into such an agreement before the effective date of this subsection, such notice shall be provided within 180 days of such date and at least once a year thereafter.

"(2) DEFINITIONS.—For purposes of this subsection, other than paragraph (9)—

"(A) the term 'personally identifiable information' does not include any record of aggregate data which does not identify particular persons;

"(B) the term 'other service' includes any wire or radio communications service provided using any of the facilities of a satellite carrier that are used in the provision of satellite service; and

"(C) the term 'satellite carrier' includes, in addition to persons within the definition of satellite carrier, any person who—

"(i) is owned or controlled by, or under common ownership or control with, a satellite carrier; and

"(ii) provides any wire or radio communications service.

"(3) PROHIBITIONS.—

"(A) CONSENT TO COLLECTION.—Except as provided in subparagraph (B), a satellite carrier shall not use any facilities used by the satellite carrier to collect personally identifiable information concerning any subscriber without the prior written or electronic consent of the subscriber concerned.

"(B) EXCEPTIONS.—A satellite carrier may use such facilities to collect such information in order to—

"(i) obtain information necessary to render a satellite service or other service provided by the satellite carrier to the subscriber; or

"(ii) detect unauthorized reception of satellite communications.

"(4) DISCLOSURE.—

"(A) CONSENT TO DISCLOSURE.—Except as provided in subparagraph (B), a satellite carrier shall not disclose personally identifiable information concerning any subscriber without the prior written or electronic consent of the subscriber concerned and shall take such actions as are necessary to prevent unauthorized access to such information by a person other than the subscriber or satellite carrier.

"(B) EXCEPTIONS.—A satellite carrier may disclose such information if the disclosure is—

"(i) necessary to render, or conduct a legitimate business activity related to, a satellite service or other service provided by the satellite carrier to the subscriber;

"(ii) subject to paragraph (9), made pursuant to a court order authorizing such disclosure, if the subscriber is notified of such order by the person to whom the order is directed;

"(iii) a disclosure of the names and addresses of subscribers to any satellite service or other service, if—

"(I) the satellite carrier has provided the subscriber the opportunity to prohibit or limit such disclosure; and

"(II) the disclosure does not reveal, directly or indirectly, the—

"(aa) extent of any viewing or other use by the subscriber of a satellite service or other service provided by the satellite carrier; or

"(bb) the nature of any transaction made by the subscriber over any facilities used by the satellite carrier; or

"(iv) to a government entity as authorized under chapters 119, 121, or 206 of title 18, United States Code, except that such disclosure shall not include records revealing satellite subscriber selection of video programming from a satellite carrier.

"(5) ACCESS BY SUBSCRIBER.—A satellite subscriber shall be provided access to all personally identifiable information regarding that subscriber which is collected and maintained by a satellite carrier. Such information shall be made available to the subscriber at reasonable times and at a convenient place designated by such satellite carrier. A satellite subscriber shall be provided reasonable opportunity to correct any error in such information.

"(6) DESTRUCTION OF INFORMATION.—A satellite carrier shall destroy personally identifiable information if the information is no longer necessary for the purpose for which it was collected and there are no pending requests or orders for access to such information under paragraph (5) or pursuant to a court order.

"(7) PENALTIES.—Any person aggrieved by any act of a satellite carrier in violation of this section may bring a civil action in a United States district court. The court may award—

"(A) actual damages but not less than liquidated damages computed at the rate of $100 a day for each day of violation or $1,000, whichever is higher;

"(B) punitive damages; and

"(C) reasonable attorneys' fees and other litigation costs reasonably incurred.

The remedy provided by this subsection shall be in addition to any other lawful remedy available to a satellite subscriber.

"(8) RULE OF CONSTRUCTION.—Nothing in this title shall be construed to prohibit any State from enacting or enforcing laws consistent with this section for the protection of subscriber privacy.

"(9) COURT ORDERS.—Except as provided in paragraph (4)(B)(iv), a governmental entity may obtain personally identifiable information concerning a satellite subscriber pursuant to a court order only if, in the court proceeding relevant to such court order—

"(A) such entity offers clear and convincing evidence that the subject of the information is reasonably suspected of engaging in criminal activity and that the information sought would be material evidence in the case; and

"(B) the subject of the information is afforded the opportunity to appear and contest such entity's claim.".

(b) EFFECTIVE DATE.—Section 338(i) of the Communications Act of 1934 (47 U.S.C. 338(i)) as amended by subsection (a) of this section shall be effective 60 days after the date of enactment of this Act.

SEC. 207. RECIPROCAL BARGAINING OBLIGATIONS.

(a) AMENDMENTS.—Section 325(b)(3)(C) of the Communications Act of 1934 (47 U.S.C. 325(b)(3)(C)) is amended—

(1) by striking "Within 45 days" and all that follows through "1999, the" and inserting "The";

(2) by striking the second sentence;

(3) by striking "and" at the end of clause (i);

(4) in clause (ii)—

(A) by striking "January 1, 2006" and inserting "January 1, 2010"; and

(B) by striking the period at the end and inserting "; and"; and

(5) by adding at the end the following new clauses:

"(iii) until January 1, 2010, prohibit a multichannel video programming distributor from failing to negotiate in good faith for retransmission consent under this section, and it shall not be a failure to negotiate in good faith if the distributor enters into retransmission consent agreements containing different terms and conditions, including price terms, with different broadcast stations if such different terms and conditions are based on competitive marketplace considerations.".

(b) DEADLINE.—The Federal Communications Commission shall prescribe regulations to implement the amendments made by subsection (a)(5) within 180 days after the date of enactment of this Act.

SEC. 208. STUDY OF IMPACT ON CABLE TELEVISION SERVICE.

(a) STUDY REQUIRED.—No later than 9 months after the date of enactment of the Satellite Home Viewer Extension and Reauthorization Act of 2004, the Federal Communications Commission shall complete an inquiry regarding the impact on competition in the multichannel video programming distribution market of the current retransmission consent, network nonduplication, syndicated exclusivity, and sports blackout rules, including the impact of those rules on the ability of rural cable operators to compete with direct broadcast satellite industry in the provision of digital broadcast television signals to consumers. Such report shall include such recommenda-

tions for changes in any statutory provisions relating to such rules as the Commission deems appropriate.

(b) REPORT REQUIRED.—The Federal Communications Commission shall submit a report on the results of the inquiry required by subsection (a) to the Committee on Energy and Commerce of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate not later than 9 months after the date of the enactment of this Act.

SEC. 209. REDUCTION OF REQUIRED TESTS.

Section 339(c)(4) of the Communications Act of 1934 (47 U.S.C. 339(c)(4)) is amended by inserting after subparagraph (C) the following new subparagraphs:

> *"(D) REDUCTION OF VERIFICATION BURDENS.—Within one year after the date of enactment of the Satellite Home Viewer Extension and Reauthorization Act of 2004, the Commission shall by rule exempt from the verification requirements of subparagraph (A) any request for a test made by a subscriber to a satellite carrier to whom the retransmission of the signals of local broadcast stations is available under section 338 from such carrier.*
>
> *"(E) EXCEPTION.—A satellite carrier may refuse to engage in the testing process. If the carrier does so refuse, a subscriber in a local market in which the satellite carrier does not offer the signals of local broadcast stations under section 338 may, at his or her own expense, authorize a signal intensity test to be performed pursuant to the procedures specified by the Commission in section 73.686(d) of title 47, Code of Federal Regulations, by a tester who is approved by the satellite carrier and by each affected network station, or who has been previously approved by the satellite carrier and by each affected network station but not previously disapproved. A tester may not be so disapproved for a test after the tester has commenced such test. The tester shall give 5 business days advance written notice to the satellite carrier and to the affected network station or stations. A signal intensity test conducted in accordance with this subparagraph shall be determinative of the signal strength received at that household for purposes of determining whether the household is capable of receiving a Grade B intensity signal.".*

SEC. 210. SATELLITE CARRIAGE OF TELEVISION STATIONS IN NONCONTIGUOUS STATES.

Section 338(a) of the Communications Act of 1934 (47 U.S.C. 338(a)) is amended by adding at the end the following:

> *"(4) CARRIAGE OF SIGNALS OF LOCAL STATIONS IN CERTAIN MARKETS.—A satellite carrier that offers multichannel video programming distribution service in the United States to more than 5,000,000 subscribers shall (A) within 1 year after the date of the enactment of the Satellite Home Viewer Extension and Reauthorization Act of 2004, retransmit the signals originating as analog signals of each television broadcast station located in any local market within a State that is not part of the contiguous United States, and (B) within 30 months after such date of enactment retransmit the signals originating as digital sig-*

nals of each such station. The retransmissions of such stations shall be made available to substantially all of the satellite carrier's subscribers in each station's local market, and the retransmissions of the stations in at least one market in the State shall be made available to substantially all of the satellite carrier's subscribers in areas of the State that are not within a designated market area. The cost to subscribers of such retransmissions shall not exceed the cost of retransmissions of local television stations in other States. Within 1 year after the date of enactment of that Act, the Commission shall promulgate regulations concerning elections by television stations in such State between mandatory carriage pursuant to this section and retransmission consent pursuant to section 325(b), which shall take into account the schedule on which local television stations are made available to viewers in such State.".

SEC. 211. CARRIAGE OF TELEVISION SIGNALS TO CERTAIN SUBSCRIBERS.

Part I of title III of the Communications Act of 1934 (47 U.S.C. 301 et seq.) is amended by inserting after section 339 the following:

"SEC. 341. CARRIAGE OF TELEVISION SIGNALS TO CERTAIN SUBSCRIBERS.

"(a)(1) IN GENERAL.—A cable operator or satellite carrier may elect to retransmit, to subscribers in an eligible county—

"(A) any television broadcast stations that are located in the State in which the county is located and that any cable operator or satellite carrier was retransmitting to subscribers in the county on January 1, 2004; or

"(B) up to 2 television broadcast stations located in the State in which the county is located, if the number of television broadcast stations that the cable operator or satellite carrier is authorized to carry under paragraph (1) is less than 3.

"(2) DEEMED SIGNIFICANTLY VIEWED.—Any station described in subsection (a) is deemed to be significantly viewed in the eligible county within the meaning of section 76.54 of the Commission's regulations (47 C.F.R. 76.54).

"(3) DEFINITION OF ELIGIBLE COUNTY.—For purposes of this section, the term "eligible county" means any 1 of 4 counties that—

"(A) are in a single State;

"(B) on January 1, 2004, were each in designated market areas in which the majority of counties were located in another State or States; and

"(C) as a group had a combined total of 41,340 television households according to the U.S. Television Household Estimates by Nielsen Media Research for 2003–2004.

"(4) LIMITATION.—Carriage of a station under this section shall be at the option of the cable operator or satellite carrier.".

"(b) CERTAIN MARKETS.—Notwithstanding any other provision of law, a satellite carrier may not carry the signal of a television station into an adjacent local market that is comprised of only a portion of a county, other than to unserved households located in that county.".

SEC. 212. DIGITAL TRANSITION SAVINGS PROVISION.

Nothing in the dates by which requirements or other provisions are effective under this Act or the amendments made by this Act shall be construed—

(1) to impair the authority of the Federal Communications Commission to take any action with respect to the transition by television broadcasters to the digital television service; or

(2) to require the Commission to take any such action.

SEC. 213. AUTHORIZING BROADCAST SERVICE IN UNSERVED AREAS OF ALASKA.

Title III of the Communications Act of 1934 is amended as follows:

(1) In section 307(c)(3)—

(A) by striking "any hearing" and inserting in lieu thereof "any administrative or judicial hearing"; and

(B) by inserting "or section 402" after "section 405".

(2) In section 307, by adding at the end the following new subsection:

"(f) Notwithstanding any other provision of law, (1) any holder of a broadcast license may broadcast to an area of Alaska that otherwise does not have access to over the air broadcasts via translator, microwave, or other alternative signal delivery even if another holder of a broadcast license begins broadcasting to such area, (2) any holder of a broadcast license who has broadcast to an area of Alaska that did not have access to over the air broadcasts via translator, microwave, or other alternative signal delivery may continue providing such service even if another holder of a broadcast license begins broadcasting to such area, and shall not be fined or subject to any other penalty, forfeiture, or revocation related to providing such service including any fine, penalty, forfeiture, or revocation for continuing to operate notwithstanding orders to the contrary.".

(3) In section 312(g), by inserting before the period at the end the following: ", except that the Commission may extend or reinstate such station license if the holder of the station license prevails in an administrative or judicial appeal, the applicable law changes, or for any other reason to promote equity and fairness. Any broadcast license revoked or terminated in Alaska in a proceeding related to broadcasting via translator, microwave, or other alternative signal delivery is reinstated".

TITLE X—SNAKE RIVER WATER RIGHTS ACT OF 2004

SECTION 1. SHORT TITLE.

This title may be cited as the "Snake River Water Rights Act of 2004".

SEC. 2. PURPOSES.

The purposes of this Act are—

(1) to resolve some of the largest outstanding issues with respect to the Snake River Basin Adjudication in Idaho in such a manner as to provide important benefits to the United States, the State of Idaho, the Nez Perce Tribe, the allottees, and citizens of the State;

(2) to achieve a fair, equitable, and final settlement of all claims of the Nez Perce Tribe, its members, and allottees and

the United States on behalf of the Tribe, its members, and allottees to the water of the Snake River Basin within Idaho;

(3) to authorize, ratify, and confirm the Agreement among the parties submitted to the Snake River Basin Adjudication Court and provide all parties with the benefits of the Agreement;

(4) to direct—

(A) the Secretary, acting through the Bureau of Reclamation, the Bureau of Land Management, the Bureau of Indian Affairs, and other agencies; and

(B) the heads of other Federal agencies authorized to execute and perform actions necessary to carry out the Agreement;

to perform all of their obligations under the Agreement and this Act; and

(5) to authorize the actions and appropriations necessary for the United States to meet the obligations of the United States under the Agreement and this Act.

SEC. 3. DEFINITIONS.

In this Act:

(1) AGREEMENT.—The term "Agreement" means the document titled "Mediator's Term Sheet" dated April 20, 2004, and submitted on that date to the SRBA Court in SRBA Consolidated Subcase 03–10022 and SRBA Consolidated Subcase 67–13701, with all appendices to the document.

(2) ALLOTTEE.—The term "allottee" means a person that holds a beneficial real property interest in an Indian allotment that is—

(A) located within the Nez Perce Reservation; and

(B) held in trust by the United States.

(3) CONSUMPTIVE USE RESERVED WATER RIGHT.—The term "consumptive use reserved water right" means the Federal reserved water right of 50,000 acre-feet per year, as described in the Agreement, to be decreed to the United States in trust for the Tribe and the allottees, with a priority date of 1855.

(4) PARTIES.—The term "parties" means the United States, the State, the Tribe, and any other entity or person that submitted, or joined in the submission of, the Agreement to the SRBA Court on April 20, 2004.

(5) SECRETARY.—The term "Secretary" means the Secretary of the Interior.

(6) SNAKE RIVER BASIN.—The term "Snake River Basin" means the geographic area in the State described in paragraph 3 of the Commencement Order issued by the SRBA Court on November 19, 1987.

(7) SPRINGS OR FOUNTAINS WATER RIGHT.—The term "springs or fountains water right" means the Tribe's treaty right of access to and use of water from springs or fountains on Federal public land within the area ceded by the Tribe in the Treaty of June 9, 1863 (14 Stat. 647), as recognized under the Agreement.

(8) SRBA.—The term "SRBA" means the Snake River Basin Adjudication litigation before the SRBA Court styled as In re Snake River Basin Adjudication, Case No. 39576.

(9) SRBA COURT.—The term "SRBA Court" means the District Court of the Fifth Judicial District of the State of Idaho, In and For the County of Twin Falls in re Snake River Basin Adjudication.

(10) STATE.—The term "State" means the State of Idaho.

(11) TRIBE.—The term "Tribe" means the Nez Perce Tribe.

SEC. 4. APPROVAL, RATIFICATION, AND CONFIRMATION OF AGREEMENT.

(a) IN GENERAL.—Except to the extent that the Agreement conflicts with this Act, the Agreement is approved, ratified, and confirmed.

(b) EXECUTION AND PERFORMANCE.—The Secretary and the other heads of Federal agencies with obligations under the Agreement shall execute and perform all actions, consistent with this Act, that are necessary to carry out the Agreement.

SEC. 5. BUREAU OF RECLAMATION WATER USE.

(a) IN GENERAL.—As part of the overall implementation of the Agreement, the Secretary shall take such actions consistent with the Agreement, this Act, and water law of the State as are necessary to carry out the Snake River Flow Component of the Agreement.

(b) MITIGATION FOR CHANGE OF USE OF WATER.—

(1) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary $2,000,000 for a 1-time payment to local governments to mitigate for the change of use of water acquired by the Bureau of Reclamation under section III.C.6 of the Agreement.

(2) DISTRIBUTION OF FUNDS.—Funds made available under paragraph (1) shall be distributed by the Secretary to local governments in accordance with a plan provided to the Secretary by the State.

(3) PAYMENTS.—Payments by the Secretary shall be made on a pro rata basis as water rights are acquired by the Bureau of Reclamation.

SEC. 6. BUREAU OF LAND MANAGEMENT LAND TRANSFER.

(a) TRANSFER.—

(1) IN GENERAL.—The Secretary shall transfer land selected by the Tribe under paragraph (2) to the Bureau of Indian Affairs to be held in trust for the Tribe.

(2) LAND SELECTION.—The land transferred shall be selected by the Tribe from a list of parcels of land managed by the Bureau of Land Management that are available for transfer, as depicted on the map entitled "North Idaho BLM Land Eligible for Selection by the Nez Perce Tribe" dated May 2004, on file with the Director of the Bureau of Land Management, not including any parcel designated on the map as being on the Clearwater River or Lolo Creek.

(3) MAXIMUM VALUE.—The land selected by the Tribe for transfer shall be limited to a maximum value in total of not more than $7,000,000, as determined by an independent appraisal of fair market value prepared in accordance with the Uniform Standards of Professional Appraisal Practice and the Uniform Appraisal Standards for Federal Land Acquisitions.

(b) EXISTING RIGHTS AND USES.—

(1) IN GENERAL.—On any land selected by the Tribe under subsection (a)(2), any use in existence on the date of transfer under subsection (a) under a lease or permit with the Bureau of Land Management, including grazing, shall remain in effect until the date of expiration of the lease or permit, unless the holder of the lease or permit requests an earlier termination of the lease or permit, in which case the Secretary shall grant the request.

(2) AVAILABILITY OF AMOUNTS.—Amounts that accrue to the United States under a lease or permit described in paragraph (1) from sales, bonuses, royalties, and rentals relating to any land transferred to the Tribe under this section shall be made available to the Tribe by the Secretary in the same manner as amounts received from other land held by the Secretary in trust for the Tribe.

(c) DATE OF TRANSFER.—No land shall be transferred to the Bureau of Indian Affairs to be held in trust for the Tribe under this section until the waivers and releases under section 10(a) take effect.

(d) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There is authorized to be appropriated to the Secretary $200,000 for 1-time payments to local governments to mitigate for the transfer of land by the Bureau of Land Management to the Tribe under section I.F of the Agreement.

(2) PAYMENTS.—Payments under paragraph (1) shall be made on a pro rata basis as parcels of land are acquired by the Tribe.

SEC. 7. WATER RIGHTS.

(a) HOLDING IN TRUST.—

(1) IN GENERAL.—The consumptive use reserved water right shall—

(A) be held in trust by the United States for the benefit of the Tribe and allottees as set forth in this section; and

(B) be subject to section 7 of the Act of February 8, 1887 (25 U.S.C. 381).

(2) SPRINGS OR FOUNTAINS WATER RIGHT.—The springs or fountains water right of the Tribe shall be held in trust by the United States for the benefit of the Tribe.

(3) ALLOTTEES.—Allottees shall be entitled to a just and equitable allocation of the consumptive use reserved water right for irrigation purposes.

(b) WATER CODE.—

(1) ENACTMENT OF WATER CODE.—Not later than 3 years after the date of enactment of this Act, the Tribe shall enact a water code, subject to any applicable provision of law, that—

(A) manages, regulates, and controls the consumptive use reserved water right so as to allocate water for irrigation, domestic, commercial, municipal, industrial, cultural, or other uses; and

(B) includes, subject to approval of the Secretary—

(i) a due process system for the consideration and determination of any request by an allottee, or any successor in interest to an allottee, for an allocation of such water for irrigation purposes on allotted land, including a process for an appeal and adjudication of de-

nied or disputed distribution of water and for resolution of contested administrative decisions; and

(ii) a process to protect the interests of allottees when entering into any lease under subsection (e).

(2) SECRETARIAL APPROVAL.—Any provision of the water code and any amendments to the water code that affect the rights of the allottees shall be subject to approval by the Secretary, and no such provision or amendment shall be valid until approved by the Secretary.

(3) INTERIM ADMINISTRATION.—The Secretary shall administer the consumptive use reserved water right until such date as the water code described in paragraph (2) has been enacted by the Tribe and the Secretary has approved the relevant portions of the water code.

(c) EXHAUSTION OF REMEDIES.—Before asserting any claim against the United States under section 7 of the Act of February 8, 1887 (25 U.S.C. 381) or other applicable law, a claimant shall exhaust remedies available under the Tribe's water code and Tribal law.

(d) PETITION TO THE SECRETARY.—Following exhaustion of remedies in accordance with subsection (c), a claimant may petition the Secretary for relief.

(e) SATISFACTION OF CLAIMS.—

(1) IN GENERAL.—The water rights and other benefits granted or confirmed by the Agreement and this Act shall be in full satisfaction of all claims for water rights and injuries to water rights of the allottees.

(2) SATISFACTION OF ENTITLEMENTS.—Any entitlement to water of any allottee under Federal law shall be satisfied out of the consumptive use reserved water right.

(3) COMPLETE SUBSTITUTION.—The water rights, resources, and other benefits provided by this Act are a complete substitution for any rights that may have been held by, or any claims that may have been asserted by, allottees within the exterior boundaries of the Reservation before the date of enactment of this Act.

(f) ABANDONMENT, FORFEITURE, OR NONUSE.—The consumptive use reserved water right and the springs or fountains water right shall not be subject to loss by abandonment, forfeiture, or nonuse.

(g) LEASE OF WATER.—

(1) IN GENERAL.—Subject to the water code, the Tribe, without further approval of the Secretary, may lease water to which the Tribe is entitled under the consumptive use reserved water right through any State water bank in the same manner and subject to the same rules and requirements that govern any other lessor of water to the water bank.

(2) FUNDS.—Any funds accruing to the Tribe from any lease under paragraph (1) shall be the property of the Tribe, and the United States shall have no trust obligation or other obligation to monitor, administer, or account for any consideration received by the Tribe under any such lease.

SEC. 8. TRIBAL FUNDS.

(a) DEFINITION OF FUND.—In this section, the term "Fund" means—

(1) the Nez Perce Tribe Water and Fisheries Fund established under subsection (b)(1); and

(2) the Nez Perce Tribe Domestic Water Supply Fund established under subsection (b)(2).

(b) ESTABLISHMENT.—There are established in the Treasury of the United States—

(1) a fund to be known as the "Nez Perce Tribe Water and Fisheries Fund", to be used to pay or reimburse costs incurred by the Tribe in acquiring land and water rights, restoring or improving fish habitat, or for fish production, agricultural development, cultural preservation, water resource development, or fisheries-related projects; and

(2) a fund to be known as the "Nez Perce Domestic Water Supply Fund", to be used to pay the costs for design and construction of water supply and sewer systems for tribal communities, including a water quality testing laboratory.

(c) MANAGEMENT OF THE FUNDS.—The Secretary shall manage the Funds, make investments from the Funds, and make amounts available from the Funds for distribution to the Tribe consistent with the American Indian Trust Fund Management Reform Act of 1994 (25 U.S.C. 4001 et seq.), this Act, and the Agreement.

(d) INVESTMENT OF THE FUNDS.—The Secretary shall invest amounts in the Funds in accordance with—

(1) the Act of April 1, 1880 (25 U.S.C. 161; 21 Stat. 70, chapter 41);

(2) the first section of the Act of June 24, 1938 (25 U.S.C. 162a; 52 Stat. 1037, chapter 648); and

(3) subsection (c).

(e) AVAILABILITY OF AMOUNTS FROM THE FUNDS.—Amounts made available under subsection (h) shall be available for expenditure or withdrawal only after the waivers and releases under section 10(a) take effect.

(f) EXPENDITURES AND WITHDRAWAL.—

(1) TRIBAL MANAGEMENT PLAN.—

(A) IN GENERAL.—The Tribe may withdraw all or part of amounts in the Funds on approval by the Secretary of a tribal management plan as described in the American Indian Trust Fund Management Reform Act of 1994 (25 U.S.C. 4001 et seq.).

(B) REQUIREMENTS.—In addition to the requirements under the American Indian Trust Fund Management Reform Act of 1994 (25 U.S.C. 4001 et seq.), the tribal management plan shall require that the Tribe spend any amounts withdrawn from the Funds in accordance with the purposes described in subsection (b).

(C) ENFORCEMENT.—The Secretary may take judicial or administrative action to enforce the provisions of any tribal management plan to ensure that any amounts withdrawn from the Funds under the plan are used in accordance with this Act and the Agreement.

(D) LIABILITY.—If the Tribe exercises the right to withdraw amounts from the Funds, neither the Secretary nor the Secretary of the Treasury shall retain any liability for the expenditure or investment of the amounts.

(2) EXPENDITURE PLAN.—

(A) IN GENERAL.—The Tribe shall submit to the Secretary for approval an expenditure plan for any portion of the amounts made available under subsection (h) that the Tribe does not withdraw under this subsection.

(B) DESCRIPTION.—The expenditure plan shall describe the manner in which, and the purposes for which, amounts of the Tribe remaining in the Funds will be used.

(C) APPROVAL.—On receipt of an expenditure plan under subparagraph (A), the Secretary shall approve the plan if the Secretary determines that the plan is reasonable and consistent with this Act and the Agreement.

(D) ANNUAL REPORT.—For each Fund, the Tribe shall submit to the Secretary an annual report that describes all expenditures from the Fund during the year covered by the report.

(g) NO PER CAPITA PAYMENTS.—No part of the principal of the Funds, or of the income accruing in the Funds, shall be distributed to any member of the Tribe on a per capita basis.

(h) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated—

(1) to the Nez Perce Tribe Water and Fisheries Fund—

(A) for fiscal year 2007, $7,830,000;

(B) for fiscal year 2008, $4,730,000;

(C) for fiscal year 2009, $7,380,000;

(D) for fiscal year 2010, $10,080,000;

(E) for fiscal year 2011, $11,630,000;

(F) for fiscal year 2012, $9,450,000; and

(G) for fiscal year 2013, $9,000,000; and

(2) to the Nez Perce Tribe Domestic Water Supply Fund—

(A) for fiscal year 2007, $5,100,000;

(B) for fiscal year 2008, $8,200,000;

(C) for fiscal year 2009, $5,550,000;

(D) for fiscal year 2010, $2,850,000; and

(E) for fiscal year 2011, $1,300,000.

SEC. 9. SALMON AND CLEARWATER RIVER BASINS HABITAT FUND.

(a) ESTABLISHMENT OF FUND.—

(1) IN GENERAL.—There is established in the Treasury of the United States a fund to be known as the "Salmon and Clearwater River Basins Habitat Fund" (referred to in this section as the "Fund"), to be administered by the Secretary.

(2) ACCOUNTS.—There is established within the Fund—

(A) an account to be known as the "Nez Perce Tribe Salmon and Clearwater River Basins Habitat Account", which shall be administered by the Secretary for use by the Tribe subject to the same provisions for management, investment, and expenditure as the funds established by section 8; and

(B) an account to be known as the "Idaho Salmon and Clearwater River Basins Habitat Account", which shall be administered by the Secretary and provided to the State as provided in the Agreement and this Act.

(b) USE OF THE FUND.—

(1) IN GENERAL.—The Fund shall be used to supplement amounts made available under any other law for habitat protection and restoration in the Salmon and Clearwater River Ba-

sins in Idaho, including projects and programs intended to protect and restore listed fish and their habitat in those basins, as specified in the Agreement and this Act.

(2) RELEASE OF FUNDS.—The Secretary shall release funds from the Idaho Salmon and Clearwater River Basins Habitat Account in accordance with section 6(d)(2) of the Endangered Species Act (16 U.S.C. 1535(d)(2)).

(3) NO ALLOCATION REQUIREMENT.—The use of the Fund shall not be subject to the allocation procedures under section 6(d)(1) of the Endangered Species Act of 1973 (16 U.S.C. 1535(d)(1)).

(c) AVAILABILITY OF AMOUNTS IN THE FUND.—Amounts made available under subsection (d) shall be available for expenditure or withdrawal only after the waivers and releases under section 10(a) take effect.

(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated—

(1) to the Nez Perce Tribe Salmon and Clearwater River Basins Habitat Account, $2,533,334 for each of fiscal years 2007 through 2011; and

(2) to the Idaho Salmon and Clearwater River Basins Habitat Account, $5,066,666 for each of fiscal years 2007 through 2011.

SEC. 10. TRIBAL WAIVER AND RELEASE OF CLAIMS.

(a) WAIVER AND RELEASE OF CLAIMS IN GENERAL.—

(1) CLAIMS TO WATER RIGHTS; CLAIMS FOR INJURIES TO WATER RIGHTS OR TREATY RIGHTS.—Except as otherwise provided in this Act, the United States on behalf of the Tribe and the allottees, and the Tribe, waive and release—

(A) all claims to water rights within the Snake River Basin (as defined in section 3);

(B) all claims for injuries to such water rights; and

(C) all claims for injuries to the treaty rights of the Tribe to the extent that such injuries result or resulted from flow modifications or reductions in the quantity of water available that accrued at any time up to and including the effective date of the settlement, and any continuation thereafter of any such claims, against the State, any agency or political subdivision of the State, or any person, entity, corporation, municipal corporation, or quasi-municipal corporation.

(2) CLAIMS BASED ON REDUCED WATER QUALITY OR REDUCTIONS IN WATER QUANTITY.—The United States on behalf of the Tribe and the allottees, and the Tribe, waive and release any claim, under any treaty theory, based on reduced water quality resulting directly from flow modifications or reductions in the quantity of water available in the Snake River Basin against any party to the Agreement.

(3) NO FUTURE ASSERTION OF CLAIMS.—No water right claim that the Tribe or the allottees have asserted or may in the future assert outside the Snake River Basin shall require water to be supplied from the Snake River Basin to satisfy the claim.

(4) EFFECT OF WAIVERS AND RELEASES.—The waivers and releases by the United States and the Tribe under this subsection—

(A) shall be permanent and enforceable; and

(B) shall survive any subsequent termination of any component of the settlement described in the Agreement or this Act.

(5) EFFECTIVE DATE.—The waivers and releases under this subsection shall take effect on the date on which the Secretary causes to be published in the Federal Register a statement of findings that the actions set forth in section IV.L of the Agreement—

(A) have been completed, including issuance of a judgment and decree by the SRBA court from which no further appeal may be taken; and

(B) have been determined by the United States on behalf of the Tribe and the allottees, the Tribe, and the State of Idaho to be consistent in all material aspects with the Agreement.

(b) WAIVER AND RELEASE OF CLAIMS AGAINST THE UNITED STATES.—

(1) IN GENERAL.—In consideration of performance by the United States of all actions required by the Agreement and this Act, including the appropriation of all funds authorized under sections 8(h) and 9(d)(1), the Tribe shall execute a waiver and release of the United States from—

(A) all claims for water rights within the Snake River Basin, injuries to such water rights, or breach of trust claims for failure to protect, acquire, or develop such water rights that accrued at any time up to and including the effective date determined under paragraph (2);

(B) all claims for injuries to the Tribe's treaty fishing rights, to the extent that such injuries result or resulted from reductions in the quantity of water available in the Snake River Basin;

(C) all claims of breach of trust for failure to protect Nez Perce springs or fountains treaty rights reserved in article VIII of the Treaty of June 9, 1863 (14 Stat. 651); and

(D) all claims of breach of trust arising out of the negotiation of or resulting from the adoption of the Agreement.

(2) EFFECTIVE DATE.—

(A) IN GENERAL.—The waiver and release contained in this subsection shall take effect on the date on which the amounts authorized under sections 8(h) and 9(d)(1) are appropriated.

(B) PERIODS OF LIMITATION; EQUITABLE CLAIMS.—

(i) IN GENERAL.—All periods of limitation and time-based equitable defenses applicable to the claims set forth in paragraph (1) are tolled for the period between the date of enactment of this Act until the earlier of—

(I) the date on which the amounts authorized under sections 8(h) and 9(d)(1) are appropriated; or

(II) October 1, 2017.

(ii) EFFECT OF SUBPARAGRAPH.—This subparagraph neither revives any claim nor tolls any period of

limitation or time-based equitable defense that may have expired before the date of enactment of this Act.

(3) DEFENSE.—The making of the amounts of appropriations authorized under sections 8(h) and 9(d)(1) shall constitute a complete defense to any claim pending in any court of the United States on the date on which the appropriations are made.

(c) RETENTION OF RIGHTS.—

(1) IN GENERAL.—The Tribe shall retain all rights not specifically waived or released in the Agreement or this Act.

(2) DWORSHAK PROJECT.—Nothing in the Agreement or this Act constitutes a waiver by the Tribe of any claim against the United States resulting from the construction and operation of the Dworshak Project (Project PWI 05090), other than those specified in subparagraphs (A) and (B) of subsection (b)(1).

(3) FUTURE ACQUISITION OF WATER RIGHTS.—Nothing in the Agreement or this Act precludes the Tribe or allottees, or the United States as trustee for the Tribe or allottees, from purchasing or otherwise acquiring water rights in the future to the same extent as any other entity in the State.

SEC. 11. MISCELLANEOUS.

(a) GENERAL DISCLAIMER.—The parties expressly reserve all rights not specifically granted, recognized, or relinquished by the settlement described in the Agreement or this Act.

(b) DISCLAIMER REGARDING OTHER AGREEMENTS AND PRECEDENT.—

(1) IN GENERAL.—Subject to section 9(b)(3), nothing in this Act amends, supersedes, or preempts any State law, Federal law, Tribal law, or interstate compact that pertains to the Snake River Basin.

(2) NO ESTABLISHMENT OF STANDARD.—Nothing in this Act—

(A) establishes any standard for the quantification of Federal reserved water rights or any other Indian water claims of any other Indian tribes in any other judicial or administrative proceeding; or

(B) limits the rights of the parties to litigate any issue not resolved by the Agreement or this Act.

(3) NO ADMISSION AGAINST INTEREST.—Nothing in this Act constitutes an admission against interest against any party in any legal proceeding.

(c) TREATY RIGHTS.—Nothing in the Agreement or this Act impairs the treaty fishing, hunting, pasturing, or gathering rights of the Tribe except to the extent expressly provided in the Agreement or this Act.

(d) OTHER CLAIMS.—Nothing in the Agreement or this Act quantifies or otherwise affects the water rights, claims, or entitlements to water, or any other treaty right, of any Indian tribe, band, or community other than the Tribe.

(e) RECREATION ON DWORSHAK RESERVOIR.—

(1) IN GENERAL.—In implementing the provisions of the Agreement and this Act relating to the use of water stored in Dworshak Reservoir for flow augmentation purposes, the heads of the Federal agencies involved in the operational Memorandum of Agreement referred to in the Agreement shall imple-

ment a flow augmentation plan beneficial to fish and consistent with the Agreement.

(2) CONTENTS OF PLAN.—The flow augmentation plan may include provisions beneficial to recreational uses of the reservoir through maintenance of the full level of the reservoir for prolonged periods during the summer months.

(f) JURISDICTION.—

(1) NO EFFECT ON SUBJECT MATTER JURISDICTION.—Nothing in the Agreement or this Act restricts, enlarges, or otherwise determines the subject matter jurisdiction of any Federal, State, or Tribal court.

(2) CONSENT TO JURISDICTION.—The United States consents to jurisdiction in a proper forum for purposes of enforcing the provisions of the Agreement.

(3) EFFECT OF SUBSECTION.—Nothing in this subsection confers jurisdiction on any State court to—

(A) enforce Federal environmental laws regarding the duties of the United States; or

(B) conduct judicial review of Federal agency action.

DIVISION K—SMALL BUSINESS

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This division may be cited as the "Small Business Reauthorization and Manufacturing Assistance Act of 2004".

(b) TABLE OF CONTENTS.—The table of contents for this division is as follows:

TITLE I—SMALL BUSINESS REAUTHORIZATION AND MANUFACTURING

Sec. 1. Short title; table of contents.

Subtitle A—Small manufacturers assistance

Sec. 101. Express loans.
Sec. 102. Loan guarantee fees.
Sec. 103. Increase in guarantee amount and institution of associated fee.
Sec. 104. Debenture size.
Sec. 105. Job requirements.
Sec. 106. Report regarding national database of small manufacturers.
Sec. 107. International trade.

Subtitle B—Authorizations

CHAPTER 1—PROGRAM AUTHORIZATION LEVELS AND ADDITIONAL REAUTHORIZATIONS

Sec. 121. Program authorization levels.
Sec. 122. Additional reauthorizations.

CHAPTER 2—PAUL D. COVERDELL DRUG-FREE WORKPLACE PROGRAM AUTHORIZATIONS AND SUNDRY AMENDMENTS

Sec. 123. Paul D. Coverdell drug-free workplace program authorization provisions.
Sec. 124. Grant provisions.
Sec. 125. Drug-free communities coalitions as eligible intermediaries.
Sec. 126. Promotion of effective practices of eligible intermediaries.
Sec. 127. Report to Congress.

Subtitle C—Administration Management

Sec. 131. Lender examination and review fees.
Sec. 132. Gifts and co-sponsorship of events.

Subtitle D—Entrepreneurial development programs

CHAPTER 1—OFFICE OF ENTREPRENEURIAL DEVELOPMENT

Sec. 141. Service Corps of Retired Executives.
Sec. 142. Small business development center program.

CHAPTER 2—OFFICE OF VETERANS BUSINESS DEVELOPMENT

Sec. 143. Advisory Committee on Veterans Business Affairs.
Sec. 144. Outreach grants for veterans.
Sec. 145. Authorization of appropriations.
Sec. 146. National Veterans Business Development Corporation.

CHAPTER 3—MANUFACTURING AND ENTREPRENEURIAL DEVELOPMENT

Sec. 147. Small Business Manufacturing Task Force.

Subtitle E—HUBZone Program

Sec. 151. Streamlining and revision of HUBZone eligibility requirements.
Sec. 152. Expansion of qualified areas.
Sec. 153. Price evaluation preference.
Sec. 154. HUBZone Authorizations.
Sec. 155. Participation in federally funded projects.

Subtitle F—Small business lending companies

Sec. 161. Supervisory and enforcement authority for small business lending companies.
Sec. 162. Definitions relating to small business lending companies.

TITLE II—MISCELLANEOUS AMENDMENTS

Sec. 201. Amendment to definition of equity capital with respect to issuers of participating securities.
Sec. 202. Investment of excess funds.
Sec. 203. Surety bond amendments.
Sec. 204. Effective date for certain fees.

TITLE I—SMALL BUSINESS REAUTHORIZATION AND MANUFACTURING

Subtitle A—Small Manufacturers Assistance

SEC. 101. EXPRESS LOANS.

(a) IN GENERAL.—Section 7(a) of the Small Business Act (15 U.S.C. 636(a)) is amended by adding at the end the following:

"(31) EXPRESS LOANS.—

"(A) DEFINITIONS.—As used in this paragraph:

"(i) The term 'express lender' means any lender authorized by the Administration to participate in the Express Loan Program.

"(ii) The term 'express loan' means any loan made pursuant to this paragraph in which a lender utilizes to the maximum extent practicable its own loan analyses, procedures, and documentation.

"(iii) The term 'Express Loan Program' means the program for express loans established by the Administration under paragraph (25)(B), as in existence on April 5, 2004, with a guaranty rate of not more than 50 percent.

"(B) RESTRICTION TO EXPRESS LENDER.—The authority to make an express loan shall be limited to those lenders

deemed qualified to make such loans by the Administration. Designation as an express lender for purposes of making an express loan shall not prohibit such lender from taking any other action authorized by the Administration for that lender pursuant to this subsection.

"(C) GRANDFATHERING OF EXISTING LENDERS.—Any express lender shall retain such designation unless the Administration determines that the express lender has violated the law or regulations promulgated by the Administration or modifies the requirements to be an express lender and the lender no longer satisfies those requirements.

"(D) MAXIMUM LOAN AMOUNT.—The maximum loan amount under the Express Loan Program is $350,000.

"(E) OPTION TO PARTICIPATE.—Except as otherwise provided in this paragraph, the Administration shall take no regulatory, policy, or administrative action, without regard to whether such action requires notification pursuant to paragraph (24), that has the effect of requiring a lender to make an express loan pursuant to subparagraph (D).".

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the date of enactment of this Act.

SEC. 102. LOAN GUARANTEE FEES.

(a) ADDITIONAL GUARANTEE FEE LEVEL.—Section 7(a)(18)(A) of the Small Business Act (15 U.S.C. 636(a)(18)(A)) is amended to read as follows:

"(A) IN GENERAL.—With respect to each loan guaranteed under this subsection (other than a loan that is repayable in 1 year or less), the Administration shall collect a guarantee fee, which shall be payable by the participating lender, and may be charged to the borrower, as follows:

"(i) A guarantee fee not to exceed 2 percent of the deferred participation share of a total loan amount that is not more than $150,000.

"(ii) A guarantee fee not to exceed 3 percent of the deferred participation share of a total loan amount that is more than $150,000, but not more than $700,000.

"(iii) A guarantee fee not to exceed 3.5 percent of the deferred participation share of a total loan amount that is more than $700,000.

"(iv) In addition to the fee under clause (iii), a guarantee fee equal to 0.25 percent of any portion of the deferred participation share that is more than $1,000,000.".

(b) CLERICAL AMENDMENT.—Section 7(a)(18) of the Small Business Act (15 U.S.C. 636(a)(18)) is amended by striking subparagraph (C).

(c) YEARLY FEE.—Section 7(a)(23) of the Small Business Act (15 U.S.C. 636(a)(23)) is amended—

(1) in the heading, by striking "ANNUAL" and inserting "YEARLY";

(2) by striking subparagraph (A) and inserting the following:

"(A) IN GENERAL.—With respect to each loan approved under this subsection, the Administration shall assess, col-

lect, and retain a fee, not to exceed 0.55 percent per year of the outstanding balance of the deferred participation share of the loan, in an amount established once annually by the Administration in the Administration's annual budget request to Congress, as necessary to reduce to zero the cost to the Administration of making guarantees under this subsection. As used in this paragraph, the term 'cost' has the meaning given that term in section 502 of the Federal Credit Reform Act of 1990 (2 U.S.C. 661a).";

(3) in subparagraph (B), by striking "annual" and inserting "yearly"; and

(4) by adding at the end the following:

"(C) LOWERING OF BORROWER FEES.—If the Administration determines that fees paid by lenders and by small business borrowers for guarantees under this subsection may be reduced, consistent with reducing to zero the cost to the Administration of making such guarantees—

"(i) the Administration shall first consider reducing fees paid by small business borrowers under clauses (i) through (iii) of paragraph (18)(A), to the maximum extent possible; and

"(ii) fees paid by small business borrowers shall not be increased above the levels in effect on the date of enactment of this subparagraph.".

SEC. 103. INCREASE IN GUARANTEE AMOUNT AND INSTITUTION OF ASSOCIATED FEE.

(a) INCREASE IN AMOUNT PERMITTED TO BE OUTSTANDING AND COMMITTED.—Section 7(a)(3)(A) of the Small Business Act (15 U.S.C. 636(a)(3)(A)) is amended by striking "$1,000,000" and inserting "$1,500,000".

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the date of enactment of this Act.

SEC. 104. DEBENTURE SIZE.

Section 502(2) of the Small Business Investment Act of 1958 (15 U.S.C. 696(2)) is amended to read as follows:

"(2) MAXIMUM AMOUNT.—

"(A) IN GENERAL.—Loans made by the Administration under this section shall be limited to—

"(i) $1,500,000 for each small business concern if the loan proceeds will not be directed toward a goal or project described in subparagraph (B) or (C);

"(ii) $2,000,000 for each small business concern if the loan proceeds will be directed toward 1 or more of the public policy goals described under section 501(d)(3); and

"(iii) $4,000,000 for each project of a small manufacturer.

"(B) DEFINITION.—As used in this paragraph, the term 'small manufacturer' means a small business concern—

"(i) the primary business of which is classified in sector 31, 32, or 33 of the North American Industrial Classification System; and

"(ii) all of the production facilities of which are located in the United States.".

SEC. 105. JOB REQUIREMENTS.

Section 501 of the Small Business Investment Act of 1958 (15 U.S.C. 695) is amended by adding at the end the following:

"(e)(1) A project meets the objective set forth in subsection (d)(1) if the project creates or retains one job for every $50,000 guaranteed by the Administration, except that the amount is $100,000 in the case of a project of a small manufacturer.

"(2) Paragraph (1) does not apply to a project for which eligibility is based on the objectives set forth in paragraph (2) or (3) of subsection (d), if the development company's portfolio of outstanding debentures creates or retains one job for every $50,000 guaranteed by the Administration.

"(3) For projects in Alaska, Hawaii, State-designated enterprise zones, empowerment zones and enterprise communities, labor surplus areas, as determined by the Secretary of Labor, and for other areas designated by the Administrator, the development company's portfolio may average not more than $75,000 per job created or retained.

"(4) Loans for projects of small manufacturers shall be excluded from calculations under paragraph (2) or (3).

"(5) Under regulations prescribed by the Administrator, the Administrator may waive, on a case-by-case basis or by regulation, any requirement of this subsection (other than paragraph (4)). With respect to any waiver the Administrator is prohibited from adopting a dollar amount that is lower than the amounts set forth in paragraphs (1), (2), and (3).

"(6) As used in this subsection, the term 'small manufacturer' means a small business concern—

"(A) the primary business of which is classified in sector 31, 32, or 33 of the North American Industrial Classification System; and

"(B) all of the production facilities of which are located in the United States.".

SEC. 106. REPORT REGARDING NATIONAL DATABASE OF SMALL MANUFACTURERS.

(a) STUDY AND REPORT.—The Administrator, in consultation with the Association of Small Business Development Centers authorized by section 21(k) of the Small Business Act (15 U.S.C. 648(k)), shall—

(1) study the feasibility of creating a national database of small manufacturers that institutions of higher education could access for purposes of meeting procurement needs; and

(2) not later than 1 year after the date of enactment of this Act, submit a report to the Congress regarding the findings and conclusions of such study.

(b) COST ESTIMATE.—The report referred to in subsection (a)(2) shall include an estimate of the cost of creating and maintaining the database described in subsection (a)(1).

(c) DEFINITION.—As used in this section, the term "small manufacturer" means a small business concern—

(1) the primary business of which is classified in sector 31, 32, or 33 of the North American Industrial Classification System; and

(2) all of the production facilities of which are located in the United States.

SEC. 107. INTERNATIONAL TRADE.

(a) IN GENERAL.—Section 7(a)(16) of the Small Business Act (15 U.S.C. 636(a)(16)) is amended to read as follows:

"(16) INTERNATIONAL TRADE.—

"(A) IN GENERAL.—If the Administrator determines that a loan guaranteed under this subsection will allow an eligible small business concern that is engaged in or adversely affected by international trade to improve its competitive position, the Administrator may make such loan to assist such concern in—

"(i) the financing of the acquisition, construction, renovation, modernization, improvement, or expansion of productive facilities or equipment to be used in the United States in the production of goods and services involved in international trade; or

"(ii) the refinancing of existing indebtedness that is not structured with reasonable terms and conditions.

"(B) SECURITY.—Each loan made under this paragraph shall be secured by a first lien position or first mortgage on the property or equipment financed by the loan or on other assets of the small business concern.

"(C) ENGAGED IN INTERNATIONAL TRADE.—For purposes of this paragraph, a small business concern is engaged in international trade if, as determined by the Administrator, the small business concern is in a position to expand existing export markets or develop new export markets.

"(D) ADVERSELY AFFECTED BY INTERNATIONAL TRADE.—For purposes of this paragraph, a small business concern is adversely affected by international trade if, as determined by the Administrator, the small business concern—

"(i) is confronting increased competition with foreign firms in the relevant market; and

"(ii) is injured by such competition.

"(E) FINDINGS BY CERTAIN FEDERAL AGENCIES.—For purposes of subparagraph (D)(ii) the Administrator shall accept any finding of injury by the International Trade Commission or any finding of injury by the Secretary of Commerce pursuant to chapter 3 of title II of the Trade Act of 1974.".

(b) LIMITATION INCREASE.—Section 7(a)(3)(B) of the Small Business Act (15 U.S.C. 636(a)(3)(B)) is amended—

(1) by striking "$1,250,000" and inserting "$1,750,000"; and

(2) by striking "$750,000" and inserting "$1,250,000".

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of enactment of this Act.

Subtitle B—Authorizations

CHAPTER 1—PROGRAM AUTHORIZATION LEVELS AND ADDITIONAL REAUTHORIZATIONS

SEC. 121. PROGRAM AUTHORIZATION LEVELS.

Section 20 of the Small Business Act (15 U.S.C. 631 note) is amended—

(1) in subsection (a)(1), by striking "certification" each place it appears in subparagraphs (D) and (E) and inserting "accreditation"; and

(2) by striking subsections (c) through (i) and inserting the following:

"(c) DISASTER MITIGATION PILOT PROGRAM.—The following program levels are authorized for loans under section 7(b)(1)(C):

"(1) $15,000,000 for fiscal year 2005.

"(2) $15,000,000 for fiscal year 2006.

"(d) FISCAL YEAR 2005.—

"(1) PROGRAM LEVELS.—The following program levels are authorized for fiscal year 2005:

"(A) For the programs authorized by this Act, the Administration is authorized to make—

"(i) $75,000,000 in technical assistance grants, as provided in section 7(m); and

"(ii) $105,000,000 in direct loans, as provided in 7(m).

"(B) For the programs authorized by this Act, the Administration is authorized to make $23,050,000,000 in deferred participation loans and other financings. Of such sum, the Administration is authorized to make—

"(i) $16,500,000,000 in general business loans, as provided in section 7(a);

"(ii) $6,000,000,000 in certified development company financings, as provided in section 7(a)(13) and as provided in section 504 of the Small Business Investment Act of 1958;

"(iii) $500,000,000 in loans, as provided in section 7(a)(21); and

"(iv) $50,000,000 in loans, as provided in section 7(m).

"(C) For the programs authorized by title III of the Small Business Investment Act of 1958, the Administration is authorized to make—

"(i) $4,250,000,000 in purchases of participating securities; and

"(ii) $3,250,000,000 in guarantees of debentures.

"(D) For the programs authorized by part B of title IV of the Small Business Investment Act of 1958, the Administration is authorized to enter into guarantees not to exceed $6,000,000,000, of which not more than 50 percent may be in bonds approved pursuant to section 411(a)(3) of that Act.

"(E) The Administration is authorized to make grants or enter into cooperative agreements for a total amount of $7,000,000 for the Service Corps of Retired Executives program authorized by section 8(b)(1).

"(2) ADDITIONAL AUTHORIZATIONS.—

"(A) There are authorized to be appropriated to the Administration for fiscal year 2005 such sums as may be necessary to carry out the provisions of this Act not elsewhere provided for, including administrative expenses and necessary loan capital for disaster loans pursuant to section 7(b), and to carry out the Small Business Investment Act

of 1958, including salaries and expenses of the Administration.

"(B) Notwithstanding any other provision of this paragraph, for fiscal year 2005—

"(i) no funds are authorized to be used as loan capital for the loan program authorized by section 7(a)(21) except by transfer from another Federal department or agency to the Administration, unless the program level authorized for general business loans under paragraph (1)(B)(i) is fully funded; and

"(ii) the Administration may not approve loans on its own behalf or on behalf of any other Federal department or agency, by contract or otherwise, under terms and conditions other than those specifically authorized under this Act or the Small Business Investment Act of 1958, except that it may approve loans under section 7(a)(21) of this Act in gross amounts of not more than $2,000,000.

"(e) FISCAL YEAR 2006.—

"(1) PROGRAM LEVELS.—The following program levels are authorized for fiscal year 2006:

"(A) For the programs authorized by this Act, the Administration is authorized to make—

"(i) $80,000,000 in technical assistance grants, as provided in section 7(m); and

"(ii) $110,000,000 in direct loans, as provided in 7(m).

"(B) For the programs authorized by this Act, the Administration is authorized to make $25,050,000,000 in deferred participation loans and other financings. Of such sum, the Administration is authorized to make—

"(i) $17,000,000,000 in general business loans, as provided in section 7(a);

"(ii) $7,500,000,000 in certified development company financings, as provided in section 7(a)(13) and as provided in section 504 of the Small Business Investment Act of 1958;

"(iii) $500,000,000 in loans, as provided in section 7(a)(21); and

"(iv) $50,000,000 in loans, as provided in section 7(m).

"(C) For the programs authorized by title III of the Small Business Investment Act of 1958, the Administration is authorized to make—

"(i) $4,500,000,000 in purchases of participating securities; and

"(ii) $3,500,000,000 in guarantees of debentures.

"(D) For the programs authorized by part B of title IV of the Small Business Investment Act of 1958, the Administration is authorized to enter into guarantees not to exceed $6,000,000,000, of which not more than 50 percent may be in bonds approved pursuant to section 411(a)(3) of that Act.

"(E) The Administration is authorized to make grants or enter into cooperative agreements for a total amount of

$7,000,000 for the Service Corps of Retired Executives program authorized by section 8(b)(1).

"(2) ADDITIONAL AUTHORIZATIONS.—

"(A) There are authorized to be appropriated to the Administration for fiscal year 2006 such sums as may be necessary to carry out the provisions of this Act not elsewhere provided for, including administrative expenses and necessary loan capital for disaster loans pursuant to section 7(b), and to carry out the Small Business Investment Act of 1958, including salaries and expenses of the Administration.

"(B) Notwithstanding any other provision of this paragraph, for fiscal year 2006—

"(i) no funds are authorized to be used as loan capital for the loan program authorized by section 7(a)(21) except by transfer from another Federal department or agency to the Administration, unless the program level authorized for general business loans under paragraph (1)(B)(i) is fully funded; and

"(ii) the Administration may not approve loans on its own behalf or on behalf of any other Federal department or agency, by contract or otherwise, under terms and conditions other than those specifically authorized under this Act or the Small Business Investment Act of 1958, except that it may approve loans under section 7(a)(21) of this Act in gross amounts of not more than $2,000,000.".

SEC. 122. ADDITIONAL REAUTHORIZATIONS.

(a) DRUG-FREE WORKPLACE PROGRAM ASSISTANCE.—Section 21(c)(3)(T) of the Small Business Act (15 U.S.C. 648(c)(3)(T)) is amended by striking "October 1, 2003" and inserting "October 1, 2006".

(b) SMALL BUSINESS DEVELOPMENT CENTERS.—Section 21(a)(4)(C) of the Small Business Act (15 U.S.C. 648(a)(4)(C)) is amended—

(1) by striking clause (vii) and inserting the following:

"(vii) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this subparagraph—

"(I) $130,000,000 for fiscal year 2005; and

"(II) $135,000,000 for fiscal year 2006.";

(2) by redesignating clause (viii) as clause (ix); and

(3) by inserting after clause (vii) the following:

"(viii) LIMITATION.—From the funds appropriated pursuant to clause (vii), the Administration shall reserve not less than $1,000,000 in each fiscal year to develop portable assistance for startup and sustainability non-matching grant programs to be conducted by eligible small business development centers in communities that are economically challenged as a result of a business or government facility downsizing or closing, which has resulted in the loss of jobs or small business instability. A non-matching grant under this clause shall not exceed $100,000, and shall be used for small business development center personnel expenses and related small business programs and services.".

CHAPTER 2—PAUL D. COVERDELL DRUG-FREE WORKPLACE PROGRAM AUTHORIZATIONS AND SUNDRY AMENDMENTS

SEC. 123. PAUL D. COVERDELL DRUG-FREE WORKPLACE PROGRAM AUTHORIZATION PROVISIONS.

(a) IN GENERAL.—Section 27(g)(1) of the Small Business Act (15 U.S.C. 654(g)(1)) is amended by striking ", $5,000,000" in the first sentence and all that follows through "subsection" in the second sentence and inserting the following: "(other than subsection (b)(2)), $5,000,000 for each of fiscal years 2005 and 2006. Amounts made available under this paragraph".

(b) LIMITATION ON AUTHORIZATION FOR SMALL BUSINESS DEVELOPMENT CENTERS.—Section 27(g)(2) of the Small Business Act (15 U.S.C. 654(g)) is amended by striking "this subsection, not more than the greater of 10 percent or $1,000,000" and inserting "paragraph (1) for each of fiscal years 2005 and 2006, not more than the greater of 10 percent or $500,000".

(c) ADDITIONAL AUTHORIZATION FOR TECHNICAL ASSISTANCE GRANTS.—Section 27(g) of the Small Business Act (15 U.S.C. 654(g)) is amended by adding at the end the following:

> *"(3) ADDITIONAL AUTHORIZATION FOR TECHNICAL ASSISTANCE GRANTS.—There are authorized to be appropriated to carry out subsection (b)(2), $1,500,000 for each of fiscal years 2005 and 2006. Amounts made available under this paragraph shall remain available until expended.".*

(d) LIMITATION ON ADMINISTRATIVE COSTS.—Section 27(g) of the Small Business Act (15 U.S.C. 654(g)), as amended by subsection (c), is further amended by adding at the end the following:

> *"(4) LIMITATION ON ADMINISTRATIVE COSTS.—Not more than 5 percent of the total amount made available under this subsection for any fiscal year shall be used for administrative costs (determined without regard to the administrative costs of eligible intermediaries).".*

SEC. 124. GRANT PROVISIONS.

(a) ADDITIONAL GRANTS FOR TECHNICAL ASSISTANCE.—Section 27(b) of the Small Business Act (15 U.S.C. 654) is amended—

> *(1) by striking "There is established" and inserting the following:*
>
> *"(1) IN GENERAL.—There is established"; and*
>
> *(2) by adding at the end the following new paragraph:*
>
> *"(2) ADDITIONAL GRANTS FOR TECHNICAL ASSISTANCE.—In addition to grants under paragraph (1), the Administrator may make grants to, or enter into cooperative agreements or contracts with, any grantee for the purpose of providing, in cooperation with one or more small business development centers, technical assistance to small business concerns seeking to establish a drug-free workplace program.".*

(b) 2-YEAR GRANTS.—Section 27(b) of the Small Business Act (15 U.S.C. 654(b)), as amended by subsection (a), is further amended by adding at the end the following:

> *"(3) 2-YEAR GRANTS.—Each grant made under this subsection shall be for a period of 2 years, subject to an annual performance review by the Administrator.".*

SEC. 125. DRUG-FREE COMMUNITIES COALITIONS AS ELIGIBLE INTERMEDIARIES.

Section 27(a)(2)(D) of the Small Business Act (15 U.S.C. 654(a)(2)) is amended to read as follows:

"(D)(i) the purpose of which is—

"(I) to develop comprehensive drug-free workplace programs or to supply drug-free workplace services; or

"(II) to provide other forms of assistance and services to small business concerns; or

"(ii) that is eligible to receive a grant under chapter 2 of the National Narcotics Leadership Act of 1988 (21 U.S.C. 1521 et seq.).".

SEC. 126. PROMOTION OF EFFECTIVE PRACTICES OF ELIGIBLE INTERMEDIARIES.

Section 27(c) of the Small Business Act (15 U.S.C. 654(c)) is amended to read as follows:

"(c) PROMOTION OF EFFECTIVE PRACTICES OF ELIGIBLE INTERMEDIARIES.—

"(1) TECHNICAL ASSISTANCE AND INFORMATION.—The Administrator, after consultation with the Director of the Center for Substance Abuse and Prevention, shall provide technical assistance and information to each eligible intermediary under subsection (b) regarding the most effective practices in establishing and carrying out drug-free workplace programs.

"(2) EVALUATION OF PROGRAM.—

"(A) DATA COLLECTION AND ANALYSIS.—Each eligible intermediary receiving a grant under this section shall establish a system to collect and analyze information regarding the effectiveness of drug-free workplace programs established with assistance provided under this section through the intermediary, including information regarding any increase or decrease among employees in drug use, awareness of the adverse consequences of drug use, and absenteeism, injury, and disciplinary problems related to drug use. Such system shall conform to such requirements as the Administrator, after consultation with the Director of the Center for Substance Abuse and Prevention, may prescribe. Not more than 5 percent of the amount of each grant made under subsection (b) shall be used by the eligible intermediary to carry out this paragraph.

"(B) METHOD OF EVALUATION.—The Administrator, after consultation with the Director of the Center for Substance Abuse and Prevention, shall provide technical assistance and guidance to each eligible intermediary receiving a grant under subsection (b) regarding the collection and analysis of information to evaluate the effectiveness of drug-free workplace programs established with assistance provided under this section, including the information referred to in paragraph (1). Such assistance shall include the identification of additional information suitable for measuring the benefits of drug-free workplace programs to the small business concern and to the concern's employees and the identification of methods suitable for analyzing such information.".

SEC. 127. REPORT TO CONGRESS.

Not later than March 31, 2006, the Administrator, in consultation with the Secretary of Labor, the Secretary of Health and Human Services, and the Director of National Drug Control Policy, shall submit to Congress a report that—

(1) analyzes the information collected under section 27(c) of the Small Business Act;

(2) identifies trends in such information; and

(3) evaluates the effectiveness of the drug-free workplace programs established with assistance under section 27 of the Small Business Act (15 U.S.C. 654).

Subtitle C—Administration Management

SEC. 131. LENDER EXAMINATION AND REVIEW FEES.

Section 5(b) of the Small Business Act (15 U.S.C. 634(b)) is amended—

(1) in paragraph (12), by striking "and" at the end;

(2) in paragraph (13), by striking the period at the end and inserting "; and"; and

(3) by adding at the end the following:

"(14) require any lender authorized to make loans under section 7 of this Act to pay examination and review fees, which shall be deposited in the account for salaries and expenses of the Administration, and shall be available for the costs of examinations, reviews, and other lender oversight activities.".

SEC. 132. GIFTS AND CO-SPONSORSHIP OF EVENTS.

(a) IN GENERAL.—Section 4 of the Small Business Act (15 U.S.C. 633) is amended by adding at the end the following:

"(g) GIFTS.—

"(1) IN GENERAL.—The Administrator may, for purposes of this Act, the Small Business Investment Act of 1954, and title IV of the Women's Business Ownership Act of 1988, solicit, accept, hold, administer, utilize, and dispose of gifts, devises, and bequests of cash, property (including tangible, intangible, real, and personal), subsistence, and services. Notwithstanding any other provision of law, the Administrator may utilize gifts, devises, or bequests for marketing and outreach activities, including the cost of promotional materials and wearing apparel.

"(2) AUDITS.—Any gift, devise, or bequest of cash accepted by the Administrator shall be held in a separate account and shall be subject to semi-annual audits by the Inspector General of the Administration who shall report his findings to the Congress.

"(3) CONFLICTS OF INTEREST.—No gift, devise, or bequest shall be solicited or accepted under the authority of this subsection if such solicitation or acceptance would, in the determination of the General Counsel, create a conflict of interest.

"(4) ACCEPTANCE OF SERVICES AND FACILITIES FOR DISASTER LOAN PROGRAM.—The Administrator may accept the services and facilities of Federal, State, and local agencies and groups, both public and private, and utilize such gratuitous services and facilities as may, from time to time, be necessary, to further the objectives of section 7(b).

"(h) CO-SPONSORSHIP OF EVENTS.—

"(1) AUTHORIZATION.—The Administrator, after consultation with the General Counsel, may provide assistance for the benefit of small business through Administration-sponsored activities, through cosponsored activities with any eligible entity, or through such other activities that the Administrator determines to be appropriate, including recognition events.

"(2) ELIGIBLE ENTITY.—For purposes of this subsection, the term 'eligible entity' means any for-profit or not-for-profit entity, any Federal, State, or local government official, or any Federal, State, or local government entity.

"(3) PROHIBITION ON ENDORSEMENTS.—The Administrator shall ensure that the Administration and any eligible entities that cosponsor activities receive appropriate recognition for such cosponsorship, and that such recognition does not constitute or imply an endorsement by the Administration of any product or service of such entity.

"(4) AUTHORITY TO CHARGE FEES.—Notwithstanding any other provision of law, the Administrator may charge a participant in any activity sponsored or cosponsored by the Administration a minimal fee, and retain and use such fee to cover the costs of such activity.

"(5) LIMITED DELEGATION.—The Administrator may not delegate the authority described in this subsection except to the Deputy Administrator, an Associate Administrator, or an Assistant Administrator.

"(6) REPORT TO CONGRESS.—The Inspector General of the Administration shall report semi-annually to Congress on the Administrator's use of authority under this subsection.

"(7) RULEMAKING.—Not later than 180 days after the date of enactment of this subsection, the Administrator shall promulgate regulations to carry out the provisions of this subsection.".

(b) CONFORMING AMENDMENTS.—Section 8(b)(1)(A) of the Small Business Act (15 U.S.C. 637(b)(1)(A)) is amended—

(1) by striking clause (ii);

(2) by striking "(1)(A) to provide—" and all that follows through "business concerns—" and inserting the following:

"(1)(A) to provide technical, managerial, and informational aids to small business concerns—";

(3) by redesignating subclauses (I) through (IV) as clauses (i) through (iv), respectively;

(4) by redesignating items (aa) and (bb) of clause (ii), as so redesignated by paragraph (3), as subclauses (I) and (II), respectively; and

(5) by striking "; and" at the end of clause (iv), as so redesignated by paragraph (3), and inserting a period.

(c) SUNSET PROVISION.—The amendments made by this section are repealed on October 1, 2006.

Subtitle D—Entrepreneurial Development Programs

CHAPTER 1—OFFICE OF ENTREPRENEURIAL DEVELOPMENT

SEC. 141. SERVICE CORPS OF RETIRED EXECUTIVES.

(a) IN GENERAL.—Section 8(b)(1)(B) of the Small Business Act (15 U.S.C. 637(b)(1)(B)) is amended—

(1) by striking "this Act; and to", and inserting "this Act. To";

(2) by striking "may maintain at its headquarters" and all that follows through "That any" and inserting "shall maintain at its headquarters and pay the salaries, benefits, and expenses of a volunteer and professional staff to manage and oversee the program. Any"; and

(3) by striking the period at the end and inserting "and the management of the contributions received.".

(b) REGULATIONS.—The Administration shall, not later than 180 days after the date of enactment of this Act, promulgate regulations to carry out the amendments made by subsection (a).

SEC. 142. SMALL BUSINESS DEVELOPMENT CENTER PROGRAM.

(a) PRIVACY REQUIREMENTS.—Section 21(a) of the Small Business Act (15 U.S.C. 648(a)) is amended by adding at the end the following:

"(7) PRIVACY REQUIREMENTS.—

"(A) IN GENERAL.—A small business development center, consortium of small business development centers, or contractor or agent of a small business development center may not disclose the name, address, or telephone number of any individual or small business concern receiving assistance under this section without the consent of such individual or small business concern, unless—

"(i) the Administrator is ordered to make such a disclosure by a court in any civil or criminal enforcement action initiated by a Federal or State agency; or

"(ii) the Administrator considers such a disclosure to be necessary for the purpose of conducting a financial audit of a small business development center, but a disclosure under this clause shall be limited to the information necessary for such audit.

"(B) ADMINISTRATOR USE OF INFORMATION.—This section shall not—

"(i) restrict Administrator access to program activity data; or

"(ii) prevent the Administrator from using client information to conduct client surveys.

"(C) REGULATIONS.—

"(i) IN GENERAL.—The Administrator shall issue regulations to establish standards—

"(I) for disclosures with respect to financial audits under subparagraph (A)(ii); and

"(II) for client surveys under subparagraph (B)(ii), including standards for oversight of such

surveys and for dissemination and use of client information.

"(ii) MAXIMUM PRIVACY PROTECTION.—Regulations under this subparagraph, shall, to the extent practicable, provide for the maximum amount of privacy protection.

"(iii) INSPECTOR GENERAL.—Until the effective date of regulations under this subparagraph, any client survey and the use of such information shall be approved by the Inspector General who shall include such approval in his semi-annual report.".

(b) TERM CHANGE.—Section 21(k) of the Small Business Act (15 U.S.C. 648(k)) is amended—

(1) by striking "CERTIFICATION" each place it appears and inserting "ACCREDITATION"; and

(2) by striking "certification" each place it appears and inserting "accreditation".

CHAPTER 2—OFFICE OF VETERANS BUSINESS DEVELOPMENT

SEC. 143. ADVISORY COMMITTEE ON VETERANS BUSINESS AFFAIRS.

(a) RETENTION OF DUTIES.—Section 33(h) of the Small Business Act (15 U.S.C. 657c(h)) is amended by striking "October 1, 2004" and inserting "October 1, 2006".

(b) EXTENSION OF AUTHORITY.—Section 203(h) of the Veterans Entrepreneurship and Small Business Development Act of 1999 (15 U.S.C. 657b note) is amended by striking "September 30, 2004" and inserting "September 30, 2006".

SEC. 144. OUTREACH GRANTS FOR VETERANS.

Section 8(b)(17) of the Small Business Act (15 U.S.C. 637(b)(17)) is amended by inserting before the period at the end the following: ", veterans, and members of a reserve component of the Armed Forces".

SEC. 145. AUTHORIZATION OF APPROPRIATIONS.

Section 32 of the Small Business Act (15 U.S.C. 657b) is amended by adding at the end the following:

"(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section—

"(1) $1,500,000 for fiscal year 2005; and

"(2) $2,000,000 for fiscal year 2006.".

SEC. 146. NATIONAL VETERANS BUSINESS DEVELOPMENT CORPORATION.

Section 33(a) of the Small Business Act (15 U.S.C. 657c(a)) is amended by adding at the end the following: "Notwithstanding any other provision of law, the Corporation is a private entity and is not an agency, instrumentality, authority, entity, or establishment of the United States Government.".

CHAPTER 3—MANUFACTURING AND ENTREPRENEURIAL DEVELOPMENT

SEC. 147. SMALL BUSINESS MANUFACTURING TASK FORCE.

(a) ESTABLISHMENT.—The Administrator of the Small Business Administration (referred to in this subtitle as the "Administrator")

shall establish a Small Business Manufacturing Task Force (referred to in this section as the "Task Force") to address the concerns of small manufacturers.

(b) CHAIR.—The Administrator shall assign a member of the Task Force to serve as chair of the Task Force.

(c) DUTIES.—The Task Force shall—

(1) evaluate and identify whether programs and services are sufficient to serve the needs of small manufacturers;

(2) actively promote the programs and services of the Small Business Administration that serve small manufacturers; and

(3) identify and study the unique conditions facing small manufacturers and develop and propose policy initiatives to support and assist small manufacturers.

(d) MEETINGS.—

(1) FREQUENCY.—The Task Force shall meet not less than 4 times per year, and more frequently if necessary to perform its duties.

(2) QUORUM.—A majority of the members of the Task Force shall constitute a quorum to approve recommendations or reports.

(e) PERSONNEL MATTERS.—

(1) COMPENSATION OF MEMBERS.—Each member of the Task Force shall serve without compensation in addition to that received for services rendered as an officer or employee of the United States.

(2) DETAIL OF SBA EMPLOYEES.—Any employee of the Small Business Administration may be detailed to the Task Force without reimbursement, and such detail shall be without interruption or loss of civil service status or privilege.

(f) REPORT.—Not later than 1 year after the date of enactment of this Act, and annually thereafter, the Task Force shall submit a report containing the findings and recommendations of the task force to—

(1) the President;

(2) the Committee on Small Business and Entrepreneurship of the Senate; and

(3) the Committee on Small Business of the House of Representatives.

Subtitle E—HUBZone Program

SEC. 151. STREAMLINING AND REVISION OF HUBZONE ELIGIBILITY REQUIREMENTS.

(a) IN GENERAL.—Section 3(p) of the Small Business Act (15 U.S.C. 632(p)) is amended—

(1) in paragraph (3)—

(A) by amending subparagraph (A) to read as follows:

"(A) a small business concern that is at least 51 percent owned and controlled by United States citizens;"

(B) in subparagraph (C), by striking "or" at the end;

(C) in subparagraph (D)(ii), by striking the period at the end and inserting "; or"; and

(D) by adding at the end the following:

"(E) a small business concern that is—

"(i) a small agricultural cooperative organized or incorporated in the United States;

"(ii) wholly owned by 1 or more small agricultural cooperatives organized or incorporated in the United States; or

"(iii) owned in part by 1 or more small agricultural cooperatives organized or incorporated in the United States, if all owners are small business concerns or United States citizens."; and

(2) in paragraph (5)(A)(i)(I)(aa), by striking "or (D)" and inserting "(C), (D), or (E)".

(b) CONFORMING AMENDMENT.—Section 3(j) of the Small Business Act (15 U.S.C. 632(j)) is amended by striking "of section 7(b)(2)".

SEC. 152. EXPANSION OF QUALIFIED AREAS.

(a) TREATMENT OF CERTAIN AREAS AS HUBZONES.—

(1) BASE CLOSURE AREAS.—Section 3(p)(1) of the Small Business Act (15 U.S.C. 632(p)(1)) is amended—

(A) in subparagraph (C), by striking "or" at the end;

(B) in subparagraph (D), by striking the period at the end and inserting "; or"; and

(C) by adding at the end the following:

"(E) base closure areas."

(2) HUBZONE STATUS TIME LINE AND COMMENCEMENT.—A base closure area that has undergone final closure shall be treated as a HUBZone for purposes of the Small Business Act for a period of 5 years.

(3) DEFINITION.—Section 3(p)(4) of the Small Business Act (15 U.S.C. 632(p)(4)) is amended by adding at the end the following:

"(D) BASE CLOSURE AREA.—The term 'base closure area' means lands within the external boundaries of a military installation that were closed through a privatization process under the authority of—

"(i) the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Division B of Public Law 101–510; 10 U.S.C. 2687 note);

"(ii) title II of the Defense Authorization Amendments and Base Closure and Realignment Act (Public Law 100–526; 10 U.S.C. 2687 note);

"(iii) section 2687 of title 10, United States Code; or

"(iv) any other provision of law authorizing or directing the Secretary of Defense or the Secretary of a military department to dispose of real property at the military installation for purposes relating to base closures of redevelopment, while retaining the authority to enter into a leaseback of all or a portion of the property for military use."

(b) QUALIFIED NONMETROPOLITAN COUNTY.—Section 3(p)(4)(B)(ii)(II) of the Small Business Act (15 U.S.C. 632(p)(4)(B)(ii)(II)) is amended to read as follows:

"(II) the unemployment rate is not less than 140 percent of the average unemployment rate for the United States or for the State in which such

county is located, whichever is less, based on the most recent data available from the Secretary of Labor."

(c) TEMPORARY QUALIFIED AREAS EXTENSION AND QUALIFIED AREAS STUDY.—

(1) REDESIGNATED AREA.—Section 3(p)(4)(C) of the Small Business Act (15 U.S.C. 632(p)(4)(C)) is amended by striking "only for the 3-year period following" and inserting the following:

" only until the later of—

"(i) the date on which the Census Bureau publicly releases the first results from the 2010 decennial census; or

"(ii) 3 years after"

(2) STUDY AND REPORT.—

(A) STUDY.—The Independent Office of Advocacy of the Small Business Administration shall conduct a study of the HUBZone program to measure the effectiveness of the definitions under section 3(p)(4) of the Small Business Act (15 U.S.C. 632(p)(4)) relating to HUBZone qualified areas for the purposes of economic impact on small business development and jobs creation.

(B) REPORT.—Not later than May 1, 2008, the Independent Office of Advocacy shall submit a report to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives that contains—

(i) the results of the study conducted under paragraph (1); and

(ii) any proposed changes to the existing definitions under section 3(p)(4) of the Small Business Act (15 U.S.C. 632(p)(4)) relating to HUBZone qualified areas.

SEC. 153. PRICE EVALUATION PREFERENCE.

Section 31(b)(3) of the Small Business Act (15 U.S.C. 657a(b)(3)) is amended—

(1) by redesignating subparagraph (C) as subparagraph (D); and

(2) by adding at the end the following:

"(C) PROCUREMENT OF COMMODITIES FOR INTERNATIONAL FOOD AID EXPORT OPERATIONS.—The price evaluation preference for purchases of agricultural commodities by the Secretary of Agriculture for export operations through international food aid programs administered by the Farm Service Agency shall be 5 percent on the first portion of a contract to be awarded that is not greater than 20 percent of the total volume of each commodity being procured in a single invitation."

SEC. 154. HUBZONE AUTHORIZATIONS.

Section 31(d) of the Small Business Act (15 U.S.C. 657a(d)) is amended by striking "2001 through 2003" and inserting "2004 through 2006".

SEC. 155. PARTICIPATION IN FEDERALLY FUNDED PROJECTS.

Any small business concern that is certified, or otherwise meets the criteria for participation in any program under section 8(a) of

the Small Business Act (15 U.S.C. 637(a)), shall not be required by any State, or political subdivision thereof, to meet additional criteria or certification, unrelated to the capability to provide the requested products or services, in order to participate as a small disadvantaged business in any program or project that is funded, in whole or in part, by the Federal Government.

Subtitle F—Small Business Lending Companies

SEC. 161. SUPERVISORY AND ENFORCEMENT AUTHORITY FOR SMALL BUSINESS LENDING COMPANIES.

Section 23 of the Small Business Act (15 U.S.C. 650) is amended to read as follows:

"SEC. 23. SUPERVISORY AND ENFORCEMENT AUTHORITY FOR SMALL BUSINESS LENDING COMPANIES.

"(a) IN GENERAL.—The Administrator is authorized—

"(1) to supervise the safety and soundness of small business lending companies and non-Federally regulated lenders;

"(2) with respect to small business lending companies to set capital standards to regulate, to examine, and to enforce laws governing such companies, in accordance with the purposes of this Act; and

"(3) with respect to non-Federally regulated lenders to regulate, to examine, and to enforce laws governing the lending activities of such lenders under section 7(a) in accordance with the purposes of this Act.

"(b) CAPITAL DIRECTIVE.—

"(1) IN GENERAL.—If the Administrator determines that a small business lending company is being operated in an imprudent manner, the Administrator may, in addition to any other action authorized by law, issue a directive to such company to increase capital to such level as the Administrator determines will result in the safe and sound operation of such company.

"(2) DELEGATION.—The Administrator may not delegate the authority granted under paragraph (1) except to an Associate Deputy Administrator.

"(3) REGULATIONS.—The Administrator shall issue regulations outlining the conditions under which the Administrator may determine the level of capital pursuant to paragraph (1).

"(c) CIVIL ACTION.—If a small business lending company violates this Act, the Administrator may institute a civil action in an appropriate district court to terminate the rights, privileges, and franchises of the company under this Act.

"(d) REVOCATION OR SUSPENSION OF LOAN AUTHORITY.—

"(1) The Administrator may revoke or suspend the authority of a small business lending company or a non-Federally regulated lender to make, service or liquidate business loans authorized by section 7(a) of this Act—

"(A) for false statements knowingly made in any written submission required under this Act;

"(B) for omission of a material fact from any written submission required under this Act;

"(C) for willful or repeated violation of this Act;

"(D) for willful or repeated violation of any condition imposed by the Administrator with respect to any application, request, or agreement under this Act; or

"(E) for violation of any cease and desist order of the Administrator under this section.

"(2) The Administrator may revoke or suspend authority under paragraph (1) only after a hearing under subsection (f). The Administrator may delegate power to revoke or suspend authority under paragraph (1) only to the Deputy Administrator and only if the Administrator is unavailable to take such action.

"(A) The Administrator, after finding extraordinary circumstances and in order to protect the financial or legal position of the United States, may issue a suspension order without conducting a hearing pursuant to subsection (f). If the Administrator issues a suspension under the preceding sentence, the Administrator shall within two business days follow the procedures set forth in subsection (f).

"(B) Any suspension under paragraph (1) shall remain in effect until the Administrator makes a decision pursuant to subparagraph (4) to permanently revoke the authority of the small business lending company or non-Federally regulated lender, suspend the authority for a time certain, or terminate the suspension.

"(3) The small business lending company or non-Federally regulated lender must notify borrowers of a revocation and that a new entity has been appointed to service their loans. The Administrator or an employee of the Administration designated by the Administrator may provide such notice to the borrower.

"(4) Any revocation or suspension under paragraph (1) shall be made by the Administrator except that the Administrator shall delegate to an administrative law judge as that term is used in section 3105 of title 5, United States Code the authority to conduct any hearing required under subsection (f). The Administrator shall base the decision to revoke on the record of the hearing.

"(e) CEASE AND DESIST ORDER.—

"(1) Where a small business lending company, a non-Federally regulated lender, or other person violates this Act or is engaging or is about to engage in any acts or practices which constitute or will constitute a violation of this Act, the Administrator may order, after the opportunity for hearing pursuant to subsection (f), the company, lender, or other person to cease and desist from such action or failure to act. The Administrator may delegate the authority under the preceding sentence only to the Deputy Administrator and only if the Administrator is unavailable to take such action.

"(2) The Administrator, after finding extraordinary circumstances and in order to protect the financial or legal position of the United States, may issue a cease and desist order without conducting a hearing pursuant to subsection (f). If the Administrator issues a cease and desist order under the preceding sentence, the Administrator shall within two business days follow the procedures set forth in subsection (f).

"(3) The Administrator may further order such small business lending company or non-Federally regulated lender or other person to take such action or to refrain from such action as the Administrator deems necessary to insure compliance with this Act.

"(4) A cease and desist order under this subsection may also provide for the suspension of authority to lend in subsection (d).

"(f) PROCEDURE FOR REVOCATION OR SUSPENSION OF LOAN AUTHORITY AND FOR CEASE AND DESIST ORDER.—

"(1) Before revoking or suspending authority under subsection (d) or issuing a cease and desist order under subsection (e), the Administrator shall serve an order to show cause upon the small business lending company, non-Federally regulated lender, or other person why an order revoking or suspending the authority or a cease and desist order should not be issued. The order to show cause shall contain a statement of the matters of fact and law asserted by the Administrator and the legal authority and jurisdiction under which a hearing is to be held, and shall set forth that a hearing will be held before an administrative law judge at a time and place stated in the order. Such hearing shall be conducted pursuant to the provisions of sections 554, 556, and 557 of title 5, United States Code. If after hearing, or a waiver thereof, the Administrator determines that an order revoking or suspending the authority or a cease and desist order should be issued, the Administrator shall promptly issue such order, which shall include a statement of the findings of the Administrator and the grounds and reasons therefor and specify the effective date of the order, and shall cause the order to be served on the small business lending company, non-Federally regulated lender, or other person involved.

"(2) Witnesses summoned before the Administrator shall be paid by the party at whose instance they were called the same fees and mileage that are paid witnesses in the courts of the United States.

"(3) A cease and desist order, suspension or revocation issued by the Administrator, after the hearing under this subsection is final agency action for purposes of chapter 7 of title 5, United States Code. An adversely aggrieved party shall have 20 days from the date of issuance of the cease and desist order, suspension or revocation, to seek judicial review in an appropriate district court.

"(g) REMOVAL OR SUSPENSION OF MANAGEMENT OFFICIAL.—

"(1) DEFINITION.—In this section, the term 'management official' means, with respect to a small business lending company or a non-Federally regulated lender, an officer, director, general partner, manager, employee, agent, or other participant in the management of the affairs of the company's or lender's activities under section 7(a) of this Act.

"(2) REMOVAL OF MANAGEMENT OFFICIAL.—

"(A) NOTICE.—The Administrator may serve upon any management official a written notice of its intention to remove that management official if, in the opinion of the Administrator, the management official—

"(i) willfully and knowingly commits a substantial violation of—

"(I) this Act;

"(II) any regulation issued under this Act;

"(III) a final cease-and-desist order under this Act; or

"(IV) any agreement by the management official, the small business lending company or non-Federally regulated lender under this Act; or

"(ii) willfully and knowingly commits a substantial breach of a fiduciary duty of that person as a management official and the violation or breach of fiduciary duty is one involving personal dishonesty on the part of such management official.

"(B) CONTENTS OF NOTICE.—A notice under subparagraph (A) shall contain a statement of the facts constituting grounds therefor and shall fix a time and place at which a hearing, conducted pursuant to sections 554, 556, and 557 of title 5, United States Code, will be held thereon.

"(C) HEARING.—

"(i) TIMING.—A hearing under subparagraph (B) shall be held not earlier than 30 days and later than 60 days after the date of service of notice of the hearing, unless an earlier or a later date is set by the Administrator at the request of—

"(I) the management official, and for good cause shown; or

"(II) the Attorney General.

"(ii) CONSENT.—Unless the management official appears at a hearing under this paragraph in person or by a duly authorized representative, the management official shall be deemed to have consented to the issuance of an order of removal under subparagraph (A).

"(D) ORDER OF REMOVAL.—

"(i) IN GENERAL.—In the event of consent under subparagraph (C)(ii), or if upon the record made at a hearing under this subsection, the Administrator finds that any of the grounds specified in the notice of removal has been established, the Administrator may issue such orders of removal from office as the Administrator deems appropriate.

"(ii) EFFECTIVENESS.—An order under clause (i) shall—

"(I) take effect 30 days after the date of service upon the subject small business lending company or non-Federally regulated lender and the management official concerned (except in the case of an order issued upon consent as described in subparagraph (C)(ii), which shall become effective at the time specified in such order); and

"(II) remain effective and enforceable, except to such extent as it is stayed, modified, terminated, or set aside by action of the Administrator or a reviewing court in accordance with this section.

"(3) AUTHORITY TO SUSPEND OR PROHIBIT PARTICIPATION.—

"(A) IN GENERAL.—In order to protect a small business lending company, a non-Federally regulated lender or the interests of the Administration or the United States, the Administrator may suspend from office or prohibit from further participation in any manner in the management or conduct of the affairs of a small business lending company or a non-Federally regulated lender a management official by written notice to such effect served upon the management official. Such suspension or prohibition may prohibit the management official from making, servicing, reviewing, approving, or liquidating any loan under section 7(a) of this Act.

"(B) EFFECTIVENESS.—A suspension or prohibition under subparagraph (A)—

"(i) shall take effect upon service of notice under paragraph (2); and

"(ii) unless stayed by a court in proceedings authorized by subparagraph (C), shall remain in effect—

"(I) pending the completion of the administrative proceedings pursuant to a notice of intention to remove served under paragraph (2); and

"(II) until such time as the Administrator dismisses the charges specified in the notice, or, if an order of removal or prohibition is issued against the management official, until the effective date of any such order.

"(C) JUDICIAL REVIEW OF SUSPENSION PRIOR TO HEARING.—Not later than 10 days after a management official is suspended or prohibited from participation under subparagraph (A), the management official may apply to an appropriate district court for a stay of the suspension or prohibition pending the completion of the administrative proceedings pursuant to a notice of intent to remove served upon the management official under paragraph (2).

"(4) AUTHORITY TO SUSPEND ON CRIMINAL CHARGES.—

"(A) IN GENERAL.—If a management official is charged in any information, indictment, or complaint authorized by a United States attorney, with a felony involving dishonesty or breach of trust, the Administrator may, by written notice served upon the management official, suspend the management official from office or prohibit the management official from further participation in any manner in the management or conduct of the affairs of the small business lending company or non-Federally regulated lender.

"(B) EFFECTIVENESS.—A suspension or prohibition under subparagraph (A) shall remain in effect until the information, indictment, or complaint is finally disposed of, or until terminated by the Administrator or upon an order of a district court.

"(C) AUTHORITY UPON CONVICTION.—If a judgment of conviction with respect to an offense described in subparagraph (A) is entered against a management official, then at such time as the judgment is not subject to further judicial review (and for purposes of this subparagraph shall not in-

clude any petition for a writ of habeas corpus), the Administrator may issue and serve upon the management official an order removing the management official, effective upon service of a copy of the order upon the small business lending company or non-Federally regulated lender.

"(D) AUTHORITY UPON DISMISSAL OR OTHER DISPOSITION.—A finding of not guilty or other disposition of charges described in subparagraph (A) shall not preclude the Administrator from instituting proceedings under subsection (e) or (f).

"(5) NOTIFICATION TO SMALL BUSINESS LENDING COMPANY OR A NON-FEDERALLY REGULATED LENDER.—Copies of each notice required to be served on a management official under this section shall also be served upon the small business lending company or non-Federally regulated lender involved.

"(6) FINAL AGENCY ACTION AND JUDICIAL REVIEW.—

"(A) ISSUANCE OF ORDERS.—After a hearing under this subsection, and not later than 30 days after the Administrator notifies the parties that the case has been submitted for final decision, the Administrator shall render a decision in the matter (which shall include findings of fact upon which its decision is predicated), and shall issue and cause to be served upon each party to the proceeding an order or orders consistent with this section. The decision of the Administrator shall constitute final agency action for purposes of chapter 7 of title 5, United States Code.

"(B) JUDICIAL REVIEW.—An adversely aggrieved party shall have 20 days from the date of issuance of the order to seek judicial review in an appropriate district court.

"(h) APPOINTMENT OF RECEIVER.—

"(1) In any proceeding under subsection (f)(4) or subsection (g)(6)(C), the court may take exclusive jurisdiction of a small business lending company or a non-Federally regulated lender and appoint a receiver to hold and administer the assets of the company or lender.

"(2) Upon request of the Administrator, the court may appoint the Administrator as a receiver under paragraph (1).

"(i) POSSESSION OF ASSETS.—

"(1) If a small business lending company or a non-Federally regulated lender is not in compliance with capital requirements or is insolvent, the Administrator may take possession of the portfolio of loans guaranteed by the Administrator and sell such loans to a third party by means of a receiver appointed under subsection (h).

"(2) If a small business lending company or a non-Federally regulated lender is not in compliance with capital requirements or is insolvent or otherwise operating in an unsafe and unsound condition, the Administrator may take possession of servicing activities of loans that are guaranteed by the Administrator and sell such servicing rights to a third party by means of a receiver appointed under subsection (h).

"(j) PENALTIES AND FORFEITURES.—

"(1) Except as provided in paragraph (2), a small business lending company or a non-Federally regulated lender which violates any regulation or written directive issued by the Ad-

ministrator regarding the filing of any regular or special report shall pay to the United States a civil penalty of not more than $5,000 for each day of the continuance of the failure to file such report, unless it is shown that such failure is due to reasonable cause and not due to willful neglect. The civil penalties under this subsection may be enforced in a civil action brought by the Administrator. The penalties under this subsection shall not apply to any affiliate of a small business lending company that procures at least 10 percent of its annual purchasing requirements from small manufacturers.

"(2) The Administrator may by rules and regulations that shall be codified in the Code of Federal Regulations, after an opportunity for notice and comment, or upon application of an interested party, at any time previous to such failure, by order, after notice and opportunity for hearing which shall be conducted pursuant to sections 554, 556, and 557 of title 5, United States Code, exempt in whole or in part, any small business lending company or non-Federally regulated lender from paragraph (1), upon such terms and conditions and for such period of time as it deems necessary and appropriate, if the Administrator finds that such action is not inconsistent with the public interest or the protection of the Administration. The Administrator may for the purposes of this section make any alternative requirements appropriate to the situation.".

SEC. 162. DEFINITIONS RELATING TO SMALL BUSINESS LENDING COMPANIES.

Section 3 of the Small Business Act (15 U.S.C. 632) is amended by adding at the end the following new subsection:

"(r) DEFINITIONS RELATING TO SMALL BUSINESS LENDING COMPANIES.—As used in section 23 of this Act:

"(1) SMALL BUSINESS LENDING COMPANY.—The term 'small business lending company' means a business concern that is authorized by the Administrator to make loans pursuant to section 7(a) and whose lending activities are not subject to regulation by any Federal or State regulatory agency.

"(2) NON-FEDERALLY REGULATED SBA LENDER.—The term 'non-Federally regulated SBA lender' means a business concern if—

"(A) such concern is authorized by the Administrator to make loans under section 7;

"(B) such concern is subject to regulation by a State; and

"(C) the lending activities of such concern are not regulated by any Federal banking authority.".

TITLE II—MISCELLANEOUS AMENDMENTS

SEC. 201. AMENDMENT TO DEFINITION OF EQUITY CAPITAL WITH RESPECT TO ISSUERS OF PARTICIPATING SECURITIES.

Section 303(g)(4) of the Small Business Investment Act of 1958 (15 U.S.C. 683 (g)(4)) is amended—

(1) in the first sentence, by striking "subsection" and inserting "Act"; and

(2) in the second sentence, by striking "contingent upon and limited to the extent of earnings" and inserting "from appropriate sources, as determined by the Administration".

SEC. 202. INVESTMENT OF EXCESS FUNDS.

Section 308(b) of the Small Business Investment Act (15 U.S.C. 687(b)) is amended by striking the last sentence and inserting the following: "Any such company that is licensed before October 1, 2004 and has outstanding financings is authorized to invest funds not needed for its operations—

"(1) in direct obligations of, or obligations guaranteed as to principal and interest by, the United States;

"(2) in certificates of deposit or other accounts of federally insured banks or other federally insured depository institutions, if the certificates or other accounts mature or are otherwise fully available not more than 1 year after the date of the investment; or

"(3) in mutual funds, securities, or other instruments that consist of, or represent pooled assets of, investments described in paragraphs (1) or (2).".

SEC. 203. SURETY BOND AMENDMENTS.

(a) CLARIFICATION OF MAXIMUM SURETY BOND GUARANTEE.—Section 411(a)(1) of the Small Business Investment Act of 1958 (15 U.S.C. 694b(a)(1)) is amended by striking "contract up to" and inserting "total work order or contract amount at the time of bond execution that does not exceed".

(b) AUDIT FREQUENCY.—Section 411(g)(3) of the Small Business Investment Act of 1958 (15 U.S.C. 694b(g)(3)) is amended by striking "each year" and inserting "every three years".

(c) REPEAL.—Section 207 of the Small Business Reauthorization and Amendment Act of 1988 (15 U.S.C. 694b note) is repealed.

SEC. 204. EFFECTIVE DATE FOR CERTAIN FEES.

Section 503(f) of the Small Business Investment Act of 1958 (15 U.S.C. 697(f)) is amended by striking ", but" and all that follows through the end and inserting a period.

And the Senate agree to the same.

JIM KOLBE,
JOE KNOLLENBERG,
JERRY LEWIS,
ROGER F. WICKER,
HENRY BONILLA,
DAVID VITTER,
MARK STEVEN KIRK,
ANDER CRENSHAW,
BILL YOUNG,
RALPH REGULA,
DAVID L. HOBSON,
STEVEN R. ROTHMAN,
Managers on the Part of the House.

MITCH MCCONNELL,
THAD COCHRAN,
JUDD GREGG,
RICHARD C. SHELBY,
ROBERT F. BENNETT,

BEN NIGHTHORSE CAMPBELL,
CHRISTOPHER S. BOND,
MIKE DEWINE,
TED STEVENS,
Managers on the Part of the Senate.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and Senate at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 4818) making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2005, and for other purposes, submit the following joint statement to the House and Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report.

This conference agreement includes the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2005; the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 2005; the Energy and Water Development Appropriations Act, 2005; the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2005; the Interior and Related Agencies Appropriations Act, 2005; the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2005; the Legislative Branch Appropriations Act, 2005; the Transportation, Treasury, and Independent Agencies Appropriations Act, 2005; the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 2005; and other matters included in division J.

DIVISION A—AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2005

CONGRESSIONAL DIRECTIVES

The statement of the managers remains silent on provisions that were in both the House and Senate bills that remain unchanged by this conference agreement, except as noted in this statement of the managers.

The conferees agree that executive branch wishes cannot substitute for Congress' own statements as to the best evidence of congressional intentions—that is, the official reports of the Congress. The conferees further point out that funds in this Act must be used for the purposes for which appropriated, as required by section 1301 of title 31 of the United States Code, which provides: "Appropriations shall be applied only to the objects for which the appropriations were made except as otherwise provided by law."

The House and Senate report language that is not changed by the conference is approved by the committee of conference. The statement of the managers, while repeating some report language for emphasis, does not intend to negate the language referred to above unless expressly provided herein.

In cases in which the House or the Senate have directed the submission of a report, such report is to be submitted to both the House and Senate Committees on Appropriations.

TITLE I—AGRICULTURAL PROGRAMS

PRODUCTION, PROCESSING, AND MARKETING

OFFICE OF THE SECRETARY

The conference agreement provides $5,124,000 for the Office of the Secretary as proposed by the Senate instead of $4,185,000 as proposed by the House.

The conference agreement provides the fiscal year 2004 funding level for cross-cutting trade negotiations and biotechnology resources in the following accounts: Office of the Secretary; Animal and Plant Health Inspection Service; Grain Inspection, Packers and Stockyards Administration; and the Foreign Agricultural Service.

The conferees appreciate receiving the detailed information provided in the Explanatory Notes prepared by the Department and rely heavily on this information when considering budget proposals. These materials have traditionally been prepared for the sole use of the Committees on Appropriations in a format consistent with the organization and operation of the programs and the structure of the Appropriations Act. At the direction of the Office of Management and Budget, the Department has changed the format and content of these materials to focus on broader goals and objectives rather than the major program structure followed in the Act, and in the actual conduct of the programs. The new organization and content does not present budget information in a format useful to the deliberations of the Committees. For fiscal year 2006 and future years, the Department is directed to present Explanatory Notes in a format consistent with the presentation used for the fiscal year 2002 Budget. Any deviations from that format are to be approved in advance by the Committees.

The Homeland Security Act of 2002 transferred a number of functions previously under the direct jurisdiction of USDA to the newly created Department of Homeland Security [DHS]. Among these functions were research and diagnostic activities located at Plum Island, New York, and Agricultural Quarantine Inspection [AQI] activities located along our nation's borders and at select transportation centers. The conferees are aware of ongoing concerns within the agriculture sector that the transfer of these responsibilities may shift the focus away from agriculture to other priority areas of DHS. In order to ensure that the interests of U.S. agriculture are protected and that the intent of the Homeland Security Act of 2002 is being fully met, including the proper allocation of AQI and other funds, the conferees request the Government Accountability Office to provide a report, no later than March 1, 2005, on the coordination between USDA and DHS in protecting the U.S. agriculture sector, including a description of the long-term objectives of joint activities at Plum Island and the effectiveness of AQI and other inspection activities.

On previous occasions, both Committees have made clear that they expect the administration to abide by the statutory set-aside

for non-emergency food aid programs. The Bill Emerson Humanitarian Trust (BEHT) exists so that the United States can provide emergency food aid above the appropriated level and not have to reduce funding for non-emergency programs. The conferees are concerned that the administration has continued to use non-emergency funds for emergency purposes. The conferees urge the administration to use the trust for its intended purpose. If the administration continues to waive the non-emergency set-aside for emergencies that could be funded from the BEHT, the Committees may consider taking action to ensure this does not continue.

Despite numerous communications from the Congress over the past year urging USDA to improve the utilization and budget of the U.S. National Arboretum, operated by the Agricultural Research Service, the Department continues to neglect the management of this important public resource. The Department has failed to conclude longstanding discussions to enter into effective fundraising initiatives through the not-for-profit association, Friends of the National Arboretum, which would offer the prospects of enhanced financial resources beyond federal taxpayers' dollars. At the same time, the Department has failed to manage the budget of the Arboretum in a manner that adequately provides for its current and future needs, including appropriate security and public access measures. The conferees are disturbed by the inadequacy of the Department's actions to date, and direct the Secretary to take immediate steps to address and resolve these inadequacies. The conferees direct the Secretary to submit a written report, within 30 days of enactment of this Act, to the Committees on Appropriations on the steps taken as well as plans for any additional steps to address such concerns. The report shall include a timetable for implementation and monitoring of results.

EXECUTIVE OPERATIONS

CHIEF ECONOMIST

The conference agreement provides $10,317,000 for the Office of the Chief Economist instead of $10,810,000 as proposed by the House and $9,817,000 as proposed by the Senate.

The conference agreement provides an increase of $1,500,000 for a preferred procurement system and a labeling system for bio-based products.

NATIONAL APPEALS DIVISION

The conference agreement provides $14,331,000 for the National Appeals Division instead of $14,526,000 as proposed by the House and $14,154,000 as proposed by the Senate. The conferees provide an increase of $477,000 to be applied to the highest priority needs for which additional funding was requested.

OFFICE OF BUDGET AND PROGRAM ANALYSIS

The conference agreement provides $8,228,000 for the Office of Budget and Program Analysis instead of $8,246,000 as proposed by the House and $8,128,000 as proposed by the Senate.

HOMELAND SECURITY STAFF

The conference agreement provides $775,000 for Homeland Security Staff instead of $508,000 as proposed by the House and $1,000,000 as proposed by the Senate. Of the amount provided, $270,000 is to continue operations originally funded by counterterrorism/homeland security supplemental funds.

OFFICE OF THE CHIEF INFORMATION OFFICER

The conference agreement provides $16,595,000 for the Office of the Chief Information Officer instead of $15,608,000 as proposed by the House and $17,595,000 as proposed by the Senate. The conferees provide an increase of $1,000,000 to be applied to the highest priority needs for which additional funding was requested.

The conferees have learned that the Department transferred more than $16,000,000 in agency funds to the Office of the Chief Information Officer in fiscal years 2003 and 2004 to help finance several Presidential eGovernment initiatives. The Department testified that, in addition, it collected fiscal years 2003 and 2004 funds in unspecified amounts from USDA agencies for its own eGovernment initiatives. The conferees are extremely disturbed that the Department has failed to comply with Section 718 of Public Law 108–199 that plainly states that no funds may be transferred to the Office of the Chief Information Officer without the prior approval of the Committees on Appropriations of both Houses of Congress. The USDA General Counsel's office advised the USDA Chief Information Officer in a memorandum dated April 20, 2004, that the Department notify the Committees of its intention to transfer funds to the Office of the Chief Information Officer and await a response. Yet, in spite of the clear legislative language and the General Counsel's advice, the Department proceeded to transfer these funds without the notification and approval of Congress. The Department further testified that the cost of these eGovernment initiatives will exceed $40,000,000 in fiscal year 2005, and about its plans to use the Greenbook mechanism to manage agency contributions towards funding these initiatives. The conferees again direct that no funds be transferred, contributed, pooled or otherwise made available from the agencies to the Office of the Chief Information Officer without the prior approval of the Committees on Appropriations of both Houses of Congress. The conferees further direct that the Department provide, no later than February 1, 2005, a report on the fiscal years 2003, 2004, and estimated 2005 funds, transferred to the Office of the Chief Information Officer through interagency agreements, the Greenbook mechanism, or any other means. The report should identify the amounts transferred or otherwise made available, by Agency, how those funds were or are to be used and the impact of the transfers on agency program activities.

COMMON COMPUTING ENVIRONMENT

The conference agreement provides $125,585,000 for common computing environment as proposed by the Senate. The House proposed funding these activities within the affected mission areas.

The conferees are aware that the acquisition of geospatial data and Geographic Information System technologies is critical to the Department of Agriculture's plans to modernize its County Service Centers and install a common computing environment that optimizes information sharing, customer service, and staff efficiencies, and improves the Department's ability to track and react to natural and/or man-made disasters. Within the funds provided in this Act, the conferees encourage the Department to provide the appropriate level of support to the National Agricultural Imagery Program for the acquisition of geospatial data and Geographic Information System technologies.

OFFICE OF THE CHIEF FINANCIAL OFFICER

The conference agreement provides $5,742,000 for the Office of the Chief Financial Officer as proposed by the Senate instead of $5,811,000 as proposed by the House.

WORKING CAPITAL FUND

The conference agreement provides $12,850,000 for the Working Capital Fund as proposed by the House. The Senate bill contained no such account. The conference agreement also includes a general provision (Section 705) that authorizes the Secretary to transfer unobligated balances of other accounts to the Working Capital Fund.

OFFICE OF THE ASSISTANT SECRETARY FOR CIVIL RIGHTS

The conference agreement provides $818,000 for the Office of the Assistant Secretary for Civil Rights instead of $803,000 as proposed by the House and $819,000 as proposed by the Senate.

OFFICE OF CIVIL RIGHTS

The conference agreement provides $19,889,000 for the Office of Civil Rights instead of $19,452,000 as proposed by the House and $20,347,000 as proposed by the Senate. The conferees provide an increase of $1,458,000 to be applied to the highest priority needs for which additional funding was requested.

OFFICE OF THE ASSISTANT SECRETARY FOR ADMINISTRATION

The conference agreement provides $669,000 for the Office of the Assistant Secretary for Administration as proposed by the House instead of $682,000 as proposed by the Senate.

AGRICULTURE BUILDINGS AND FACILITIES AND RENTAL PAYMENTS

The conference agreement provides $163,870,000 for agriculture buildings and facilities and rental payments instead of $128,216,000 as proposed by the House and $170,870,000 as proposed by the Senate. The conferees provide an increase of $3,000,000 for building operations and maintenance to be applied to the highest priority needs for which additional funding was requested.

HAZARDOUS MATERIALS MANAGEMENT

The conference agreement provides $15,532,000 as proposed by the Senate instead of $15,730,000 as proposed by the House.

DEPARTMENTAL ADMINISTRATION

The conference agreement provides $22,626,000 for Departmental Administration as proposed by the Senate instead of $22,939,000 as proposed by the House.

OFFICE OF THE ASSISTANT SECRETARY FOR CONGRESSIONAL RELATIONS

The conference agreement provides $3,852,000 for the Office of the Assistant Secretary for Congressional Relations as proposed by the House and the Senate.

OFFICE OF COMMUNICATIONS

The conference agreement provides $9,365,000 as proposed by the Senate instead of $9,378,000 as proposed by the House.

The conferees direct the Office of Communications to continue providing them with copies of open source news material made available to USDA officials through the use of appropriated funds.

OFFICE OF THE INSPECTOR GENERAL

The conference agreement provides $78,289,000 for the Office of the Inspector General as proposed by the Senate instead of $78,392,000 as proposed by the House.

OFFICE OF THE GENERAL COUNSEL

The conference agreement provides $35,861,000 for the Office of the General Counsel instead of $35,486,000 as proposed by the House and $36,236,000 as proposed by the Senate. The conferees provide an increase of $625,000 to be applied to the highest priority needs for which additional funding was requested.

OFFICE OF THE UNDER SECRETARY FOR RESEARCH, EDUCATION AND ECONOMICS

The conference agreement provides $592,000 for the Office of the Under Secretary for Research, Education and Economics as proposed by the House instead of $605,000 as proposed by the Senate.

ECONOMIC RESEARCH SERVICE

The conference agreement provides $74,768,000 for the Economic Research Service instead of $76,575,000 as proposed by the House and $75,268,000 as proposed by the Senate. The conferees provide an increase of $3,500,000 to be applied to the highest priority needs for which additional funding was requested.

The conference agreement does not adopt House report language for a comprehensive study of WIC-only stores.

NATIONAL AGRICULTURAL STATISTICS SERVICE

The conference agreement provides $129,480,000 for the National Agricultural Statistics Service instead of $128,661,000 as proposed by the House and $130,299,000 as proposed by the Senate. The conferees provide an increase of $2,681,000 for requested program initiatives for agricultural estimates. Also included in this amount is $22,405,000 for the Census of Agriculture as proposed by the Senate, instead of $22,520,000 as proposed by the House.

AGRICULTURAL RESEARCH SERVICE

SALARIES AND EXPENSES

The conference agreement provides $1,110,887,000 for the Agricultural Research Service, Salaries and Expenses, instead of $1,057,029,000 as proposed by the House and $1,090,261,000 as proposed by the Senate.

The conferees have agreed to increased funding for the following areas of research: Budgeted increases, as follows: Controlling Invasive Species, $500,000; Genetic Resources, $400,000; Genomics Research, $1,200,000; Food Safety, $4,313,000; Controlling Exotic/Emerging Diseases, $3,217,000 of which $800,000 is for soybean rust research at Ames, IA, and Beltsville, MD; Native Plant Disease Recovery System, $1,800,000; Information Technology/Cyber Security, $150,000; Library and Information Services, $400,000; Obesity Epidemic and Promote a Healthier Lifestyle, $500,000; and Climate Change Research Initiative, $519,000.

Further increases, as follows: Aflotoxin in Cotton, Phoenix, AZ, $150,000; Agricultural Genome Bioinformatics, Ames, IA (Bioinformatics Institute for Model Plant Species), $125,000; Air Quality Research, Logan, UT (Utah State University), $125,000; Animal Waste Treatment, Florence, SC, $50,000; Appalachian Horticulture Research, Poplarville, MS (U TN/TN State), $200,000; Aquaculture Initiative for Mid-Atlantic Highlands, Leetown, WV, $100,000; Aquaculture Research (University of Idaho, Hagerman Fish Culture Exp. Station), $125,000; Arbuscular Mycorrhizal Fungi (Rodale Institute), $46,000; Arkansas Children's Nutrition Center, Little Rock, AR, $125,000; Biological Control and Agriculture Research, Gainesville, FL, $50,000; Biotechnology Research and Development Corporation, Peoria, IL, $80,000; Bovine Genetics, Beltsville, MD (U CT/U IL), $100,000; Catfish Genome, Auburn, AL, $225,000; Central Great Plains Research Station, Akron, CO, $50,000; Cereal Crops Research, Madison, WI, $100,000; Cereal Disease Research, St. Paul, MN, $25,000; Chronic Diseases of Children, Houston, TX (Baylor U/Peanut Institute), $125,000; Citrus and Horticulture Research, Ft. Pierce, FL, $125,000; Citrus Waste Utilization, Winter Haven, FL, $42,124; Coffee and Cocoa Research, Miami, FL, and Beltsville, MD, $200,000; Corn Germplasm, Ames, IA, $150,000; Cotton Pathology Research, Shafter, CA, $100,000; Cropping Systems Research (U TN/West TN Ag Experiment Station), $75,000; Dairy Forage (Madison, WI) $225,000; Delta Nutrition Intervention Initiative, Little Rock, AR (Southern U Center for Food Nutrition and Health Promotion), $50,000; Food Fermentation Research, Raleigh, NC, $100,000; For-

age and Range Research (Logan, UT), $125,000; Ft. Pierce Horticultural Research Laboratory (Ft. Pierce, FL), $100,000; Foundry Sand By-products Utilization (Beltsville, MD), $50,000; Golden Nematode (Ithaca, NY), $50,000; Grand Forks Human Nutrition Lab (Grand Forks, ND), $75,000; Grape Genetics (Geneva, NY), $125,000; Grape Rootstock (Geneva, NY) $150,000; Grapefruit Juice/Drug Interaction, Winter Haven, FL, $3,708; Greenhouse and Hydroponics Research, Wooster, OH, $25,000; Hides and Leather Research, Wyndmoor, PA, $75,000; Human Nutrition Research Center on Aging (Boston, MA) (Equipment), $100,000; Improved Crop Production Practices, Auburn, AL, Auburn University, $225,000; Improved Forage-Livestock Production, Lexington, KY, $90,000; Livestock and Range Research (Ft. Keogh, MT), $50,000; Mid-West/Mid-South Irrigation (Columbia, MO), $26,728; National Cold Water Marine Aquaculture (Franklin, ME), $50,000; Northern Plains Agricultural Research Lab (Sidney, MT), $75,000; Noxious Weeds in the Desert Southwest (Las Cruces, NM), $63,000; Nutrition Interventions, $50,000; Obesity Research/Children's Nutrition Research Center (Houston, TX), $175,000, and Human Nutrition Research on Aging (Boston, MA), $125,000; Ogallala Aquifer (Bushland, TX), $850,000; Organic Minor Crop Research (Salinas, CA), $125,000; Pecan Scab Research (Byron, GA), $100,000; Phytoestrogen Research, SRRC (Tulane/Xavier/U of Toledo), $100,000; Poisonous Plant Research Laboratory (Logan, UT), $225,000; Potato Storage (Madison, WI), $1,593; Poult Enteritis-Mortality Syndrome (Athens, GA), $50,000; Quantify Basin Water Budget Components in the Southwest (Tucson, AZ), $125,000; Regional Grains Genotyping (Raleigh, NC), $100,000; Residue Management in Sugarcane, Houma, LA, $125,000; Salmonella, Listeria, E. coli, and other food pathogens (Wyndmoor, PA), $199,931 (of which $50,000 goes to Penn State); Seafood Waste, Fairbanks, AK (U of AK), $160,000 (of which $50,000 goes to the State of Alaska); Seismic and Acoustic Technologies and Soils (Oxford, MS), $125,000; Sorghum Research (Bushland, TX), $125,000; Southeastern Fruit and Tree Nut Research (Byron, GA), $200,000; Soybean and Nitrogen Fixation (Raleigh, NC), $100,000; Sudden Oak Disease/Sudden Oak Disease Syndrome (Ft. Detrick, MD/Davis, CA), $200,000; Sugarbeet Research (Kimberly, ID), $75,000; Sugarcane Variety Research (Canal Point, FL), $175,000; Sustainable Viticulture Research (Davis, CA), $50,000; Transmissible Spongiform Encephalopathies, $225,000; Tree Fruit Quality Research (Wenatchee, WA), $175,000; Turfgrass Research (Beaver, WV), $150,000; United States National Arboretum (Washington, D.C.), $125,000; U.S. Pacific Basin Agricultural Research Center, Hilo, HI (Univ HI Manoa/Univ HI Hilo), $125,000; Vaccines and Microbe Control for Fish Health (Auburn University), $20,000; Verticillium Wilt (Salinas, CA), $125,000; Waste Management Research, Bowling Green, KY (Western Kentucky University), $137,500; and Wild Rice Research (St. Paul, MN), $50,000.

The conference agreement continues the fiscal year 2004 level of funding for all research projects proposed to be terminated in the President's budget as provided in House Report 108–584 and Senate Report 108–340 accompanying the fiscal year 2005 Agriculture Appropriations bills, including the following at all locations: Aqua-

culture Density Research (Stuttgart, AR); Water Resources Management (Tifton, GA); Water Use Management Technology (Tifton, GA); Great Basins Rangeland (Boise, ID); Source Water Protection (West Lafeyette, IN); Great Basins Rangeland (Reno, NV); Western Grazinglands (Reno, NV); and, Pasture Systems and Watershed Management (University Park, PA).

The conference agreement provides an increase of $125,000 for the Children's Nutrition Research Center at Houston, TX, for a cooperative research project with Baylor College of Medicine and the Peanut Institute to examine ways to prevent the onset of chronic diseases and the growing problem of overweight children.

The conferees direct that a portion of the funding for grape rootstock should be allocated to support the ongoing grape industry research strategic planning process.

The conference agreement provides an increase of $75,000 above the fiscal year 2004 level for the Grand Forks Human Nutrition Laboratory for a cooperative agreement with the Northern Great Plains Research Laboratory, Mandan, ND, the University of North Dakota, and North Dakota State University on a healthy beef initiative.

The conferees note the growing concern raised by the soybean industry due to the threat of soybean rust. The conferees also note the recent announcement by the Department of Agriculture that soybean rust has now been confirmed in the United States. Soybean rust is a fungus that appears on the leaves of the plant and eventually causes premature defoliation which brings about substantial yield loss. The conferees encourage the Department to accelerate research on plant varieties that improve tolerance to soybean rust pathogens.

The conferees do not include funding for the development of a wine grape foundation block of certified "clean" rootstock in ARS. The conference agreement provides funding for this vital research in the Cooperative State Research, Education, and Extension Service account.

BUILDINGS AND FACILITIES

The conference agreement provides $187,838,000 for the Agricultural Research Service, Buildings and Facilities, instead of $202,000,000 as proposed by the House and $172,838,000 as proposed by the Senate.

The following items reflect the conference agreement: National Center for Animal Health (Ames, Iowa), $122,000,000; Grape Genomics Research Center (Davis, California), $3,000,000; U.S. Agricultural Research Station (Salinas, California), $3,000,000; U.S. Pacific Basin Agricultural Research Center (Hilo, Hawaii), $3,000,000; Aquaculture Facility (Aberdeen/Billingsley Creek, Idaho) $1,000,000; National Center for Agricultural Utilization Research (Peoria, Illinois), $3,000,000; Animal Waste Management Research Laboratory (Bowling Green, Kentucky), $2,300,000; Forage-Animal Research Laboratory (Lexington, Kentucky) $3,000,000; ARS Sugarcane Research Laboratory (Houma, Louisiana), $3,000,000; Northeast Marine Cold Water Aquaculture Research Center (Orono/Franklin, Maine), $3,000,000; Beltsville Agricultural Research Center (Beltsville, Maryland), $3,000,000; Jamie Whitten

Delta States Research Center (Stoneville, Mississippi), $3,000,000; Poultry Science Research Facility (Starkville, Mississippi), $3,000,000; National Plant and Genetics Security Center (Columbia, Missouri), $5,000,000; Animal Bioscience Facility (Bozeman, Montana), $2,000,000; Center for Grape Genetics (Geneva, New York), $3,000,000; Center for Crop-based Health Genomics (Ithaca, New York), $3,000,000; University of Toledo (Toledo, Ohio), $2,000,000; Southern Plains Research Station (Woodward, Oklahoma), $3,000,000; U.S. Vegetable Laboratory (Charleston, South Carolina), $3,000,000; ARS Research Laboratory (Pullman, Washington), $3,000,000; Appalachian Fruit Laboratory (Kearneysville, West Virginia), $3,638,000; and, Nutrient Management Laboratory (Marshfield, Wisconsin), $4,900,000.

The conferees note that there is widespread interest in additional construction and renovation of ARS facilities throughout the country. This is not surprising when considering the fact that many of the existing facilities are decades old. The conferees continue to believe that the ARS needs a master plan for addressing these needs. Until such a master plan can be developed, however, the Committees will not consider funding requests for projects for which a prospectus has not been completed and submitted to the Committees by March 1 of each year. Each prospectus shall, at a minimum, include the following information: the feasibility, requirements, and scope of the proposed project; details on building size, cost, associated facilities, scientific capacity, and other requirements; and details on existing and planned program and resource requirements. Further, the conferees strongly encourage the ARS to determine the merits and priority for these projects.

The purpose and intent of the ARS Buildings and Facilities account is to provide new, replacement, and modernized Federal laboratories and facilities needed to carry out and strengthen ARS research and to protect the Government's significant investment in these Federal assets. As noted in House Report 108–584 and Senate Report 108–340, there has been widespread interest in additional construction and renovation of the Department's research facilities throughout the country. The conferees encourage ARS to consider the development of a master plan that deals with ARS programs and related buildings priorities. This will be useful to the Committees in assessing and determining ARS in-house laboratory requirements.

COOPERATIVE STATE RESEARCH, EDUCATION, AND EXTENSION SERVICE

RESEARCH AND EDUCATION ACTIVITIES

The conference agreement provides $660,781,000 for research and education activities instead of $628,607,000 as proposed by the House and $628,492,000 as proposed by the Senate.

The conference agreement includes bill language for the following items: West Virginia State University as proposed by the Senate instead of West Virginia State College as proposed by the House; and, $500,000 for resident instruction grants for insular areas as proposed by the House.

The following table reflects the conference agreement:

Cooperative State Research, Education, and Extension Service—research and education activities

[Dollars in thousands]

	FY 2005 Conference
Hatch Act	$180,148
McIntire Stennis Cooperative Forestry	22,384
Evans-Allen Program	37,000
National Research Initiative	181,000
Special Research Grants	136,564
Animal Health and Disease (Sec. 1433)	5,098
1994 Institutions Research Program	1,087
Joe Skeen Institute for Rangeland Restoration (NM, TX, MT)	1,000
Graduate Fellowship Grants	3,000
Institution Challenge Grants	5,500
Multicultural Scholars Program	998
Hispanic Education Partnership Grants	5,645
Secondary/2-year Post-secondary	1,000
Capacity Building Grants (1890 Institutions)	12,411
Payments to the 1994 Institutions	2,250
Alaska Native-serving and Native Hawaiian-serving Education Grants	3,500
Resident Instruction Grants for Insular Areas	500
Subtotal	599,085
Federal Administration:	
Ag-based Industrial Lubricants (IA)	527
Agriculture Development in the American Pacific	490
Agriculture Waste Utilization (WV)	654
Agriculture Water Policy (GA)	898
Alternative Fuels Characterization Laboratory (ND)	284
Animal Waste Management (OK)	298
Aquaculture (OH)	853
Aquaculture (PA)	222
Biotechnology Research (MS)	667
Botanical Research (UT)	896
Center for Agricultural and Rural Development (IA)	600
Center for Food Industry Excellence (TX)	874
Center for Innovative Food Technology (OH)	1,154
Center for North American Studies (TX)	1,000
Climate Forecasting (FL)	3,631
Cotton Research (TX)	2,500
Council for Agriculture Science and Technology (Funded thru SRG in FY 2004)	150
Data Information System (REEIS)	2,444
Dietary Intervention (OH) (Funded thru SRG in FY 2004)	1,148
Electronic Grants Administration System	1,944
Feed Efficiency (WV)	152
Global Environmental Management (Funded thru NRCS in 2004)	1,000
High Value Horticultural Crops (VA)	572
Hispanic Leadership in Agriculture (TX) (Funded thru SRG in House)	550
Greenhouse Nurseries (OH)	732
Income Enhancement Demonstration (OH) (Funded thru Extension in FY 2004)	731
Information Technology (GA)	372
Livestock Marketing Information Center (CO)	175
Mariculture (NC)	320
Mississippi Valley State University, Curriculum Development	933
Monitoring Agricultural Sewage Sludge Application (OH)	1,287
Office of Extramural Programs (Grants)	401
Pasteurization of Shell Eggs (MI)	1,247
Pay Costs and FERS	2,665
Peer Panels	312
Phytoremediation Plant Research (OH)	785
PM–10 Study (WA) (moved from SRG in FY 2004)	390

	FY 2005 Conference
Precision Agriculture, Tennessee Valley Research Center (AL)	604
Produce Pricing (AZ)	76
Rural Systems (MS)	311
Salmon Quality Standards (AK)	167
Shrimp Aquaculture (AZ, HI, MS, MA, SC, LA, TX)	3,973
Sustainable Agricultural Freshwater Conservation (TX)	1,820
Urban Silviculture (NY)	270
Vitis Gene Discovery (MO)	608
Water Pollutants (WV)	569
Water Quality (ND)	443
Wetland Plants (WV)	190
Total, Federal Administration	42,889
Other:	
Alternative Crops	1,196
Aquaculture Centers (Sec. 1475)	4,000
Critical Agricultural Materials Act	1,111
Sustainable Agriculture	12,500
Total, Other	18,807
Total, Research and Education Activities	$660,781

Cooperative State Research, Education, and Extension Service—research and education activities, special research grants

[Dollars in thousands]

	FY 2005 Conference
Advanced Genetic Technologies (KY)	$650
Advanced Spatial Technologies (MS)	943
Aegilops Cylindricum (Jointed Goatgrass) (WA)	358
Agricultural Diversification (HI)	113
Agricultural Diversity/Red River Cooridor (MN, ND)	597
Agriculture Science (OH)	547
Agriculture Water Usage (GA)	260
Agroecology (MD)	390
Air Quality (TX)	1,074
Alliance for Food Protection (NE, GA)	316
Alternative Nutrient Management (VT)	174
Alternative Salmon Products (AK)	1,108
Alternative Uses for Tobacco (MD)	335
Animal Disease Research (WY)	336
Animal Science Food Safety Consortium (AR, KS, IA)	1,444
Apple Fireblight (MI, NY)	483
Aquaculture (AR)	207
Aquaculture (WA, ID)	770
Aquaculture (LA)	332
Aquaculture (MS)	521
Aquaculture (NC)	280
Aquaculture (VA)	190
Aquaculture Product and Marketing Development (WV)	711
Armilliaria Root Rot (MI)	151
Asparagus Technology and Production (WA)	250
Babcock Institute (WI)	569
Beef Technology Transfer (MO)	261
Berry Research (AK)	1,790
Biobased Nanocomposite Research (ND)	178
Biomass-based Energy Research (OK, MS)	1,023
Biotechnology (NC)	289
Biotechnology Test Production (IA)	469
Bovine Tuberculosis (MI)	355
Brucellosis Vaccine (MT)	444
Center for Public Lands and Rural Economies (UT)	225
Center for Rural Studies (VT)	351
Chesapeake Bay Agroecology (MD)	317
Childhood Obesity and Nutrition (VT)	192

	FY 2005 Conference
Citrus Canker (FL)	474
Citrus Tristeza (WA)	697
Competitiveness of Agricultural Products (WA)	652
Computational Agriculture (NY)	241
Cool Season Legume Research (ID, WA)	569
Cotton Fiber Quality (GA)	474
Cranberry/Blueberry (MA)	153
Cranberry/Blueberry Disease and Breeding (NJ)	355
Crop Integration and Production (SD)	297
Crop Diversification Center (MO)	378
Crop Pathogens (NC)	253
Dairy and Meat Goat Research (TX)	100
Dairy Farm Profitability (PA)	472
Delta Rural Revitalization (MS)	246
Designing Foods for Health (TX)	1,624
Diaprepes/Root Weevil (FL)	450
Drought Mitigation (NE)	213
Drought Management (UT)	786
Efficient Irrigation (NM, TX)	1,500
Environmental Biotechnology (RI)	617
Environmental Research (NY)	376
Environmental Risk Factors/Cancer (NY)	219
Environmentally Safe Products (VT)	746
Ethnobotany Research (AK)	284
Exotic Pest Diseases (CA)	1,945
Expanded Wheat Pasture (OK)	275
Farm Injuries and Illnesses (NC)	299
Feed Barley for Rangeland Cattle (MT)	741
Feed Efficiency in Cattle (FL)	297
Feedstock Conversion (SD)	673
Fish and Shellfish Technologies (VA)	457
Food Chain Economic Analysis (IA)	419
Floriculture (HI)	355
Food and Agriculture Policy Research Institute (IA, MO)	1,549
Food Marketing Policy Center (CT)	584
Food Quality (AK)	344
Food Safety (AL)	1,100
Food Safety (OK, ME)	556
Food Safety (TX)	189
Food Safety Research Consortium	900
Food Safety Risk Assessment (ND)	1,377
Food Security (WA)	401
Food Systems Research Group (WI)	521
Forages for Advancing Livestock Production (KY)	393
Forestry (AR)	465
Fruit/Vegetable Market Analaysis (AZ/MO)	326
Functional Genomics (UT)	1,484
Future Foods (IL)	549
Generic Commodity Promotions, Research and Evaluation (NY)	192
Genomics (MS)	890
Geographic Information System	1,716
Global Change	2,000
Grain Sorghum (KS)	137
Grapefruit Juice/Drug Interaction (FL)	347
Grass Seed Cropping for Sustainable Agriculture (WA, OR, ID)	454
Grazing Research (WI)	262
Greenhouse Crop Production (AK)	449
Horn Fly Research (AL)	167
Human Nutrition (IA)	655
Human Nutrition (LA)	712
Human Nutrition (NY)	585
Hydroponic Tomato Production (OH)	180
Illinois-Missouri Alliance for Biotechnology	1,179
Improved Dairy Management Practices (PA)	355
Improved Fruit Practices (MI)	212
Increasing Shelf Life of Agricultural Commodities (ID)	829
Infectious Disease Research (CO)	784

	FY 2005 Conference
Institute for Biobased Products and Food Science (MT)	567
Institute for Food Science and Engineering (AR)	1,119
Integrated Production Systems (OK)	207
International Arid Lands Consortium (AZ)	584
Iowa Biotechnology Consortium	1,789
Leopold Center Hypoxia Project (IA)	224
Livestock and Dairy Policy (NY, TX)	900
Livestock Genome Sequencing (IL)	821
Livestock Waste (IA)	268
Lowbush Blueberry Research (ME)	236
Maple Research (VT)	133
Meadow Foam (OR)	262
Michigan Biotechnology Consortium	559
Midwest Advanced Food Manufacturing Alliance (NE)	528
Midwest Agricultural Products (IA)	617
Midwest Poultry Consortium (IA)	688
Milk Safety (PA)	709
Minor Use Animal Drugs	588
Molluscan Shellfish (OR)	351
Montana Sheep Institute	574
Multi-commodity Research (OR)	356
Multi-cropping Strategies for Aquaculture (HI)	110
National Beef Cattle Genetic Evaluation Consortium (NY)	786
National Biological Impact Assessment Program (VA)	253
National Center for Soybean Technology (MO)	948
Nematode Resistance Genetic Engineering (NM)	140
Nevada Arid Rangelands Initiative (NV)	484
New Crop Opportunities (AK)	447
New Crop Opportunities (KY)	730
Nursery, Greenhouse, Turf Specialities (AL)	275
Oil Resources from Desert Plants (NM)	213
Organic Cropping (WA)	362
Organic Waste Utilization (NM)	94
Oyster Post Harvest Treatment (FL)	450
Ozone Air Quality (CA)	404
Pasture and Forage Research (UT)	225
Peach Tree Short Life (SC)	267
Perrenial Wheat (WA)	142
Pest Control Alternatives (SC)	271
Phytophthora Root Rot (NM)	183
Pierce's Disease (CA)	2,088
Plant, Drought, and Disease Resistance Gene Cataloging (NM)	235
Potato Research	1,509
Precision Agriculture (KY)	680
Preharvest Food Safety (KS)	193
Preservation and Processing Research (OK)	200
Protein Utilitzation (IA)	811
Rangeland Ecosystem (NM)	284
Regional Barley Gene Mapping Project (OR)	688
Regionalized Implications of Farm Programs (MO, TX)	766
Rice Agronomy (MO)	214
Ruminant Nutrition (MT, ND, SD, WY)	474
Rural Development Centers (LA, ND)	232
Rural Obesity (NY)	189
Rural Policies Institute (NE, IA, MO)	1,215
Russian Wheat Aphid (CO)	292
Seafood Harvesting, Processing and Marketing (AK)	1,067
Seafood and Aquaculture Harvesting, Prcessing and Marketing (MS)	269
Seafood Safety (MA)	439
Seed Research (AK)	358
Seed Technology (SD)	357
Small Fruit Research (OR, WA, ID)	425
Soil and Environmental Quality (DE)	283
Southwest Consortium for Plant Genetics and Water Resources (NM)	376
Soybean Cyst Nematode (MO)	708

	FY 2005 Conference
Soybean Research (IL)	963
STEEP III—Water Quality in Northwest	645
Sudden Oak Death (CA)	94
Sustainable Agriculture (CA)	519
Sustainable Agriculture (MI)	387
Sustainable Agriculture and Natural Resources (PA)	192
Sustainable Beef Supply (MT)	945
Sustainable Engineered Materials from Renewable Sources (VA)	608
Swine and Other Animal Waste Management (NC)	470
Tick Borne Disease Prevention (RI)	144
Tillage, Silviculture, Waste Management (LA)	428
Tri-state Joint Peanut Research (AL)	567
Tropical Aquaculture (FL)	213
Tropical and Subtropical Research/T-Star	9,474
Uniform Farm Management Program (MN)	283
Value-added Product Development from Agriculture Resources (MT)	408
Virtual Plant Database Enhancement Project (MO)	711
Viticulture Consortium (NY, CA, PA)	1,850
Water Conservation, (KS)	75
Water Use Efficiency and Water Quality Enhancements (GA)	474
Weed Control (ND)	387
West Nile Virus (IL)	500
Wetland Plants (LA)	567
Wheat Genetic Research (KS)	246
Wheat Sawfly Research (MT)	525
Wine Grape Foundation Block (WA)	325
Wood Utilization (OR, MS, NC, MN, ME, MI, ID, TN, AK, WV)	6,285
Wool Research (TX, MT, WY)	300
Subtotal, Special Research Grants	121,284
Improved Pest Control:	
Expert IPM Decision Support Systsem	158
Integrated Pest Management	2,439
Minor Crop Pest Management (IR–4)	11,235
Pest Management Alternatives	1,448
Total, Improved Pest Control	15,280
Total, Special Research Grants	$136,564

The conference agreement provides $3,000,000 for Graduate Fellowship Grants instead of $4,500,000 as proposed by the House, and $2,883,000 as proposed by the Senate.

The conference agreement provides $5,645,000 for Hispanic Education Partnership Grants as proposed by the House instead of $4,645,000 as proposed by the Senate.

The conference agreement provides $1,148,000 for Dietary Intervention in Ohio. Of this amount, $735,000 is provided for Ohio State University and $413,000 is for the University of Toledo.

The conference agreement provides $316,000 for the Alliance for Food Protection. Of this amount, $158,000 shall be used to continue integrated fruit and vegetable research at the University of Georgia.

The conference agreement provides $1,108,000 for alternative salmon products research. Of this amount, $443,000 shall be used to continue research into and development of baby food containing salmon.

The conference agreement provides $1,549,000 for the Food and Agriculture Policy Research Institute. Of that amount, $79,000

shall be used to fund the Center for Agricultural and Trade Policies for the Northern Plains Region at North Dakota State University.

The conference agreement provides $1,790,000 for berry research. Of this amount, $1,400,000 shall be used for nutraceutical research at the University of Alaska-Fairbanks.

The conference agreement provides $528,000 for the Midwest Advanced Food Marketing Alliance in Nebraska. Of this amount, $98,000 shall be used for food allergens research to be conducted at the University of Nebraska-Lincoln Food Allergy Research & Resource Program.

NATIVE AMERICAN INSTITUTIONS ENDOWMENT FUND

The conference agreement provides $12,000,000 for the Native American Institutions Endowment Fund as proposed by both the House and Senate.

EXTENSION ACTIVITIES

The conference agreement provides $449,225,000 for extension activities instead of $440,349,000 as proposed by the House and $443,061,000 as proposed by the Senate.

The conference agreement includes bill language for the following: West Virginia State University as proposed by the Senate instead of West Virginia State College as proposed by the House; $1,981,000 for payments for rural health and safety education as proposed by the Senate; and, $2,667,000 for grants to youth organizations as proposed by the Senate.

The following table reflects the conference agreement:

Cooperative State Research, Education, and Extension Service—extension activities

[Dollars in thousands]

	FY 2005 Conference
Smith-Lever Sections 3(b) and 3(c)	$277,742
Smith-Lever Section 3(d):	
Farm Safety	4,600
Food and Nutrition Education (EFNEP)	58,909
Indian Reservation Agents	1,774
Pest Management	10,000
Sustainable Agriculture	4,100
Youth at Risk	7,538
Youth Farm Safety Education and Certification	444
Total Section 3(d) Programs	87,365
1890 Colleges and Tuskegee	33,133
1890 Facilities Grants (Sec. 1447)	16,912
Renewable Resources Extension Act (RREA)	4,093
Rural Health and Safety Education	1,981
Extension Services at the 1994 Institutions	3,273
Grants to Youth Organizations	2,667
Subtotal	427,166
Federal Administration and Special Grants:	
Ag in the Classroom	736
Agricultural and Entrepreneurship Education (WI)	241
Alabama Beef Connection	393
Beef Producers Improvement (AR)	182
Conservation Technology Transfer (WI)	467
Dairy Education (IA)	231
Dairy Industry Revitalization (WI)	300

	FY 2005 Conference
Diabetes Detection, Prevention (WA)	1,093
E-commerce (MS)	334
Efficient Irrigation (NM, TX)	2,179
Enterpreneurial Alternatives (PA)	336
Extension Specialist (MS)	133
Food Animal Residue Avoidance Database (FARAD)	812
Food Preparation and Marketing (AK)	334
Food Product Development (AK)	476
General Administration	5,842
Health Education Leadership (KY)	850
Iowa Vitality Center	250
National Center for Agriculture Safety (IA)	243
National Wild Turkey Federation	225
Nursery Production (RI)	297
Nutrition Enhancement (WI)	973
Ohio-Israel Agriculture Initiative	569
Oquirrh Institute	284
Pilot Technology Transfer (OK, MS)	300
Pilot Technology Transfer (WI)	233
Potato Pest Management (WI)	379
Range Improvement (NM)	234
Resilient Communities (NY)	131
Rural Business Enhancement (WI)	190
Rural Development (AK)	688
Rural Development (NM)	351
Rural Technologies (HI, WI)	312
Urban Horticulture (WI)	817
Urban Market Development (NY)	275
Web-based Agriculture Classes (MO)	179
Wood Biomass as an Alternative Farm Product (NY)	190
Total, Federal Administration	22,059
Total, Extension Activities	449,225

Within funds provided for the farm safety program, the conference agreement includes $4,600,000 for the AgrAbility project as proposed by the House instead of $3,312,000 as proposed by the Senate.

The conference agreement provides $736,000 for Ag in the Classroom. Of that amount, no less than $125,000 shall be used to expand efforts in Illinois to promote consumption of healthy foods and proper school nutrition.

The conference agreement provides $973,000 for nutrition enhancement. Of this amount, $25,000 shall be used for a cooperative agreement with the Research Institute of Family Health and Wellness at Marywood University in Scranton, Pennsylvania.

INTEGRATED ACTIVITIES

The conference agreement provides $55,153,000 for integrated activities instead of $66,255,000 as proposed by the House and $57,242,000 as proposed by the Senate.

The following table reflects the conference agreement:

Cooperative State Research, Education, and Extension Service—integrated activities

[Dollars in thousands]

	FY 2005 conference
Water Quality	$12,971
Food Safety	14,967
Regional Pest Management Centers	4,200
Crops at Risk from FQPA Implementation	1,400
FQPA Risk Mitigation Program for Major Food Crop Systems	4,500

	FY 2005 conference
Methyl Bromide Transition Program	3,131
Organic Transition Program	1,889
International Science and Education Grants Program	1,000
Critical Issues Program	750
Regional Rural Development Centers Program	1,345
Homeland Security, Food and Agriculture Defense Initiative	9,000
Total, Integrated Activities	55,153

OUTREACH FOR SOCIALLY DISADVANTAGED FARMERS

The conference agreement provides $5,935,000 for Outreach for Socially Disadvantaged Farmers as proposed by both the House and Senate.

OFFICE OF THE UNDER SECRETARY FOR MARKETING AND REGULATORY PROGRAMS

The conference agreement provides $721,000 for the Office of the Under Secretary for Marketing and Regulatory Programs as proposed by the House instead of $733,000 as proposed by the Senate.

ANIMAL AND PLANT HEALTH INSPECTION SERVICE

SALARIES AND EXPENSES

The conference agreement provides $814,623,000 for the Animal and Plant Health Inspection Service (APHIS) instead of $831,823,000 as proposed by the House and $786,866,000 as proposed by the Senate.

The conferees direct that projects identified in House Report 108–193, Senate Report 108–107, and House Report 108–401 that were directed to be funded in fiscal year 2004 are not funded for fiscal year 2005 unless specifically mentioned in this conference report and the reports of the House and Senate that accompany this Act. Further, the conferees direct APHIS not to redirect funding for programs and activities without prior notification to and approval by the House and Senate Committees on Appropriations in accordance with the reprogramming procedures specified in this Act.

The following table reflects the conference agreement:

Animal and Plant Health Inspection Service

[In thousands of dollars]

Program	*Conference recommendation*
Pest and Disease Exclusion:	
Agricultural quarantine inspection	$25,292
Cattle ticks	6,720
Foreign animal diseases/FMD	8,740
Fruit fly exclusion and detection	58,343
Import-export inspection	12,874
Screwworm	27,374
Trade issues resolution management	12,578
Tropical bont tick	425
Total, Pest and Disease Exclusion	152,346
Plant and Animal Health Monitoring:	
Animal health monitoring & surveillance	145,082
Animal and plant health regulatory enforcement	9,382

Program	*Conference recommendation*
Bio Surveillance	2,000
Emergency management systems	12,968
Pest detection	27,132
Total, Plant & Animal Health Monitoring	196,564
Pest and Disease Management:	
Aquaculture	1,255
Biological control	9,429
Boll weevil	47,500
Brucellosis	10,356
Chronic wasting disease	18,839
Emerging plant pests	101,567
Golden nematode	801
Grasshopper and Mormon cricket	5,528
Gypsy moth	4,768
Imported fire ant	2,148
Johnes disease	18,740
Low pathogen avian influenza	23,000
Noxious weeds	1,991
Pink bollworm	2,150
Plum pox	3,471
Pseudorabies	4,350
Scrapie	17,768
Tuberculosis	14,937
Wildlife services operations	73,756
Witchweed	1,523
Total, Pest and Disease Management	363,877
Animal Care:	
Anilam welfare	16,618
Horse protection	497
Total, Animal Care	17,115
Scientific and Technical Services:	
Biosecurity	1,988
Information technology infrastructure	4,589
Biotechnology regulatory services	9,504
Environmental Compliance	2,624
Plant methods development labs	8,381
Veterianary biologics	15,513
Veterinary diagnostics	20,575
Wilflife services methods development	17,428
Total, Scientific and Technical Services	80,602
Contingency fund	4,119
Physical security	0
Total, Salaries and Expenses	814,623

The conferees provide the following increases in the APHIS salaries and expenses account for new and enhanced activities related to the Food and Agriculture Defense Initiative: $33,197,000 for a national animal identification program, $3,600,000 for state cooperative agreements, $2,000,000 for biosurveillance, $2,500,000 for the control of select agents, $2,303,000 for the National Veterinary Vaccine Bank, $8,641,000 for BSE testing, and $2,900,000 for the national animal laboratory network.

Animal Health Monitoring and Surveillance.—The conference agreement includes $145,082,000 for Animal Health Monitoring

and Surveillance. Within that amount, the conference agreement provides an increase of $33,197,000 for the National Animal Identification System (NAIS) and includes bill language naming the amount and requiring a report on the system components. The conferees note that, in addition, the Secretary transferred $18,792,997 from the Commodity Credit Corporation for animal identification in April 2004.

The conference agreement includes not less than $2,000,000 for a cooperative agreement with the Wisconsin Department of Agriculture, Trade and Consumer Protection to continue work carried out by the Wisconsin Livestock Identification Consortium.

The conferees provide $600,000 for the Farm Animal Identification and Records (FAIR) program. Both the Wisconsin consortium and the FAIR project should also be eligible to apply for additional cooperative agreement funding for animal identification, which is funded within the NAIS total.

The conference agreement provides the full increase requested, $8,641,000 over the fiscal year 2004 level, for activities related to Bovine Spongiform Encephalopathy (BSE). In addition, the conferees note that the Department has available $69,900,000, which the Secretary transferred in March 2004 from the Commodity Credit Corporation (CCC) to fund an intensive BSE surveillance and testing program. That funding will allow APHIS to conduct testing for approximately 268,000 animals within a 12 to 18 month period starting June 1, 2004; as of November 9, 2004, APHIS has tested 106,484 cattle. The conferees note that the CCC-transferred amount will cover all BSE testing during that timeframe.

The conference agreement includes: $300,000 to assist in creating a database of North Carolina's agriculture industry for rapid response capabilities; funding of the New Mexico Rapid Syndrome Validation Program at $450,000 to support early detection of pathogens in animals and prevent their spread; $300,000 for Iowa State's work regarding risk assessments of genetically modified agricultural products; $746,000 for an alkaline digester for the Ohio Agriculture Research and Development Center in Wooster, Ohio; and $298,000 to address bio-safety issues relating to antibiotic-resistant strains of bacteria in Vermont.

The conference agreement includes increases of $3,600,000 for cooperative agreements with states and $1,900,000 for cooperative agreements as part of the National Animal Health Laboratory Network.

Import-Export Inspection.—The conferees provide $12,874,000 for import-export inspection, including an increase of $1,000,000 for select agents, and an increase of $500,000 for a cooperative agreement with the California County Pest Detection Augmentation Program.

Emerging Plant Pests.—The conference agreement includes an increase of $8,469,000 above the amount available in fiscal year 2004. The conferees provide $36,578,000 for citrus canker eradication; $23,190,000 for Pierce's Disease/Glassy-winged sharpshooter; $5,000,000 for Emerald Ash borer; $3,000,000 for Sudden Oak Death; and $29,168,000 for the Asian long-horned beetle. The conferees provide $100,000 of funding for hydrilla eradication around Smith Mountain Lake in Virginia, and Lake Gaston in Vir-

ginia and North Carolina. Funding for Karnal bunt, olive fruit fly, and miscellaneous pests continue at the fiscal year 2004 level.

The conferees expect the Secretary to utilize authorities and resources of the Commodity Credit Corporation (CCC) to provide assistance in response to animal and plant health threats.

Johne's Disease.—The conference agreement provides $18,740,000 for Johne's Disease. From within that amount, the conference agreement provides the fiscal year 2004 funding level to continue cooperative agreements with the Wisconsin Department of Agriculture, Trade and Consumer Protection.

Low Pathogenic Avian Influenza.—The conferees provide $23,000,000 for activities relating to the prevention, control, and eradication of Low Pathogenic Avian Influenza (LPAI) to remain available until expended. Within the total amount, $12,000,000 is for indemnities, $3,000,000 is for surveillance activities, up to $2,000,000 is for reagents and costs of administering tests, and up to $2,000,000 is for live bird market closure for disinfection, as needed. Full funding for other LPAI activities that were included in the budget request is included in the total. The conferees are concerned that LPAI, which appears to be endemic in certain live bird markets in urban areas, could mutate into highly pathogenic forms. To prevent this from happening, a robust surveillance and control system in both commercial poultry industries and live bird markets is important. The conferees believe that industry cooperation and program fairness will be maximized through the indemnification of losses.

Wildlife Services Operations.—The conferees direct that, other than funding for the specific items noted in this statement, the funds provided in the Wildlife Services Operations line item are available for general operations needs.

The conferees do not concur with the President's request to reduce funding in the Wildlife Services account to allow cooperators to assume a larger share of the costs associated with these activities.

The conferees provide $1,215,000 for wolf predation management, of which $1,065,000 is for Wisconsin, Minnesota, and Michigan, and $150,000 is for New Mexico and Arizona. The conference agreement does not include separate funding for Minnesota, as proposed by the House.

The conference agreement continues funding for the following projects: $300,000 for beaver management in North Carolina; $250,000 for crop and aquaculture losses in southwest Missouri; $625,000 for game bird predation work with the University of Georgia; $100,000 for predation wildlife services in western Virginia; $120,000 for blackbird control in Louisiana; $1,300,000 for predator control programs in Montana, Idaho, and Wyoming; $1,000,000 for wildlife services in Texas; $150,000 for beaver management and damage in Wisconsin; $515,000 for brown tree snake management in Guam; $310,000 for Hawaii and Guam operations; $300,000 for sandhill cranes in Idaho; $50,000 for control of feral hogs in Missouri; $1,000,000 for cormorant control in New York; $150,000 for cormorant control in Michigan; $100,000 for cormorant control in the Lake Champlain basin; $750,000 for wildlife service operations with the South Dakota Department of Game, Fish, and Parks to

meet the growing demands of controlling predatory, nuisance, and diseased animals; $550,000 for the management of beavers in Mississippi; $335,000 to continue control measures for minimizing blackbird damage to sunflowers in North Dakota and $33,000 for those purposes in South Dakota; $120,000 for blackbird management efforts in Louisiana; $174,000 for Kansas blackbird control; $247,000 for the Jack Berryman Institute, Utah; $199,000 for beaver control in Kentucky; $325,000 for Delta states operations; $199,000 for geese control in New York; $249,000 for the New Hampshire State operations; and $474,000 for the Nevada Division of Wildlife. The conferees do not provide $50,000 for the Cooperative Livestock Protection Program in Pennsylvania as proposed by the Senate.

The conference agreement includes $21,850,000 for a cooperative oral rabies vaccination program. This amount includes an increase of $1,000,000, of which not less than $420,000 is directed to go to the state of Florida for bait and related costs.

Emergency management systems.—The conference agreement includes $12,968,000 for emergency management systems, which includes a total of $4,000,000 for emergency coordinators and a total of $3,000,000 to establish a vaccine bank.

Pest Detection.—The conference agreement includes $1,500,000 for select agents, $200,000 for a remote sensing, hyperspectral imaging and light detection and ranging project; and an increase of $1,000,000 for surveys through the Cooperative Agricultural Pest Surveys system.

Chronic wasting disease.—For chronic wasting disease, the conferees provide $18,839,000. The conferees direct that of this amount $1,750,000 is for Wisconsin and $250,000 is for Alaska. Funding for Utah and the Conservation Medicine Center of Chicago remains at fiscal year 2004 levels.

Veterinary Diagnostics.—The conferees provide an increase of $1,000,000 for the National Animal Health Laboratory Network, as requested. The conferees do not continue the funding for equipment needs recommended in the Senate report.

Wildlife Services Methods Development.—The conference agreement includes $17,428,000 for wildlife services methods development. Within that amount, the conferees provide $400,000 in funding for the National Wildlife Research Station in Kingsville, Texas, to address emerging infectious disease issues associated with wildlife populations; $498,000 for the Jack Berryman Institute, Utah, for addressing wildlife damage management issues; and $352,000 to continue research efforts at the National Wildlife Research Center field station in Starkville, MS, for resolving problems regarding bird damage to aquaculture farms in the Southeast.

Agricultural Quarantine Inspection.—For fiscal year 2005, the conferees provide $25,292,000 for the AQI appropriated account to conduct preclearance quarantine inspections. The conferees have included the fiscal year 2004 funding level for interline activities in Hawaii as proposed by the Senate, assume the reduction of $1,246,000 due to one-time equipment purchases, and provide an increase of $490,000 for the National Germplasm Laboratory.

Boll Weevil Eradication.—The conferees provide $47,500,000 for fiscal year 2005 to continue the Boll Weevil Eradication Pro-

gram, as proposed by the Senate instead of $47,000,000 as proposed by the House.

Brucellosis.—The conferees provide an increase of $114,000 above the fiscal year 2004 level for the brucellosis program. This amount continues funding at the fiscal year 2004 level for Montana to protect the State's brucellosis-free status and for the operation of the bison quarantine facility and the testing of bison that surround Yellowstone National Park.

Noxious Weeds.—The conferees provide $1,991,000 for the noxious weeds account. This amount includes $199,000 for the Nez Perce Bio-control Center to increase the availability and distribution of biological control organisms used in an integrated weed management system, and $298,000 for the Kiski Basin Initiative.

The conference agreement provides continued funding at the fiscal year 2004 level for an invasive species program to prevent the spread of cogongrass in Mississippi, and requests that the agency take necessary steps to address this invasive weed as a regional infestation problem.

Fruit fly exclusion and detection.—The conferees include $58,343,000 for fruit fly exclusion and detection, a $1,000,000 increase over the fiscal year 2004 level. Of the increase, $100,000 is for Texas.

Grasshopper and mormon cricket.—The conference agreement includes $5,528,000 for grasshopper and mormon cricket control. Of this amount, no less than $1,000,000 is for activities in Utah and funding for Nevada is at no less than the fiscal year 2004 level for survey, control and eradication activities.

Pierce's Disease/Glassy-winged Sharpshooter.—The conferees strongly object to the recent decision of the Office of Management and Budget (OMB) to deny funding that the Secretary identified as necessary to combat the glassy-winged sharpshooter and to contain Pierce's Disease. The conferees note that OMB's decision to deny this funding has needlessly increased the serious threat posed by Pierce's Disease to California's multi-billion dollar wine and grape industries, constituted an unwelcome intrusion upon the Secretary's exercise of discretion, and was in total disregard of the fact that 33 Members of Congress supported the Secretary's request for these funds. The conferees further note that OMB's decision in this matter contradicted the direction provided to OMB by Congress in fiscal year 2004 to "disregard any arbitrarily imposed cost-share requirements." Accordingly, the conferees strongly encourage OMB to approve the $5.2 million USDA requested for efforts to combat Pierce's Disease.

The conferees recognize the work conducted in Texas related to the glassy-winged sharpshooter, and direct the Department to continue this work.

Vine Mealy Bug.—The conferees are concerned about the effect of the vine mealy bug (*Planoccocus ficus*) on grapes. Over 900,000 acres of grapes are threatened by this pest. The conferees encourage APHIS to appropriately address this emerging threat through the funds available to the agency.

The conferees direct the agency to initiate a cooperative agreement with the Louisiana Department of Wildlife and Fisheries for

development of diagnostics related to disease affecting the domestic alligator industry.

The conferees have included language under the Office of the Secretary to address concerns that the veterinary diagnostic work conducted at Plum Island, New York, remains focused on agriculture.

BUILDINGS AND FACILITIES

The conference agreement provides $4,967,000 for Animal and Plant Health Inspection Service Buildings and Facilities as proposed by the Senate instead of $4,996,000 as proposed by the House.

AGRICULTURAL MARKETING SERVICE

MARKETING SERVICES

The conference agreement provides $75,698,000 for the Agricultural Marketing Service instead of $75,892,000 as proposed by the House and $78,198,000 as proposed by the Senate.

The conferees do not include Senate bill language or funding under this section for a web-based supply chain management system, but the conference agreement does provide funding for this system under the section 32 account.

The conferees provide $2,000,000 for activities relating to organic standards. The conferees continue to encourage AMS to use this funding to finalize the hiring of an executive director for the National Organic Standards Board (NOSB), to create a Peer Review Panel to oversee the USDA accreditation process for organic certifiers, and to improve scientific technical support for the NOSB. The conferees also encourage AMS to regularly collect and report agricultural price trends in the organic industry.

LIMITATION ON ADMINISTRATIVE EXPENSES

The conference agreement provides $64,459,000 as proposed by both the House and Senate.

FUNDS FOR STRENGTHENING MARKETS, INCOME, AND SUPPLY (SECTION 32)

The conference agreement provides $15,800,000 for Funds for Strengthening Markets, Income, and Supply as proposed by the House and Senate.

The conferees are aware that farmed salmon imports have undercut the market for Alaska wild salmon creating a domestic surplus of wild pink salmon. The conferees encourage the Department to use all existing authorities under the section 32 program to purchase surplus domestic salmon and stabilize the domestic salmon industry. The conferees are aware that section 32 funds have been used to assist food producers affected by adverse market conditions caused by an imbalance of supply and demand.

The conferees strongly encourage the Department to begin development of the Web-based Supply Chain Management System, which will benefit the programs of the Agricultural Marketing Service, the Farm Service Agency, and the Food and Nutrition

Service, as well as enhancing food distribution to schools and other feeding outlets. Administrative expenses to support section 32 purposes are expressly allowed, and section 32 funds, accordingly, should be used to fund support computer systems. The conferees believe that all of the cost of the Web-based Supply Chain Management System should be financed from section 32. The first phase of the system should be funded at no less than $10,000,000, as included in the Commodity Purchase Support line in the following table.

Section 32

	FY 2005 conference
Appropriation (30% of Customs Receipts)	$6,030,964,691
Less Transfers:	
Food and Nutrition Service	−5,152,962,000
Commerce Department	−77,538,934
Total, Transfers	−5,230,500,934
Budget Authority	800,463,757
Unobligated Balance Available, Start of Year	408,050,634
Recoveries of Prior Year Obligations	0
Rescission	−163,000,000
Available for Obligation	1,045,514,391
Less Obligations:	
Commodity Procurement:	
Child Nutrition Programs (Entitlement Commodities)	400,000,000
State Option Contract	5,000,000
Removal of Defective Commodities	1,000,000
Emergency Surplus Removal	73,865,287
Disaster Relief	332,202,000
Estimated Future Needs	196,415,104
Total, Commodity Procurement	1,008,482,391
Administrative Funds:	
Commodity Purchase Support	21,232,000
Marketing Agreements and Orders	15,800,000
Total, Administrative Funds	37,032,000
Total Obligations	1,045,514,391
Unobligated Balance Available, End of Year	0

PAYMENTS TO STATES AND POSSESSIONS

The conference agreement provides $3,847,000 for Payments to States and Possessions as proposed by the Senate instead of $1,347,000 as proposed by the House.

The conference agreement includes bill language and funding for a specialty markets grant as proposed by the Senate.

GRAIN INSPECTION, PACKERS AND STOCKYARDS ADMINISTRATION

SALARIES AND EXPENSES

The conference agreement provides $37,299,000 for the Grain Inspection, Packers and Stockyards Administration as proposed by the Senate instead of $37,540,000 as proposed by the House.

The conference agreement provides an increase of $1,000,000 for budgeted increases including IT security and BSE-related activities.

The conference agreement includes $500,000 to continue the product verification protocols pilot program, in conjunction with the Missouri, Illinois, and Iowa Corn Growers Associations. The pilot program is to establish controls for regulated seed varieties and augment grain marketing.

LIMITATION ON INSPECTION AND WEIGHING SERVICES EXPENSES

The conference agreement provides $42,463,000 as proposed by the House and Senate.

OFFICE OF THE UNDER SECRETARY FOR FOOD SAFETY

The conference agreement provides $595,000 for the Office of the Under Secretary for Food Safety as proposed by the House instead of $608,000 as proposed by the Senate.

FOOD SAFETY AND INSPECTION SERVICE

The conference agreement provides $823,760,000 for the Food Safety and Inspection Service, instead of $824,746,000 as proposed by the House and $823,757,000 as proposed by the Senate.

The conferees include bill language, as proposed by the Senate, regarding full-time equivalent positions for inspections and enforcement of laws and regulations related to the Humane Methods of Slaughter Act.

The conference agreement includes bill language to provide $3,000,000 for the Humane Animal Tracking System, a component of the Field Automation and Information Management System (FAIM). These funds will remain available until September 30, 2006. The conferees direct FSIS to provide notice to the Committees on Appropriations prior to obligating funds for this purpose, with details on specific costs associated with this action, a schedule for incorporation, and how this action will benefit enforcement of the Humane Methods of Slaughter Act regulations.

The conference agreement includes $20,653,000 for regulatory and scientific training.

The conferees provide the following increases: $17,267,000 for frontline inspectors and humane slaughter enforcement; $3,000,000 for surveillance related to Bovine Spongiform Encephalopathy; $7,153,000 for entry-level training for field employees, food safety regulatory essentials training, and biosecurity training; $2,100,000 for biosurveillance; $2,000,000 for the Food Emergency Response Network (FERN); $1,500,000 for FERN data systems; and $350,000 for microbiological baseline studies, bringing total funding for this activity to $2,000,000.

The conferees commend FSIS for beginning to include photographs of recalled products and website addresses of manufacturers in recall press release notices. The conferees urge FSIS to continue to do this to the greatest extent possible and also to ask manufacturers if they will voluntarily provide information on retail outlets of recalled products for inclusion on the FSIS press release, so that consumers may readily locate them.

Food Safety and Inspection Service, funding by activity

[In thousands of dollars]

Food Safety & Inspection:	
Federal	$742,305
State	52,175
International	19,335
Codex	2,726
FAIM Project	7,219
Total	823,760

OFFICE OF THE UNDER SECRETARY FOR FARM AND FOREIGN AGRICULTURAL SERVICES

The conference agreement provides $631,000 for the Office of the Under Secretary for Farm and Foreign Agricultural Services as proposed by the House instead of $648,000 as proposed by the Senate.

FARM SERVICE AGENCY

SALARIES AND EXPENSES

The conference agreement provides $1,007,597,000 for the Farm Service Agency instead of $1,060,471,000 as proposed by the House and $1,004,032,000 as proposed by the Senate. The conferees direct that of this amount $854,000 shall be for additional salaries and expenses to carry out disaster assistance related activities.

STATE MEDIATION GRANTS

The conference agreement provides $4,000,000 for State Mediation Grants, as proposed by the House and Senate.

DAIRY INDEMNITY PROGRAM

The conference agreement provides $100,000 for the Dairy Indemnity Program, as proposed by the House and Senate.

AGRICULTURAL CREDIT INSURANCE FUND PROGRAM ACCOUNT

The following table reflects the conference agreement:

Farm Ownership Loans:	
Direct	($210,000,000)
Subsidy	11,235,000
Guaranteed	(1,400,000,000)
Subsidy	7,420,000
Farm Operating Loans:	
Direct	(650,000,000)
Subsidy	65,585,000
Unsubsidized Guaranteed	(1,100,000,000)
Subsidy	35,530,000
Subsidized guaranteed	(285,000,000)
Subsidy	37,934,000
Indian tribe land acquisition	(2,000,000)
Subsidy	105,000
Boll weevil eradication	(100,000,000)
Subsidy	0
ACIF expenses:	
Salaries and expenses (transfer to FSA)	293,764,000
Administrative expenses	8,000,000

RISK MANAGEMENT AGENCY

The conference agreement provides $72,044,000 for the Risk Management Agency as proposed by the House and the Senate.

FEDERAL CROP INSURANCE CORPORATION FUND

The conference agreement provides an appropriation of such sums as may be necessary for the Federal Crop Insurance Corporation Fund (estimated to be $4,095,128,000 in the President's fiscal year 2005 Budget Request), as proposed by the House and Senate.

COMMODITY CREDIT CORPORATION FUND

REIMBURSEMENT FOR NET REALIZED LOSSES

The conference agreement provides an appropriation of such sums as may be necessary for Reimbursement for Net Realized Losses of the Commodity Credit Corporation (estimated to be $16,452,377,000 in the President's fiscal year 2005 Budget Request), as proposed by the House and Senate.

HAZARDOUS WASTE MANAGEMENT

The conference agreement provides a limitation of $5,000,000 for Hazardous Waste Management, as proposed by the House and Senate.

TITLE II—CONSERVATION PROGRAMS

OFFICE OF THE UNDER SECRETARY FOR NATURAL RESOURCES AND ENVIRONMENT

The conference agreement provides $741,000 for the Office of the Under Secretary for Natural Resources and Environment instead of $731,000 as proposed by the House and $758,000 as proposed by the Senate.

The conferees direct the Natural Resources Conservation Service (NRCS) to provide the Committees on Appropriations a report no later than 90 days after enactment of this Act detailing the steps necessary and the funds required to complete the Kagman watershed project in the Northern Mariana Islands.

The conference agreement directs the NRCS to provide funding from within the Mississippi Wetland Reserve Program allocation to restore catfish ponds to functioning wetlands in order to reduce flooding, improve water quality, and provide habitat for aquatic wildlife.

NATURAL RESOURCES CONSERVATION SERVICE

CONSERVATION OPERATIONS

The conference agreement includes $837,360,000 for Conservation Operations, instead of $854,132,000 as proposed by the House and $845,863,000 as proposed by the Senate. The agreement includes statutory language to make the funds in this account available until June 30, 2006, instead of the funds remaining available until expended, as proposed by the Senate.

The Committee provides $23,500,000 for the Grazing Lands Conservation Initiative, $10,500,000 for snow surveys, $14,433,000 for Plant Materials Centers, and $87,196,000 for the Soil Surveys Program.

Misuse of discretionary funds.—The conferees are concerned about the misuse of discretionary conservation technical assistance funds. The fiscal year 2004 instructions to State Conservationists from the Chief of NRCS, state, "Your fiscal and performance responsibilities include . . . Assuring that all planning that occurs before the approval of an application for Farm Bill conservation programs is charged to Conservation Technical Assistance (CTA), but charge the planning that occurs after the application has been approved (contract planning) to the benefiting program . . .". This instruction is in clear violation of provisions of Public Law 108–199, which are restated in this Act, directing that none of the funds made available to NRCS may be used to provide technical assistance "with respect to programs listed in section 1241(a) of the Food Security Act of 1985." The Office of the General Counsel has opined that the language is clear in its prohibition of the use of discretionary CTA funds for Farm Bill conservation programs. The NRCS is directed to provide the Committees on Appropriations with a detailed accounting of all CTA funds that were used for Farm Bill conservation programs at any point in fiscal years 2003 and 2004, including the amounts and dates of any charges made to CTA during the planning process before application approval, by January 15, 2005.

State funding allocations.—The conferees are concerned that funding allocations to the States are being reduced in proportion to Congressional earmarks funded in the Conservation Operations account. The conferees direct the Chief of the NRCS, in making the fiscal year 2005 Conservation Operations funding allocations to the States, to treat Congressional earmarks as additions to the States' funding allocation. The conferees direct the NRCS to provide a report to the Committees on Appropriations, not later than 45 days after the enactment of this Act, including the following: fiscal year 2004 Conservation Operations Allocation by State, fiscal year 2005 Conservation Operations Allocation by State, the fiscal year 2005 Congressional Earmarks by State, and the Total Conservation Operations Allocation by State.

Projects identified with a specific dollar amount in House Report 108–401 that were directed to be funded by the conferees for fiscal year 2004 or identified with a specific dollar amount in House Report 108–584 or Senate Report 108–340 are not funded for fiscal year 2005, unless specifically mentioned herein.

The conferees direct NRCS to obligate the funds for the projects named within this account within 45 days of enactment, and to provide a report within 60 days of enactment to the Committees on Appropriations regarding those obligations, and specifically noting any projects for which funding has been delayed beyond 45 days and the reason for the delay.

The following funds are directed to be used in cooperative agreements continued with the same cooperator entities as in the fiscal year 2004 agreements, unless otherwise noted.

Cooperative agreement between the Alabama Department of Conservation and Natural Resources and the Alabama Wildlife Federation for conservation education in Millbrook, Alabama—$450,000; Obtain/evaluate materials for cold region seeds of plants in conjunction w/ Alaska Division of Agriculture (AK)—$315,000; Native Plant Materials (evaluating and developing) (AK)—$315,000; GIS-based mapping/hyperspectral imaging of agriculture lands (AK)—$400,000; NRI pilot development (AK)—$1,200,000; Cooperative agreement w/ Soil and Water Conservation District (AK)—$1,500,000; National Water Management Center (AR)—$2,612,500; Little Red River Irrigation Project (AR)—$399,000; Study to determine logistics of transportation/coordination of excess nutrient management (AR)—$225,000; East Valley Conservation District/Santa Ana Watershed Authority Non-native Plant Removal (CA) —$1,000,000; Monterey Bay Sanctuary (CA)—$600,000; Cooperative agreement with the Municipal Water District of Orange County, California—$100,000; Cooperative agreement w/ Tufts University to improve conservation practices (CT)—$480,000; Pilot projects for technology systems resulting in nutrient reduction (FL)—$5,500,000; Manatee Agriculture Reuse System (FL)—$2,000,000; Lake Okeechobee Watershed project planning (FL)—$310,000; Suwannee, Dixie, and Lafayette Counties dairy and poultry waste treatment (FL)—$280,000; Cooperative agreement w/ Green Institute (FL)— $340,000; Implementation of pilot projects for nutrient reducing waste treatment systems (FL)—$720,000; Georgia Soil and Water Conservation Commission Cooperative Agreement (GA)—$3,600,000; Community nutrient management facilities (GA)—$350,000; PMC for Native Plants to clean up the Island of Kahoolawe (HI)—$108,000; Molokai Agriculture Community Committee (HI)—$250,000; Agricultural development/resource conservation—Molokai (HI)—$740,000; Idaho One Plan (ID)—$200,000; Conversion to sprinkler irrigation—Minidoka (ID)—$950,000; Basalt and ground water protection project (ID)—$275,000; Ecological site description project w/ ID Association of Conservation Districts (ID)—$300,000; Trees Forever Program (IL)—$100,000; Iroquois River watershed (IL)—$468,000; Illinois River Agricultural Conservation Project w/ Ducks Unlimited (IL)—$244,000; Wildlife habitat education program in conjunction w/National Wild Turkey Federation (IL)—$244,000; Cooperative agreement with Kane County, Illinois, for Blackberry Creek watershed (IL)—$360,000; Illinois River Basin—EQIP; Hungry Canyon/Loess Hills Erosion Control/Western Iowa (IA)—$1,200,000; Trees Forever Program (IA)—$100,000; CEMSA w/ Iowa Soybean Association (IA)—$431,500; Cooperative agreement w/ Northern Iowa University (IA)—$450,000; Innovative environmental technology program (IN)—$650,000; Soil erosion control cost-share program/soil survey program (KY)—$2,800,000; Technical assistance to provide grants to Soil Conservation Districts in Kentucky (KY)—$940,000; Cooperative agreement w/ Western Kentucky University (KY)—$400,000; Dairy waste remediation-Lake Ponchartrain Basin (LA)—$295,000; Cooperative agreement w/ LSU on effectiveness of agriculture and forestry (LA)—$336,500; False River sedimentation/Bayou Grosse (LA)—$150,000; Chesapeake Bay activities (MD)—$6,000,000; Conservation related to cranberry production (MA/WI)—$570,000;

Weed It Now—Taconic Mountains (MA/NY/CT)—$200,000; Great Lakes pilot program for conservation (MI)—$575,000; Mississippi Conservation Initiative (MS)—$2,500,000; Delta Water Resources Study (MS) $700,000; Delta Conservation Demonstration Center, Washington County (MS) $1,400,000; Soil erosion/Alcorn State (MS)—$175,000; Cattle and nutrient management in stream crossings (MS)—$900,000; Choctaw County feasibility study for surface impoundment (MS)—$230,000; Wildlife Management Institute (MS)—$5,813,000; Humphrey's County Hospital flood protection (MS)—$125,000; Drainage improvements/Hinds County (MS)—$250,000; Drainage improvements, Port Gibson, (MS)—$397,000; Rankin County-Richland Creek Watershed (MS)—$250,000; Rankin County erosion control project, Mill Creek (MS)—$225,000; Upper White River Water Quality Project in southern Missouri (MO)—$391,500; Lake Tahoe Basin Soil Conservation Project (NV/CA)—$500,000; Great Basin Land and Water study (NV)—$300,000; State conservation cost share program (NJ)—$950,000; Riparian restoration activities along Rio Grande and Pecos River (NM)—$540,000; Pastureland Management/Rotational Grazing (NY)—$600,000; Best management practices/Skaneateles and Owasco Watersheds (NY)—$325,000; Address non-point pollution in Onondaga and Oneida Lake Watersheds (NY)—$500,000; Phase II/Watershed Agriculture Council in Walton (NY)—$700,000 of which $80,000 is for monitoring the easements purchased by the Council's Whole Farm Easement Program; Pace University Land Use Law Center (NY)—$200,000; technical assistance to address water quality problems in Sodus Bay watershed, Wayne County (NY)—$250,000; New York State Agriculture and Environment Management Program (NY)—$800,000; Long Island Sound watershed initiative (NY)—$200,000; Erosion control/stabilization for Hudson River shoreline (NY)—$250,000; Technical assistance to livestock/poultry industry (NC)—$450,000; West Cary Watershed and Farmland Protection Project (NC)—$300,000; Red River Flood Prevention/Energy and Environmental Research Center (ND)—$1,000,000; North Central Planning Council water utilization/Devil's Lake (ND)—$350,000; Maumee Watershed Hydrological Study and Flood Mitigation Plan (OH)—$1,000,000; Oregon Garden, Silverton (OR)—$325,000; Native grassland demo project in the vicinity of Tar Creek (OK)—$2,350,000; Pawcatuck Watershed (RI)—$500,000; Study to characterize land use change while preserving natural resources in cooperation with Clemson University (SC)—$1,200,000; GIS based Model to integrate commodity and conservation (SC)—$900,000; Bexar, Medina, Uvalde Counties irrigation in Edwards Aquifer (TX)—$500,000; Field office telecommunications pilot program/advanced soil survey methods (TX)—$2,400,000; Leon River Restoration project (TX)—$100,000; Range vegetation pilot project, Ft. Hood (TX)—$500,000; a cooperative agreement with the Texas Water Resources Institute to implement a watershed protection plan for Tarrant County (TX)—$500,000; AFO/CAFO Pilot Project (UT)—$300,000; Dry Creek/Neff's Grove project (UT)—$1,050,000; Study to examine effects of vegetative manipulation on water yields w/ Utah State (UT)—$625,000; Washington Fields (UT)—$1,125,000; Utah Conservation Initiative (UT)—$1,000,000; Reduce phosphorus loading into Lake Champlain (VT)—$295,000; Pilot

farm viability program project (VT) $233,500; Walla Walla watershed alliance (WA)—$500,000; Design/implement natural stream restoration initiatives (WV)—$785,000; Soil survey geographic database in the Mid-Atlantic Highlands (WV)—$190,000; Poultry Litter Composting (WV)—$160,000; Potomac and Ohio River Basin Soil Nutrient Project (WV)—$300,000; Appalachian Small Farmer Outreach Program (WV)—$860,000; GIS Center of Excellence at West Virginia University (WV)—$4,418,500; Grazing Lands Initiative/Wisconsin Department of Ag (WI)—$950,000; Examine benefits of using vegetative buffers w/ Univ. of Wisconsin—Madison (WI)—$550,000; Conservation land internship program (WI)—$114,000; Wisconsin Tribal Conservation Advisory Committee cooperative agreement (WI)—$287,500; Cooperative agreement w/Sand County Foundation (WI)—$1,050,000; University of Wisconsin cooperative agreement on conservation tech transfer (WI)—$300,000; Cooperative agreement with Pioneer Farm (WI)—$300,000; Soil survey mapping project (WY)—$300,000; Audubon at Home Pilot Program—$500,000; Great Lakes Basin Program for Soil & Erosion Sediment—$2,500,000; On-Farm Management Systems Evaluation Network—$200,000; Watershed management demo program/NPPC—$548,000; National Fish and Wildlife Foundation Partnerships—$3,000,000; Source water protection project to States showing greatest need—$3,250,000; and Operation Oak Program to restore hardwoods—$350,000.

The conferees provide $900,000 for the continued development of a geographic information system database in South Carolina to integrate commodity and conservation program data at the field level for watershed analysis and other purposes as the agency deems appropriate. The conferees encourage the agency to consider the designation of the University of South Carolina Earth Sciences Resources Institute as an Information Technology Center of Excellence.

The conferees recognize that the High Plains Aquifer, with the Ogallala Aquifer as its most important component, lies beneath eight States and is the primary source of water for all reported uses in western Kansas. The conferees are aware that the aquifer is depleting at alarming rates and absent conservation efforts could be dry within two decades. The conferees urge the agency to give consideration to the use of ground and surface water funding for projects in Kansas that will conserve this aquifer.

The conferees support the preservation of the last tallgrass prairie in North America, most of which is located in the Flint Hills region of Kansas. The conferees recognize that the tallgrass prairie provides rich ranching lands, open spaces, and habitat for a diverse assemblage of plants and animals. The conferees urge the agency to give consideration to the use of all appropriate funding sources for projects in Kansas that will preserve and protect this unique area.

Edwards Aquifer.—The conferees encourage the Agency to provide technical and financial assistance to the Edwards Aquifer Authority, San Antonio Water Systems, and other local entities, regarding plugging of wells to address pollution concerns.

The conferees appreciate previous efforts by NRCS to conserve sage grouse habitat in the western United States. The conferees

encourage the agency to use no less than $5,000,000 in fiscal year 2005 to enhance its efforts on sage grouse habitat conservation. Additionally, NRCS should consider using such funds on public land grazing leases in addition to private lands.

Plant Materials Centers.—The conference agreement provides funding to complete construction of the Fallon, Nevada, Plant Materials Center, $1,500,000, and of the storage facility at the Alaska Plant Materials Center, $1,350,000. The conference agreement provides funding for the Kika de la Garza Plant Materials Center at no less than the fiscal year 2004 level, to continue the work conducted at the Center.

WATERSHED SURVEYS AND PLANNING

The conference agreement provides $7,083,000 for Watershed Surveys and Planning instead of $11,083,000 as proposed by the House and $7,500,000 as proposed by the Senate.

The conferees are concerned that additional watershed surveys and planning work is being initiated at a time when ongoing planning is not being completed in a timely manner, and the backlog for watershed project implementation and construction continues to mount. The conferees direct the Chief of NRCS to evaluate and rank planning efforts in order to fund and complete the most promising projects based upon merit, and notify the Committees on Appropriations of the selected watershed projects.

WATERSHED AND FLOOD PREVENTION OPERATIONS

The conference agreement provides $75,576,000 for Watershed and Flood Prevention Operations instead of $86,487,000 as proposed by the House and $64,000,000 as proposed by the Senate.

The conferees include bill language which limits the amount spent on technical assistance to not more than $35,000,000.

The conferees include funding to complete the next phase of projects listed in the House and Senate reports.

WATERSHED REHABILITATION PROGRAM

The conference agreement provides $27,500,000 for the Watershed Rehabilitation Program instead of $30,091,000 as proposed by the House and $25,000,000 as proposed by the Senate.

The conferees direct that funding under this program be provided for rehabilitation of structures determined to be of high priority need in order to protect property and ensure public safety.

RESOURCE CONSERVATION AND DEVELOPMENT

The conference agreement provides $51,641,000 for Resource Conservation and Development as proposed by the House instead of $50,760,000 as proposed by the Senate.

The conferees include bill language as proposed by the House that directs the Secretary to enter into an agreement with a national association related to the Resource Conservation and Development program, and directs that such an agreement must maintain the same matching, contribution requirements and funding set forth in previous agreements.

The conferees also include bill language that limits funding for national headquarters activities as proposed by the House.

TITLE III—RURAL DEVELOPMENT PROGRAMS

OFFICE OF THE UNDER SECRETARY FOR RURAL DEVELOPMENT

The conference agreement provides $632,000 for the Office of the Under Secretary for Rural Development as proposed by the House instead of $645,000 as proposed by the Senate.

The conferees direct the Under Secretary to give consideration to the following projects or organizations requesting financial and/or technical assistance, and grants and/or loans made available under the Rural Development mission area: Las Lomas Colonia, Starr County (TX), park and youth center; City of Benevides (TX), infrastructure for town park; City of Penitas (TX), development of wildlife park; City of Rio Grande City (TX), improvements for neighborhood pocket park; water and waste disposal loans for Pojoaque Pueblo (NM); and Union-Lincoln Regional Water Supply Initiative (LA), for alternative water supply program.

The conferees expect the Under Secretary to approve these projects only when such applications are judged to be meritorious when subject to established review procedures.

The conference agreement includes a general provision (Section 793) that provides $2,250,000 to assist in the establishment of pilot cooperative healthcare purchasing alliances for farmers, ranchers, small businesses and non-profit organizations in Wisconsin and Minnesota. The conferees expect the Department to provide the grant within 60 days of enactment of this Act to the Wisconsin Federation of Cooperatives, of which $2,000,000 is for the establishment of a stop loss fund and of which $250,000 is for administrative expenses, including actuarial studies.

RURAL COMMUNITY ADVANCEMENT PROGRAM

The conference agreement provides $716,049,000 for the Rural Community Advancement Program (RCAP) instead of $668,408,000 as proposed by the House and $733,360,000 as proposed by the Senate.

The conference agreement provides $89,180,000 for rural community programs; $552,689,000 for rural utilities programs, of which $1,000,000 is for grants to nonprofit organizations to finance construction, refurbishing, and servicing of individually-owned household water well systems in rural areas, and of which $500,000 is for revolving funds for financing water and wastewater projects; and $74,180,000 is for rural business and cooperative development programs.

The conference agreement provides $25,000,000 for loans and grants to benefit Federally Recognized Native American Tribes.

The conference agreement provides $4,500,000 for community facilities grants to tribal colleges.

The conference agreement provides $6,350,000 for the Rural Community Development Initiative.

The conference agreement provides $1,000,000 for grants to the Delta Regional Authority for any Rural Community Advancement Program purpose.

The conference agreement provides $18,250,000 for technical assistance grants for rural water and waste systems.

The conference agreement provides $5,600,000 for the Rural Community Assistance Programs, of which $800,000 shall be for a qualified national Native American Organization to provide technical assistance for rural water systems for tribal communities.

The conference agreement provides $13,500,000 for a circuit rider program.

The conference agreement provides $26,000,000 for rural and Native villages in Alaska.

The conference agreement provides $21,000,000 for facilities in rural communities with extreme unemployment and severe economic depression.

The conference agreement provides $28,000,000 to be transferred to the Rural Utilities Service, High Energy Cost Grants Account.

The conference agreement does not include $200,000 for predevelopment planning grants from the Rural Community Development Initiative.

The conferees expect the Department to continue Rural Community Advancement Program predevelopment planning grants.

The conferees encourage the Department to provide a rural business enterprise grant for the Tioga County Rural Economic Area Partnership Zone to coordinate and facilitate local community development projects in Tioga County, New York.

The following table indicates the distribution of funding for the RCAP:

Community Facilities	$89,180,000
Business-Cooperative Development	74,180,000
Water and Waste	552,689,000
Total	716,049,000
Directed spending:	
Federally Recognized Native American Tribes	25,000,000
Rural Community Development Initiative	6,350,000
Technical Assistance for Rural Transportation	750,000
Delta Regional Authority	1,000,000
Colonias	25,000,000
Alaska Villages	26,000,000
Technical Assistance	18,250,000
Circuit Rider	13,500,000
EZ/EC and REAP	22,166,000
Economic Impact Initiative Grants	21,000,000
High Energy Cost Grants	28,000,000
RCAP	5,600,000
Nonprofit individually-owned water well grants	1,000,000
Water and Wastewater Revolving Funds	500,000
Tribal Colleges	4,500,000

RURAL DEVELOPMENT SALARIES AND EXPENSES

The conference agreement provides $148,452,000 for Rural Development Salaries and Expenses instead of $171,250,000 as proposed by the House and $143,452,000 as proposed by the Senate.

The conferees provide an increase of $5,000,000 within the Rural Development Salaries and Expenses account to be used to complete the consolidation of St. Louis Rural Development activities at the Goodfellow facility. The conferees further request the

Department to provide the Committees on Appropriations a report on the status of the consolidation within 60 days after enactment of this Act.

RURAL HOUSING SERVICE

RURAL HOUSING INSURANCE FUND PROGRAM ACCOUNT

The conference agreement provides a total subsidy of $228,256,000 for activities under the Rural Housing Insurance Fund Program Account instead of $230,030,000 as proposed by the House and $228,847,000 as proposed by the Senate.

The conference agreement provides for an estimated loan program level of $4,720,843,000 instead of $4,686,906,000 as proposed by the House and $4,157,691,000 as proposed by the Senate.

The conference agreement provides for a transfer of $448,342,000 to salaries and expenses as proposed by the Senate instead of $448,889,000 as proposed by the House.

The conference agreement includes a provision authorizing housing funds initially allocated to Alaska to be available until September 30, 2006.

The conference agreement does not include bill language restricting the section 515 rental housing program to repair and rehabilitation.

The conferees include a general provision (Section 726) to increase the guarantee fee for the guaranteed single-family housing loan program to two percent. The conferees are concerned that in fiscal years 2003 and 2004, the Rural Housing Service needed to exercise the Secretary's interchange authority to transfer additional budget authority to avoid shutting down the guaranteed loan program. The fiscal year 2005 President's budget request included only a small increase in loan level above the appropriated fiscal year 2004 level. Raising the guarantee fee to two percent will allow this guarantee loan program to more effectively use its budget authority.

The following table indicates loan and subsidy levels provided in the conference agreement:

Rural Housing Insurance Fund Program Account

Loan authorizations:	
Single family (sec. 502)	($1,150,000,000)
Unsubsidized guaranteed	(3,309,297,000)
Housing repair (sec. 504)	(35,000,000)
Rental housing (sec. 515)	(100,000,000)
Site loans (sec. 524)	(5,045,000)
Multi-family housing guarantees	(100,000,000)
Multi-family housing credit sales	(1,501,000)
Single family housing credit sales	(10,000,000)
Self help housing land development	(10,000,000)
Total, Loan authorizations	(4,720,843,000)
Loan subsidies:	
Single family (sec. 502)	133,170,000
Unsubsidized guaranteed	33,608,000
Housing repair (sec. 504)	10,171,000
Rental housing (sec. 515)	47,090,000
Site loans (sec. 524)	—
Multi-family housing guarantees	3,490,000

Rural Housing Insurance Fund Program Account—Continued

Multi-family housing credit sales	727,000
Single family housing credit sales	—
Self help housing land development	—
Total, Loan subsidies	228,256,000
RHIF administration expenses (transfer to RD)	448,342,000

RENTAL ASSISTANCE PROGRAM

The conference agreement provides $592,000,000 for the Rental Assistance Program as proposed by the House instead of $585,900,000 as proposed by the Senate.

MUTUAL AND SELF-HELP HOUSING GRANTS

The conference agreement provides $34,000,000 for Mutual and Self-Help Housing Grants as proposed by the House and Senate.

RURAL HOUSING ASSISTANCE GRANTS

The conference agreement provides $43,992,000 for Rural Housing Assistance Grants instead of $42,500,000 as proposed by the House and $46,992,000 as proposed by the Senate.

The conferees provide $3,000,000 for the preservation of the section 515 multi-family housing portfolio. The conferees encourage the Secretary to issue a Notice of Funding Availability within 90 days of enactment of this Act. The Secretary should give funding priority to entities with equal or greater matching funds, including housing tax credits for rural housing assistance. Additional priority should be provided to entities with experience in the administration of revolving loan funds and the preservation of multi-family housing.

The conference agreement provides $1,800,000 for Empowerment Zones and Enterprise Communities and communities designated by the Secretary of Agriculture as Rural Economic Area Partnership Zones.

FARM LABOR PROGRAM ACCOUNT

The conference agreement provides $34,118,000 for the Farm Labor Program Account instead of $36,765,000 as proposed by the House and $31,471,000 as proposed by the Senate.

The conference agreement provides $38,500,000 for an estimated loan program level, $18,118,000 for loan subsidies, and $16,000,000 for grants.

RURAL BUSINESS-COOPERATIVE SERVICE

RURAL DEVELOPMENT LOAN FUND PROGRAM ACCOUNT

The conference agreement provides an estimated loan program level of $34,213,000 with a subsidy of $15,868,000 for the Rural Development Loan Fund as proposed by the House and Senate.

The conference agreement provides for a transfer of $4,316,000 to the Rural Development salaries and expenses account as pro-

posed by the Senate instead of $4,321,000 as proposed by the House.

The conference agreement includes $3,449,000 for Mississippi Delta Region counties, of which up to $1,500,000 is for the Delta Regional Authority.

RURAL ECONOMIC DEVELOPMENT LOAN FUND PROGRAM ACCOUNT

The conference agreement provides an estimated loan program level of $25,003,000 for the Rural Economic Development Loan Fund Program Account with a subsidy of $4,698,000 as proposed by the House and Senate to remain available until expended.

RURAL COOPERATIVE DEVELOPMENT GRANTS

The conference agreement provides $24,000,000 for Rural Cooperative Development Grants as proposed by the Senate instead of $23,500,000 as proposed by the House.

The conference agreement provides $15,500,000 for value-added agricultural product market development grants.

RURAL EMPOWERMENT ZONES AND ENTERPRISE COMMUNITIES GRANTS

The conference agreement provides $12,500,000 for Rural Empowerment Zones and Enterprise Communities Grants as proposed by the Senate instead of $11,419,000 as proposed by the House.

The conference agreement includes bill language providing that $1,000,000 shall be for third round empowerment zones.

RENEWABLE ENERGY PROGRAM

The conference agreement provides $23,000,000 for the Renewable Energy Program as proposed by the House instead of $20,000,000 as proposed by the Senate.

RURAL UTILITIES SERVICE

RURAL ELECTRIFICATION AND TELECOMMUNICATIONS LOANS PROGRAM ACCOUNT

The conference agreement provides a total subsidy of $5,158,000 for activities under the Rural Electrification and Telecommunications Loans Program Account. The conference agreement provides for an estimated loan program level of $4,840,000,000 as proposed by the House and Senate.

The conference agreement provides for a transfer of $38,277,000 to the Rural Development salaries and expenses account as proposed by the Senate instead of $38,323,000 as proposed by the House.

The conferees are concerned by the Department's reprogramming of the Rural Electrification and Telecommunications Loan Program in fiscal year 2004. The program levels are estimates, not limitations, and the affected direct loan program levels had negative subsidy rates in fiscal year 2004. If the program levels with negative subsidy rates in this account are insufficient to meet the expected demand, the program level should be increased with no offset to another program level. The Committees on Appropriations continue to require notification of any reprogramming and expect

that all loan level reprogramming be consistent with this paragraph.

The following table indicates loan and subsidy levels provided in the conference agreement:

Rural Electrification and Telecommunications Loans Program Account

Loan authorizations:	
Electric:	
Direct, 5 percent	($120,000,000)
Direct, Muni	(100,000,000)
Direct, FFB	(2,000,000,000)
Direct, Treasury rate	(1,000,000,000)
Guaranteed	(100,000,000)
Guaranteed underwriting	(1,000,000,000)
Subtotal	(4,320,000,000)
Telecommunications:	
Direct, 5 percent	(145,000,000)
Direct, Treasury rate	(250,000,000)
Direct, FFB	(125,000,000)
Subtotal	(520,000,000)
Total, loan authorizations	(4,840,000,000)
Loan subsidies:	
Electric:	
Direct, 5 percent	3,648,000
Direct, Muni	1,350,000
Guaranteed	60,000
Subtotal	5,058,000
Telecommunications: Direct, Treasury rate	100,000
Total, loan subsidies	5,158,000
RETLP administrative expenses (transfer to RD)	38,277,000

RURAL TELEPHONE BANK PROGRAM ACCOUNT

The conference agreement provides an estimated loan program level of $175,000,000 for the Rural Telephone Bank Program Account as proposed by the House and Senate.

The conference agreement provides for a transfer of $3,152,000 to the Rural Development salaries and expenses account as proposed by the House and the Senate.

DISTANCE LEARNING, TELEMEDICINE, AND BROADBAND PROGRAM

The conference agreement provides $56,425,000 for the Distance Learning, Telemedicine, and Broadband Program instead of $44,594,000 as proposed by the House and $60,064,000 as proposed by the Senate.

The conference agreement provides for an estimated loan program level of $50,000,000 for distance learning and telemedicine and $550,000,000 for broadband telecommunications.

The conference agreement includes $35,000,000 for distance learning and telemedicine grants, of which $10,000,000 is for public broadcasting system grants. The conference agreement also in-

cludes $710,000 for the distance learning and telemedicine loan subsidy.

The conference agreement includes $11,715,000 for broadband telecommunications loan subsidy, and $9,000,000 for grants.

TITLE IV—DOMESTIC FOOD PROGRAMS

OFFICE OF THE UNDER SECRETARY FOR FOOD, NUTRITION AND CONSUMER SERVICES

The conference agreement provides $595,000 for the Office of the Under Secretary for Food, Nutrition and Consumer Services, as proposed by the House, instead of $608,000 as proposed by the Senate.

FOOD AND NUTRITION SERVICE

CHILD NUTRITION PROGRAMS

The conference agreement provides $11,782,000,000 for Child Nutrition Programs, instead of $11,380,557,000, as proposed by both the House and Senate. Included in the total is an appropriated amount of $6,629,038,000 and a transfer from section 32 of $5,152,962,000.

The conference agreement includes a provision prohibiting use of funds for studies and evaluations.

The conference agreement provides the following for Child Nutrition programs:

Total Obligational Authority	
Child Nutrition Programs:	
School lunch program	$6,794,930,000
School breakfast program	1,925,044,000
Child and adult care food program	2,058,976,000
Summer food service program	282,787,000
Special milk program	17,210,000
State administrative expenses	144,878,000
Commodity procurement and computer support	541,858,000
School meals initiative/Team nutrition	10,025,000
Food safety education	1,000,000
Coordinated review effort	5,235,000
Program pay cost	57,000
Total	11,782,000,000

SPECIAL SUPPLEMENTAL NUTRITION PROGRAM FOR WOMEN, INFANTS, AND CHILDREN (WIC)

The conference agreement provides $5,277,250,000 for the Special Supplemental Nutrition Program for Women, Infants and Children (WIC), instead of $4,907,250,000 as proposed by the House, and $5,175,250,000 as proposed by the Senate.

The conference agreement provides an increase of $190,000,000 above the budget amendment that was submitted July 14, 2004. Within the total provided, the conferees redirect $37,250,000 from requested initiatives to meet current and anticipated increases in program participation.

The conference agreement includes $125,000,000 for a contingency reserve fund, to be allocated as the Secretary deems necessary, as proposed by the Senate. The conference agreement does

not include statutory language designating the amount as an emergency requirement.

The conference agreement does not include bill language that sets aside $5,000,000 for childhood obesity and $20,000,000 for State management information systems.

FOOD STAMP PROGRAM

The conference agreement provides $35,154,554,000 for the Food Stamp Program, instead of $33,635,798,000 as proposed by the House and $33,641,798,000 as proposed by the Senate. Included in this amount is a reserve of $3,000,000,000, to remain available until September 30, 2006.

In addition to the $3,000,000,000 in the reserve, the conference agreement includes $30,499,527,000 for program expenses, $1,515,027,000 for grants to Puerto Rico and Samoa, and $140,000,000 for commodity purchase for The Emergency Food Assistance Program.

The conference agreement includes a provision allowing for purchase of bison meat, in an amount not to exceed $4,000,000, for the Food Distribution Program on Indian Reservations.

COMMODITY ASSISTANCE PROGRAM

The conference agreement provides $178,797,000 for the Commodity Assistance Program as proposed by the House, instead of $172,081,000, as proposed by the Senate.

Within that amount, the conference agreement provides $107,716,000 for the Commodity Supplemental Food Program, as proposed by the House.

The conference agreement includes a provision allowing the Secretary to determine what form of special assistance would go towards supporting the nuclear affected islands in this account.

The conferees provide $50,000,000 for administration—processing, storage, transport, and distribution—of The Emergency Food Assistance Program (TEFAP). The conference agreement includes a general provision (Section 739) that provides the Secretary with authority to transfer up to $10,000,000 from TEFAP commodity purchases to administration.

NUTRITION PROGRAMS ADMINISTRATION

The conference agreement provides $139,937,000 for Nutrition Programs Administration, instead of $133,742,000 as proposed by the House, and $142,592,000 as proposed by the Senate. The conference agreement does not include funding for the requested initiatives as proposed by the Senate.

The conference agreement does not include language regarding WIC-only stores, as proposed by the House.

TITLE V—FOREIGN ASSISTANCE AND RELATED PROGRAMS

FOREIGN AGRICULTURAL SERVICE

SALARIES AND EXPENSES

The conference agreement provides $137,822,000 for the Foreign Agricultural Service, Salaries and Expenses instead of

$137,722,000 as proposed by the House and $139,162,000 as proposed by the Senate.

The conference agreement includes the following increases: $1,759,000 for ICASS; $1,565,000 to offset the increased costs in overseas currency rates; $490,000 for overseas telecommunications; $516,000 for capital surcharge; and $600,000 for technical assistance for the promotion of specialty crop exports.

PUBLIC LAW 480 TITLE I AND TITLE II PROGRAM AND GRANT ACCOUNTS

The conference agreement provides $94,198,000 for Title I loan subsidies for a loan level of $109,000,000 as proposed by the Senate instead of $86,420,000 for Title I loan subsidies and a loan level of $100,000,000 as proposed by the House.

The conference agreement includes bill language providing that the Secretary of Agriculture may implement a commodity monetization program under existing provisions of the Food for Progress Act of 1985 to provide no less than $5,000,000 in local-currency funding support for rural electrification overseas as proposed by the House.

The conference agreement provides $22,723,000 for Ocean Freight Differential Grants as proposed by the House and the Senate.

The conference agreement provides $1,182,501,000 for Public Law 480 Title II Grants instead of $1,180,002,000 as proposed by the House and $1,185,000,000 as proposed by the Senate.

The following table reflects the conference agreement for Public Law 480 program accounts:

Public Law 480

Title 1—Program account:	
Loan authorization, direct	($109,000,000)
Loan subsidies	94,198,000
Ocean freight differential	22,723,000
Title II—Commodities for disposition abroad:	
Program level	(1,182,501,000)
Appropriation	1,182,501,000
Salaries and expenses:	
Foreign Agricultural Service (transfer)	1,097,000
Farm Service Agency (transfer)	2,937,000

COMMODITY CREDIT CORPORATION EXPORT LOANS PROGRAM ACCOUNT

The conference agreement provides $4,423,000 for the Commodity Credit Corporation Export Loans Program Account as proposed by the Senate instead of $4,473,000 as proposed by the House.

MCGOVERN-DOLE INTERNATIONAL FOOD FOR EDUCATION AND CHILD NUTRITION PROGRAM GRANTS

The conference agreement provides $87,500,000 for McGovern-Dole International Food for Education and Child Nutrition Program Grants instead of $75,000,000 as proposed by the House and $100,000,000 as proposed by the Senate.

TITLE VI—RELATED AGENCIES AND FOOD AND DRUG ADMINISTRATION

DEPARTMENT OF HEALTH AND HUMAN SERVICES

FOOD AND DRUG ADMINISTRATION

SALARIES AND EXPENSES

The conference agreement provides total appropriations, including Prescription Drug User Fee Act, Medical Device User Fee Act, and Animal Drug User Fee Act collections, of $1,788,478,000 for the salaries and expenses of the Food and Drug Administration, instead of $1,788,849,000, as proposed by the House and $1,791,599,000 as proposed by the Senate, and provides specific amounts by FDA activity as reflected in the following table.

FOOD AND DRUG ADMINISTRATION, SALARIES AND EXPENSES

[In thousands of dollars]

Program	Budget authority	Prescription drug user fees	Medical device user fees	Animal drug user fees	Total
Foods	439,038				439,038
Human Drugs	293,839	204,808			498,647
Biologics	124,104	40,441	8,169		172,714
Animal Drugs and Feeds	91,216			7,748	98,964
Medical Devices	216,699		18,379		235,078
National Center for Toxicological Research	40,530				40,530
Other Activities	87,936	23,738	4,061	235	115,970
Rent and Rent-related Activities	54,036	3,000	686		57,722
Rental Payments to GSA	114,394	12,407	2,643	371	129,815
Total Recommendation	1,461,792	284,394	33,938	8,354	1,788,478

The conference agreement also makes mammography user fees and export certification user fees available to the agency.

Within the total funding for the Food and Drug Administration, the following increases above the fiscal year 2004 level are provided: $35,500,000 for activities related to food safety and food defense, as proposed by the Senate, instead of $43,367,000 as proposed by the House; $8,325,000 for activities related to BSE, as proposed by the House and Senate; $25,555,000 for medical device review, as proposed by the Senate, instead of $23,055,000 as proposed by the House; $5,000,000 for medical countermeasures to ensure preparedness in the event of war or catastrophic events, as proposed by the House and Senate; and $15,628,000 for relocation expenses related to the move of the Center for Drug Evaluation and Research offices to the consolidated White Oak campus, instead of $10,628,000 as proposed by the House and $20,628,000 as proposed by the Senate.

In addition, the conference agreement includes increases above the budget request for the following: $1,200,000 for Orphan Product Grants, instead of $1,800,000 as proposed by the House; $325,000 for the Office of Women's Health, as proposed by the House; $250,000 for the Food Technology Evaluation Laboratory at New Mexico State University, as proposed by the Senate; and $300,000 for additional activities relating to the vaccine for influenza.

The conferees note the intense public interest in two recent events related to prescription drug safety—the changes ordered in anti-depressant drug labels and the September 2004 withdrawal of a widely-prescribed painkiller. The conferees are aware that FDA has undertaken a number of steps in response to concerns raised about drug safety in the aftermath of those incidents, including commissioning a study by the Institute of Medicine (IOM) on how FDA handles drug safety issues. The conferees direct FDA to regularly advise the Committees about any changes that FDA anticipates regarding drug safety, and to provide the Committees with regular progress reports on the IOM review and with a copy of the IOM report as soon as it is completed.

The conferees find it necessary to remind the Food and Drug Administration that the Committees on Appropriations perform critical oversight functions for the agency. The ultimate expression of this oversight is the funding decisions for the agency and accompanying language in the statement of managers. The conferees expect that Members of Congress will be provided requested information from FDA so that the Committees can perform their oversight function. It is insupportable that in some cases FDA has given information about major policy matters to the press before providing the same information to Congress. The conferees expect FDA to be fully cooperative with all Congressional oversight activities.

The conferees direct that no less than $14,392,000 be available for grants and contracts awarded under Section 5 of the Orphan Drug Act.

The conferees appreciate receiving the detailed information provided in the Explanatory Notes prepared by the Department of Health and Human Services, Food and Drug Administration, and rely heavily on this information when considering budget proposals. These materials have traditionally been prepared for the sole use of the Committees on Appropriations in a format consistent with the organization and operation of the programs and the structure of the Appropriations Act. At the direction of the Office of Management and Budget, agencies have changed the format and content of these materials to focus on broader goals and objectives rather than the major program structure followed in the Act, and in the actual conduct of the programs. The new organization and content does not present budget information in a format useful to the deliberations of the Committees. For fiscal year 2006 and future years, the FDA is directed to present Explanatory Notes in a format consistent with the presentation used for the fiscal year 2002 Budget. Any deviations from that format are to be approved in advance by the Committees.

The conference agreement also includes savings related to administrative efficiencies, as proposed in the budget.

The conference agreement does not include language regarding collection of the fiscal year 2006 Prescription Drug User Fee Act fees as proposed by the House.

The conferees include a $300,000 increase for the Center for Biologics Evaluation and Research (CBER) and related field activities in the Office of Regulatory Affairs for flu vaccine-related activities. The conferees understand that CBER will be undertaking a number of additional activities in fiscal year 2005 to secure addi-

tional units of flu vaccine for the 2004–2005 flu season and to ensure an adequate supply of flu vaccine for the 2005–2006 flu season.

Relocation to White Oak Facility.—The conferees provide a $15,628,000 budget authority increase and expect that appropriated user fees will fully fund the additional amount needed for relocation costs to the White Oak, Maryland, facility.

National Center for Food Safety and Technology.—The conferees recognize the contributions which the National Center for Food Safety and Technology (NCFST) is making toward ensuring the security of the nation's food supply. The conferees direct that FDA continue to provide $3,000,000 to NCFST through the cooperative agreement. The $3,000,000 in funding shall be exclusive of any additional initiative funds that FDA may award to NCFST.

Human Drug Compounding.—The conferees do not include the language in the Senate report on human drug compounding. The conferees believe that drugs for human use compounded by pharmacists in response to a practitioner's prescription or order in conformity with state law should be prepared according to established guidelines on quality, purity, and strength, and preparation-specific monographs when they exist. The conferees also recognize, however, that the nature of compounding and the medical need it serves makes it impossible for all compounded medications to be prepared according to pre-existing monographs, and doing so would infringe on the professional obligation of a medical practitioner to prescribe the optimal medications for their patients.

There are existing state laws and official United States Pharmacopoeia (USP) pharmacy standards which necessitate good compounding practices. However, the conferees believe it is desirable to develop additional formal monographs to provide additional guidance and conformity for doctors, patients and pharmacists.

Presently, the USP, a national drug standard setting organization recognized by Congress, has developed a number of monographs for individual compounded preparations. The conferees believe that a private sector partnership of involved organizations with demonstrated expertise regarding pharmacist compounding of preparations for humans should be expeditiously established to help assure a significant expansion of USP monographs and other relevant guidelines.

The conferees believe that the FDA should assist in the establishment of the private sector partnership to commence the expansion of available monographs relevant to pharmacist compounding of drugs for humans. The conferees encourage the FDA to request adequate funding in the fiscal year 2006 budget request to support this effort at increasing the number of formal monographs.

Nothing in this statement regarding human drug compounding should be interpreted to change or impact in any way the existing state and federal regulatory roles regarding compounding.

Alpha-1 Antitrypsin Deficiency.—The conferees commend FDA for the progress made in bringing two additional plasma based therapies to market for the treatment of the progressive degenerative lung disease Alpha-1. Currently the only treatment for Alpha-1 is weekly infusions of plasma based augmentation therapy that is life sustaining and helps these individuals maintain lung func-

tion. Further, the Center for Biologics and Evaluation and Research (CBER) is recognized for meeting with consumer stakeholders in efforts to further the development of next generation therapies. The conferees encourage CBER to facilitate the development of novel and innovative therapies for the Alpha-1 community to treat the entire spectrum of individuals with Chronic Obstructive Pulmonary Disease.

Consolidation and Fees.—The conferees direct the Department of Health and Human Services (DHHS) to include all anticipated consolidations that impact FDA in the President's budget requests submitted to Congress. Further, the conferees direct that none of the funds made available to FDA in this Act be used for any assessments, fees, or charges by DHHS unless such assessments, fees, or charges are identified in the FDA budget justification and expressly provided by Congress, or approved by Congress in the official reprogramming process as required in the General Provisions of this Act.

Biotechnology.—The conferees understand that the FDA frequently receives requests from foreign governments for FDA regulators to visit foreign countries to educate regulators on the evaluation of the safety of biotechnology. Providing information on the soundness of the U.S. regulatory process will promote the understanding of the benefits of biotechnology to human health and the environment and improve the climate for acceptance of U.S. agricultural products abroad. The conferees encourage FDA to allocate adequate funding so that agency representatives may perform this service.

INDEPENDENT AGENCIES

COMMODITY FUTURES TRADING COMMISSION

The conference agreement provides $94,327,000 for the Commodity Futures Trading Commission, instead of $93,327,000 as proposed by the House and $95,327,000 as proposed by the Senate.

FARM CREDIT ADMINISTRATION

LIMITATION ON ADMINISTRATIVE EXPENSES

The conference agreement includes a limitation of $42,350,000 on administrative expenses of the Farm Credit Administration, instead of $42,900,000 as proposed by the House and $41,800,000 as proposed by the Senate.

TITLE VII—GENERAL PROVISIONS

Section 705. The conference agreement includes language that allows for unobligated balances to be transferred to the Working Capital Fund.

Section 710. The conference agreement limits indirect costs for grants awarded by the Cooperative State Research, Education, and Extension Service to 20 percent.

Section 714. The conference agreement includes language for funds to cover necessary expenses related to advisory committees.

Section 718. The conference agreement includes language regarding the transfer of funds to the Office of the Chief Information Officer and information technology funding obligations.

Section 719. The conference agreement includes language regarding the reprogramming of funds.

Section 720. The conference agreement includes language regarding the Initiative for Future Agriculture and Food Systems.

Section 725. The conference agreement includes language regarding the National Sheep Industry Improvement Center revolving fund.

Section 726. The conference agreement includes language regarding the guaranteed single-family housing loan program guarantee fee.

Section 727. The conference agreement includes language that provides that certain locations shall be considered eligible for certain rural development programs.

Section 728. The conference agreement directs the Secretary to make commodity tonnage available, to the extent practicable, to assist foreign countries to mitigate the effects of the Human Immunodeficiency Virus and Acquired Immune Deficiency Syndrome.

Section 729. The conference agreement includes language regarding Natural Resources Conservation Service financial and technical assistance for certain projects in Illinois and Kentucky and sets limits for that funding.

Section 730. The conference agreement includes language regarding Natural Resources Conservation Service financial and technical assistance for certain projects in Arkansas, Alaska, Illinois, and Utah.

Section 736. The conference agreement allows unobligated balances within the Department of Agriculture to be used to reimburse the Office of the General Counsel for certain services provided.

Section 740. The conference agreement includes language regarding the Wetlands Reserve Program.

Section 741. The conference agreement includes language regarding the Environmental Quality Incentives Program.

Section 742. The conference agreement provides the Secretary of Agriculture with authority to authorize employees of the Department to carry and use firearms for personal protection while conducting field work in remote locations.

Section 743. The conference report includes language regarding the renewable energy program.

Section 744. The conference report includes language regarding the broadband telecommunications program.

Section 745. The conference agreement prohibits funds in excess of $20,000,000, to be used to reimburse the Commodity Credit Corporation for the release of eligible commodities under the Bill Emerson Humanitarian Trust Act.

Section 746. The conference agreement includes language regarding the value-added market development program.

Section 748. The conference agreement includes language regarding Natural Resources Conservation Service financial and technical assistance to the Dry Creek project, Utah.

Section 749. The conference report includes language regarding the Conservation Security Program.

Section 750. The conference agreement includes language regarding the Wildlife Habitat Incentive Program.

Section 751. The conference report includes language regarding the Farmland Protection Program.

Section 752. The conference report includes assistance for certain tree losses.

Section 753. The conference agreement includes language regarding the Rural Business Investment Program.

Section 754. The conference agreement includes language regarding Public Law 105–264.

Section 755. The conference report includes language regarding the ground and surface water conservation program.

Section 756. The conference agreement includes language related to final rulemaking on APHIS cost-sharing.

Section 757. The conference agreement includes language related to competitive sourcing of rural development or farm loan programs.

Section 758. The conference agreement gives the Secretary of Agriculture the authority to enter into cooperative agreements to lease aircraft.

Section 759. The conference report includes $1,491,000 for the Northern Great Plains Regional Authority and stipulates that the Federal cost share is 100 percent.

Section 760. The conference agreement includes language regarding the Bioenergy Program.

Section 761. The conference agreement includes language regarding the Delta Regional Authority.

Section 762. The conference agreement includes language that rescinds certain unobligated balances.

Section 763. The conference agreement includes language regarding the use of discretionary funds for certain purposes.

Section 764. The conference agreement includes language that rescinds certain unobligated balances.

Section 765. The conference agreement includes a provision regarding eligibility for housing assistance in Alaska.

Section 766. The conference agreement includes language regarding certain conservation programs.

Section 767. The conference agreement provides $1,500,000 to the Denali Commission to address deficiencies in solid waste disposal sites.

Section 768. The conference agreement includes language that provides that certain locations shall be considered eligible for certain rural development programs.

Section 769. The conference agreement includes language regarding the Agricultural Trade Development and Assistance Act of 1954.

Section 770. The conference agreement includes a provision giving the Secretary of Agriculture the authority to allow Community Facility Program borrowers to enter into contracts with third parties for necessary services.

Section 771. The conference agreement includes language regarding the Emergency Watershed Protection Program.

Section 772. The conference agreement includes language regarding agriculture credits or credit guarantees.

Section 773. The conference agreement includes language regarding eligibility for the Conservation Reserve Program for land planted in hardwood trees, and previously enrolled in the program, to remain enrolled.

Section 774. The conference agreement includes language regarding the use of funds to restrict to prescription use certain contraceptives.

Section 775. The conference agreement includes language that rescinds certain unobligated balances.

Section 776. The conference agreement includes language regarding privacy protection of certain sellers of farm products.

Section 777. The conference agreement includes language regarding a 1994 institution.

Section 778. The conference agreement includes language that rescinds certain unobligated balances.

Section 779. The conference agreement includes language regarding the Dakota Value Capture Cooperative.

Section 780. The conference agreement includes language regarding new WIC-only stores.

Section 781. The conference agreement includes language that rescinds certain unobligated balances.

Section 782. The conference agreement includes language that rescinds certain unobligated balances.

Section 783. The conference agreement includes language allowing use of unobligated balances in certain accounts within the Rural Utilities Service for the purposes of section 315 of the Rural Electrification Act of 1936.

Section 784. The conference agreement includes language regarding the Wildlife Habitat Management Institute.

Section 785. The conference agreement includes language regarding Livestock Assistance eligibility.

Section 786. The conference agreement includes funding to carry out provisions of Section 751 of Public Law 108–7.

Section 787. The conference agreement includes funding for a private lands wildlife management program.

Section 788. The conference agreement includes certain technical corrections regarding the Child Nutrition Act.

Section 789. The conference agreement includes a technical correction regarding the Hurricane Disasters Assistance Act.

Section 790. The conference agreement includes funds for a certain grant.

Section 791. The conference agreement includes funds for a certain grant.

Section 792. The conference agreement includes language that rescinds certain unobligated balances.

Section 793. The conference agreement includes funds for a certain grant.

Section 794. The conference agreement includes language regarding EQIP participation.

Section 795. The conference agreement includes funds for a certain grant.

Section 796. The conference agreement includes language regarding Child and Adult Care Food Program audit funds.

Section 797. The conference agreement includes language regarding the Grassland Reserve Program.

CONFERENCE TOTAL—WITH COMPARISONS

The total new budget (obligational) authority for the fiscal year 2005 recommended by the Committee of Conference, with comparisons to the fiscal year 2004 amount, the 2005 budget estimates, and the House and Senate bills for 2005 follow:

[In thousands of dollars]

New budget (obligational) authority, fiscal year 2004	$86,761,836
Budget estimates of new (obligational) authority, fiscal year 2005	83,586,539
House bill, fiscal year 2005	83,670,594
Senate bill, fiscal year 2005	84,053,760
Conference agreement, fiscal year 2005	86,190,567
Conference agreement compared with:	
New budget (obligational) authority, fiscal year 2004	−571,269
Budget estimates of new (obligational) authority, fiscal year 2005	+2,604,028
House bill, fiscal year 2005	+2,519,973
Senate bill, fiscal year 2005	+2,136,807

DIVISION B—DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY AND RELATED AGENCIES APPROPRIATIONS ACT, 2005

TITLE I—DEPARTMENT OF JUSTICE

GENERAL ADMINISTRATION

SALARIES AND EXPENSES

The conferees recommend a total of $124,100,000 for General Administration, Salaries and Expenses, instead of $97,856,000 as proposed by the House and $141,466,000 as proposed by the Senate.

The conference agreement includes the following program increases: $100,000 and 2 positions for the Office of Public Affairs; $6,592,000 and 30 positions for the Office of Intelligence Policy and Review; $200,000 for diversity programs; and $250,000 to enhance attorney recruitment and retention through the Student Loan Repayment Program.

In addition, the conferees strongly support the request for the Justice Unified Telecom Network, Public Key Infrastructure, Enterprise Architecture, Information Sharing Initiative, Information Technology Project Oversight, Investment Management, E-gov initiatives, and the Unified Financial Management System (UFMS). The conference agreement provides $1,073,000 in additional direct appropriations for the Chief Information Officer's highest priority needs and an additional $1,000,000 for the UFMS. The conferees support additional funding for these initiatives through the recovery of obligated but unexpended funds transferred to the Working Capital Fund, or through other sources, subject to section 605 of this Act.

The conferees direct the Department of Justice to provide quarterly reports describing Department resources dedicated to Indian

Country and the activities of the Indian Gaming Working Group. Additionally, the Department shall also provide quarterly reports to Congress detailing efforts to reduce the violent victimization of Native Americans, including efforts to reduce murder rates, serious assaults, violence against women, and child abuse. These reports shall include: the number of agents assigned to Indian Country; man-hours worked in Indian Country; the amount and type of training provided; the number of matters initiated; the number of cases; the number of subjects/defendants; the number of convictions; and the amount of restitution ordered.

The conferees adopt by reference the Senate report language directing the Office of the Chief Information Officer to evaluate commercially-proven enterprise data warehousing and analytic systems and to provide a report to the Committees on Appropriations summarizing the findings on this technology's applicability to the counterterrorism mission not later than March 31, 2005.

The conference agreement includes necessary sums to continue efforts to replace locks used to store classified information.

The conference agreement adopts by reference the House report language concerning budget models and directs that the Department of Justice submit a report, no later than August 1, 2005, describing how the hiring of an investigator impacts the workload of the U.S. Attorneys, the U.S. Marshals Service, the Detention Trustee, and the Federal Prison System.

In addition to the concerns stated above, the conferees have expressed concerns elsewhere in the report about the rationale underlying the allocation of staffing between the litigating divisions and the United States Attorneys. The conferees believe that it is critical that the Department of Justice take a systemic approach to resource requests and subsequent allocations. With that in mind, the conferees direct the Government Accountability Office to initiate a review of the Department of Justice resource planning and allocation processes, with particular emphasis on consistency of resource allocation within the operating year with national law enforcement priorities, in particular the counterterrorism and counterintelligence priorities, articulated by the Administration and supported by the Committees on Appropriations.

The conference agreement adopts by reference the House report language concerning fast track programs and directs the Department of Justice to submit a report within 45 days of enactment of this Act providing a list of the fast track programs operating throughout the country, and an estimate of the resources the Department of Justice saves and the costs that are avoided by these programs. The report shall also discuss opportunities to expand fast track programs to other districts.

The conferees believe that the Department of Justice needs to coordinate its efforts to address gang-related crimes. The Department of Justice is directed to submit a report to the Committees on Appropriations no later than 30 days after enactment of this Act on how the Department is addressing gang issues throughout the country.

The conference agreement adopts by reference the House report language concerning the establishment of an international law enforcement alliance.

Office of Privacy and Civil Liberties.—The conference agreement includes not less than $690,000 for the salaries and benefits of this office including funding for 2 additional professional staff positions. The conference agreement adopts by reference the House report language requiring the submission of a report detailing the specific responsibilities and authorities of the Office of Privacy and Civil Liberties within 30 days of enactment of this Act. In addition, the Department of Justice shall report to the Committees on Appropriations annually on the activities of this office.

Debt Collection.—The Government Accountability Office recently found that outstanding criminal debt as reported by the Department of Justice totaled about $25,000,000,000 as of September 30, 2002, almost double the amount reported by Justice 3 years earlier. Moreover, the Department of Justice reported collecting only about $800,000,000 of criminal debt for fiscal year 2002.

In view of the increase in reported outstanding criminal debt and low collections of such debt, the conferees are concerned that the Department of Justice along with other agencies still has not taken action to develop a strategic plan for improving criminal debt collection. The conferees understand one of the reasons for this outstanding criminal debt is that the Mandatory Victims Restitution Act of 1996 makes restitution mandatory in all violent crimes and most property crimes regardless of a defendant's ability to pay. Nevertheless, there appears to be criminal debt that may be collectible.

To address the large balances of outstanding criminal debt, the conferees direct the Attorney General to establish a task force within 90 days of enactment of this Act that includes other Federal agencies, including, but not limited to, the Department of the Treasury, the Office of Management and Budget, and the Administrative Office of the U.S. Courts, to participate in the task force. Led by the Department of Justice, the task force will be responsible for developing a strategic plan for improving criminal debt collection. The strategic plan shall include specific approaches for better managing, accounting for, reporting, and collecting criminal debt. Specifically, the plan shall include steps that can be taken to better and more promptly identify all collectible criminal debt so that a meaningful allowance for uncollectable criminal debt can be reported and used for measuring debt collection performance. The conferees direct the Attorney General to report to the Committees on Appropriations within 180 days of enactment of this Act on the activities of the task force and the development of a strategic plan.

Fugitive Apprehension.—In an October 19, 2004, report, the Department of Justice acknowledges that "the United States Marshals Service is the federal government's primary agency for apprehending fugitives". While the Department does not recommend transferring fugitive apprehension activities to the USMS to ensure continued departmental management flexibility, it recognizes that USMS fugitive efforts free up resources for other Federal law enforcement agencies to focus on their core missions. For example, the report states that for the past 15 years, the USMS has been responsible for the apprehension of many DEA fugitives, leaving DEA agents free to develop new drug crime cases.

The conferees are aware that the USMS arrest statistics far exceed other Federal law enforcement agencies. The conferees also understand that the statistical success, in terms of the number of Federal, state, and local warrants closed, has coincided with the on-going development of the regional fugitive task forces, showing a benefit of linking performance with budget. While the conferees recognize the Department's desire not to consolidate fugitive apprehension activities under one component, the conferees strongly urge the Department to update its 1988 memorandum of understanding to provide greater latitude for the USMS and to promote greater inter-agency cooperation. The conferees commend the USMS, DEA, Interpol, and ATF in its continuing efforts to coordinate investigations.

JOINT AUTOMATED BOOKING SYSTEM

The conference agreement includes $20,185,000 for the continued operation of the Joint Automated Booking System (JABS), as proposed by the Senate, instead of $20,000,000 as proposed by the House.

AUTOMATED BIOMETRIC IDENTIFICATION SYSTEM/INTEGRATED AUTOMATED FINGERPRINT IDENTIFICATION SYSTEM

The conference agreement includes $5,054,000 for this account, as provided by the House and Senate.

The conferees are troubled by the security gap on the nation's borders caused by delays in linking the Automated Biometrics Identification System (IDENT), the fingerprint database managed by Customs and Border Protection (CBP) and US Visitor and Immigrant Status Indicator Technology (US–VISIT), with criminal history data contained in the Federal Bureau of Investigation's Integrated Automated Fingerprint Identification System (IAFIS). The conferees understand that by the end of calendar year 2004, interoperability will exist at airports, seaports, and the largest and busiest Border Patrol stations and land ports of entry. CBP and Immigration and Customs Enforcement (ICE) locations will not be completed until December 31, 2005. With implementation of a new visa tracking system and enrollment of millions of visitors into US–VISIT, it is essential that the Federal Bureau of Investigation (FBI) collaborate with the Directorate of Border and Transportation Security to ensure that IDENT and US–VISIT can retrieve, in real time, biometric information contained in the IAFIS database, and that the IAFIS database can retrieve, in real time, biometric information contained in IDENT and US–VISIT.

The conferees direct the Department of Justice and the Department of State, in coordination with the Under Secretary for Border and Transportation Security (BTS), to report, not later than 90 days after enactment of this Act, on the status of efforts to achieve real time interoperability between these systems, including steps the Departments will take to integrate IAFIS into IDENT and US–VISIT, funds needed, and a timetable for full interoperability of these systems. This report should address the recommendations from the March, 2004, Department of Justice Inspector General re-

port, which documented the need to integrate existing biometric databases.

LEGAL ACTIVITIES OFFICE AUTOMATION

The conference agreement provides $40,510,000 for this account, which is equal to the amended budget request. The conferees support additional funding for this program through the recovery of obligated but unexpended funds transferred to the Working Capital Fund, or through other sources, subject to section 605 of this Act.

NARROWBAND COMMUNICATIONS

The conference agreement includes $100,000,000 for Narrowband Communications, as proposed by the House, instead of $68,021,000 as proposed by the Senate.

ADMINISTRATIVE REVIEW AND APPEALS

The conference agreement includes $203,965,000 for this account, instead of $202,518,000 as proposed by the House and $205,411,000 as proposed by the Senate. The funding level provides for the annualization costs associated with filling immigration judge vacancies.

It is the conferees' understanding that the Executive Office for Immigration Review (EOIR) has issued interim procedural guidelines for the adjudication of unaccompanied alien children's cases before immigration judges. The conferees commend EOIR for this initiative. The conferees further urge EOIR to dedicate resources from its appropriation to developing and implementing policies and procedural guidelines as well as training programs for judges and pro bono attorneys in this area in order to protect the children's due process rights under the Immigration and Nationality Act—including their right to apply for forms of relief from removal—and to further their access to pro bono representation rights, due process and relief under the Immigration and Nationality Act.

DETENTION TRUSTEE

The conference agreement includes $885,994,000 for the Detention Trustee, as proposed by the Senate, instead of $938,810,000 as proposed by the House. The conferees are aware that the Trustee has made progress in refining the detention forecasting model, which will provide better projections for this account, and the conferees encourage the much-needed work to continue. The conferees believe that the Trustee should review the entire Federal detention process from commencement to incarceration to identify greater efficiencies in operations. The conferees anticipate that these efforts will result in cost savings. When the Trustee can provide assurance of the funding needs for this account, the Committees will consider options for providing additional resources. The conferees also direct the Attorney General to ensure that the Department's entire law enforcement agenda, including its prosecutorial policies and detention resources, is thoroughly considered when determining the future funding needs for this account.

The conference agreement incorporates by reference Senate report language that prohibits any construction, planning, support, or contracting of new detention facilities and directs the Detention Trustee to withdraw any solicitations for such activities.

The Justice Prisoner and Alien Transportation System (JPATS) has become an increasingly complex system, in part because its biggest user is now Immigration and Customs Enforcement within the Department of Homeland Security. The conferees expect that the United States Marshals Service will continue to operate JPATS, but believe the Federal Detention Trustee, as an independent entity that oversees detention issues for the Department, must play a heightened role with this program. The conferees therefore direct the Trustee to address immediate and long-term planning, management, and policy issues with JPATS, with the goal of improving efficiencies and ensuring equality among participating agencies, and to submit a report on those efforts to the Committees on Appropriations, no later than May 31, 2005.

OFFICE OF INSPECTOR GENERAL

The conference agreement includes $63,813,000 for the Office of Inspector General, as proposed by the House, instead of $63,187,000 as proposed by the Senate.

UNITED STATES PAROLE COMMISSION

SALARIES AND EXPENSES

The conference agreement includes $10,638,000 for the United States Parole Commission, as proposed by the Senate, instead of $10,650,000 as proposed by the House. The conferees adopt by reference House language regarding a study required under Public Law 107–273.

LEGAL ACTIVITIES

SALARIES AND EXPENSES, GENERAL LEGAL ACTIVITIES

The conference agreement includes $634,193,000 for General Legal Activities, instead of $639,314,000 as proposed by the House and $623,364,000 as proposed by the Senate. The distribution of funding provided is as follows:

General legal activities

[In thousands of dollars]

	2005 appropriation
Office of the Solicitor General	$8,245
Tax Division	81,399
Criminal Division	137,177
Civil Division	188,754
Environment and Natural Resources Division	90,856
Office of Legal Counsel	5,858
Civil Rights Division	109,141
Interpol USNCB	12,426
Office of Dispute Resolution	337
Total	634,193

The funding provided is equal to the requested current services level less requested program reductions for the Department of Jus-

tice's litigating divisions. The conferees understand the Department has reviewed the allocation of attorneys between headquarters and the field. The conferees further understand that the Department believes that 59 attorney positions should be realigned from headquarters litigating divisions to those U.S. Attorney Offices that have a critical shortage of attorney resources to address priority areas such as counter-terrorism, drugs, violent crime, corporate fraud, and immigration. The conferees applaud the Department's efforts to allocate attorney positions to where they can be most productive. The conferees understand this will be a multi-year effort and, therefore, have not provided any of the increases in attorney positions for the litigating divisions at this time. Within the level of funding provided, the conferees expect attorney resources to be provided to the Department's highest priorities, including counterterrorism, violent crime and corporate fraud.

The conferees direct the Attorney General to submit a detailed study to the Committees on Appropriations, not later than January 3, 2005, providing the criteria the Department would use to determine which litigating division positions would be reallocated to the field; the criteria that would be used to determine which U.S. Attorney Offices would be allocated additional positions; and a crosswalk showing the proposed allocation of attorney positions from each legal division to each district.

The conference agreement fully funds the Civil Rights Division's efforts to combat human trafficking and the conferees expect the Department of Justice to continue submitting yearly updates regarding efforts to address human trafficking.

The conferees expect the Department of Justice to submit a reprogramming for costs associated with continuing tobacco and other litigation activities, should funding be warranted.

The conferees are aware that the parties to *Irvin Rosner, et al.*, v. *United States of America* have agreed to mediation and to the selection of a mediator. Given that this case involves elderly Holocaust survivors, the conferees believe that the Department of Justice should proceed with this mediation in a compassionate and expeditious manner in order to reach a fair resolution.

The conferees direct the Department of Justice to submit a report to the Committees on Appropriations not later than April 10, 2005, on proposals to leverage the United States National Central Bureau's network as a means to effectively share national security related information with State and local law enforcement agencies.

THE NATIONAL CHILDHOOD VACCINE INJURY ACT

The conference agreement includes a reimbursement of $6,333,000 from the Vaccine Injury Compensation Trust Fund to the Department of Justice, as proposed by both the House and the Senate.

SALARIES AND EXPENSES, ANTITRUST DIVISION

The conference agreement includes $138,763,000 for the Antitrust Division, which is the same as proposed by the Senate, instead of $135,463,000 as proposed by the House. The conference agreement incorporates by reference Senate report language regarding additional resources.

SALARIES AND EXPENSES, UNITED STATES ATTORNEYS

The conference agreement includes $1,547,519,000 for the United States Attorneys instead of $1,535,000,000 as proposed by the House and $1,532,154,000 as proposed by the Senate.

The conference agreement includes a program increase of $5,762,000 for 66 additional positions, including 44 attorneys, for additional terrorism and criminal prosecutions. The conference agreement also includes an additional $3,029,000 for 32 additional positions, including 25 attorneys, to address gang-related crimes.

Project Seahawk.—The conference agreement includes $5,000,000 for the continuation of Project Seahawk, a pilot project to enhance intermodal security and law enforcement within our Nation's coastal cities. The pilot will provide a national model for cities that experience heavy volumes of intermodal traffic by establishing a streamlined process to address criminal activity that may compromise or impede the movement of intermodal traffic within the U.S. Project Seahawk shall continue to be coordinated under the U.S. Attorneys and include Federal, State, and local law enforcement.

Legal Education.—The conference agreement provides $18,266,000 for legal education and distance learning at the National Advocacy Center (NAC). NAC State and local training funds are provided under the Office of Justice Programs.

Violent Crime Task Forces.—The conference agreement includes $1,500,000 to continue and expand task force activities associated with Operation Streetsweeper.

The conference agreement adopts by reference the House and Senate language providing $10,000,000 for cybercrime and intellectual property enforcement and requiring the submission of a report by April 30, 2005, on the number, types, and locations of copyright prosecutions undertaken during the previous fiscal year.

The conference agreement adopts by reference the House report language concerning public corruption.

UNITED STATES TRUSTEE SYSTEM FUND

The conference agreement includes $173,602,000 for this account, instead of $172,850,000 as proposed by the House and $174,355,000 as proposed by the Senate. The conferees support the requested information technology enhancements and expect the Trustees to fund the request to the maximum extent possible. The conference agreement incorporates by reference the Senate report language directing the Trustees to consult with the Department's Chief Information Officer before obligating its information technology funds. The conference agreement includes not less than $750,000 for the Bankruptcy Training Center at the National Advocacy Center in support of the Trustees' continuing education program.

SALARIES AND EXPENSES, FOREIGN CLAIMS SETTLEMENT COMMISSION

The conference agreement includes $1,220,000 for this account, as proposed by both the House and Senate.

UNITED STATES MARSHALS SERVICE

SALARIES AND EXPENSES

The conference agreement includes $751,985,000 for the United States Marshals Service (USMS), instead of $752,070,000 as proposed by the House and $744,725,000 as proposed by the Senate. The conference agreement provides funding for USMS construction under a separate heading, as proposed by the House. The conference agreement includes the base reductions and streamlining efficiencies included in the budget request.

The conference agreement incorporates by reference the Senate report language regarding submission of a spending plan and the timely release of funds to programs.

The conferees are pleased that the USMS has made a concerted effort to fill critically-needed supervisory deputy marshal positions in the districts; boosted its on-board staffing levels throughout the agency; allocated positions based on performance; addressed its information technology infrastructure weaknesses; and improved its overall financial management practices. In many areas, the USMS has demonstrated marked improvements and is urged to continue these practices.

Protection of the Judicial Process.—The conference agreement includes the requested increase of $8,897,000 and 94 positions to enhance protection of the Federal Judiciary. When determining resource allocations, the USMS should be mindful of the recent recommendations of the Department's Inspector General.

Witness Security.—The conference agreement includes the requested increase of $1,922,000 and 15 positions for the witness security program.

Information Technology.—The conference agreement includes the requested increase of $478,000 and 5 positions to meet information technology (IT) requirements. The conferees direct the USMS to submit a report to the Committees on Appropriations, no later than March 17, 2005, on IT needs throughout the USMS and a plan to address those needs, including funding requirements.

Central Courthouse Management Group.—The conference agreement provides $4,226,000 for the Central Courthouse Management Group (CCMG), including $3,968,000 in base resources for 34 existing CCMG positions, two restored positions, and an additional $258,000 for three new CCMG positions, of which two shall be GS–14 positions.

Courthouse Security Equipment.—The conference agreement provides a program increase of $5,050,000, for a total of $11,580,000, for preventive maintenance and repair of courthouse security equipment to be allocated to the USMS's highest priority needs. The conference agreement incorporates by reference Senate report language directing the USMS to report to the Committees on Appropriations within 30 days of enactment of this Act on the allocation of this funding. The conferees expect no less than this amount to recur in future budget submissions to address the courthouse security equipment needs of the USMS.

Regional Fugitive Task Forces.—The conference agreement provides $17,988,000 for the Regional Fugitive Task Forces (RFTF), which includes base resources for the 38 existing RFTF positions,

and an additional $2,439,000 for 17 new positions to staff these task forces, including supervisory personnel. Available resources can also be used for the district-managed task forces.

Technical Operations Group.—The conference agreement provides $17,216,000 for the Technical Operations Group (TOG), which includes base resources for the 50 existing TOG positions, an additional $632,000 for three restored positions and one new position, and an additional $2,000,000 for non-personnel expenses.

International Fugitives.—The conference agreement provides $4,459,000 for the International Fugitive Apprehension Program, which includes base resources for the four existing international positions and an additional $1,086,000 for three new GS–13 deputies at the existing foreign offices. The conferees also direct the USMS to submit a five-year plan for this program, including a time-line and cost estimate to open additional international offices that are critical to the USMS fugitive apprehension mission.

Analytical Support Unit.—The conference agreement provides $3,835,000 in base resources for the Analytical Support Unit (ASU), including $1,069,000 for eight existing positions and $2,766,000 (excluding a $500,000 transfer from the Justice Detainee Information System) to improve and maintain the Warrant Information Network and to continue subscriptions to various government and private networks and on-line services.

Special Operations Group.—The conference agreement provides $2,835,000 in base resources for the Special Operations Group (SOG), which includes funding for the 11 existing SOG positions. In addition, the conferees direct the USMS to transfer the funding, duties, and personnel of the Hazardous Response Unit (HRU) to SOG, and to submit a report to the Committees on Appropriations no later than April 5, 2005, on any additional personnel and funding requirements that will accompany the HRU transfer, as well as on the proper location of such transferred personnel.

Vehicles.—The conferees commend the USMS on its efforts to modernize its vehicle infrastructure. Over the last three years, the conferees have included funding for the USMS to replace older vehicles and recognize that under the new vehicle allocation formula, older vehicles are excessed when new vehicles are allocated. Districts no longer are allowed to expand their fleets by keeping vehicles well beyond their useful lifecycle. The conferees expect this trend to continue and for the USMS to continue modernizing its fleet.

CONSTRUCTION

The conference agreement includes $5,734,000 for this account, instead of $1,371,000 as proposed by the House. The Senate provided funding for construction in the salaries and expenses account. These funds shall be allocated to the USMS's highest priority construction needs. The conference agreement incorporates by reference the Senate report language directing the USMS to report to the Committees on Appropriations within 30 days of enactment of this Act on the allocation of funding for this program. To the extent that slippages occur throughout the year, however, other priority projects can be undertaken. The conferees expect no less than

this amount to recur in future budget submissions to address the construction needs of the USMS.

FEES AND EXPENSES OF WITNESSES

The conference agreement includes $177,585,000 for Fees and Expenses of Witnesses, as proposed by both the House and the Senate.

SALARIES AND EXPENSES, COMMUNITY RELATIONS SERVICE

The conference agreement includes $9,664,000 for the Community Relations Service, instead of $9,833,000 as proposed by the House and $9,494,000 as proposed by the Senate.

ASSETS FORFEITURE FUND

The conference agreement includes $21,759,000 for the Assets Forfeiture Fund, as proposed by both the House and the Senate.

PAYMENT TO RADIATION EXPOSURE COMPENSATION TRUST FUND

The conference agreement includes $27,800,000 for this account, instead of $72,000,000 as proposed by the House. The conferees understand that $27,800,000 will fully fund the Department of Justice's current estimate of payments for eligible claimants through fiscal year 2005.

INTERAGENCY LAW ENFORCEMENT

INTERAGENCY CRIME AND DRUG ENFORCEMENT

The conference agreement provides $561,033,000 for this account, as proposed by the House, instead of $295,409,000 as proposed by the Senate. The conference agreement does not adopt the Senate proposal to move management of this program to the Director of the Executive Office of the United States Attorneys. The conference agreement provides the following amounts to reimburse Federal agencies for their costs to participate in these task forces:

Reimbursement by Agency

[Dollars in thousands]

	Amount
Department of Justice Agencies:	
Drug Enforcement Administration	$191,112
Federal Bureau of Investigation	135,859
United States Marshals Service	6,431
Bureau of Alcohol, Tobacco, Firearms and Explosives	11,228
United States Attorneys	118,083
Criminal Division	2,941
Tax Division	975
Administrative Office	5,565
Non-Justice Agencies:	
Internal Revenue Services	54,643
United States Immigration and Customs Enforcement	33,589
Coast Guard	607
Total	$561,033

The conference agreement provides the following increases: $6,113,000 for adjustments to base; $14,623,000 for 172 additional U.S. Attorney positions; $4,320,000 for 14 additional U.S. Marshals

Service positions; $6,344,000 and 60 positions for the Drug Intelligence Fusion Center; and $13,240,000 for the Drug Enforcement Administration including $10,465,000 for 79 additional positions and $2,775,000 for additional operational costs.

The conferees note that the Administration chose not to comply with the direction provided in the fiscal year 2004 Conference Report that participation of the Departments of Homeland Security and Treasury should not be included in the Department of Justice budget request. The participation of these entities should be budgeted by those respective departments. While the conferees are aware of the critical role of the Departments of Homeland Security and Treasury, the conference agreement is unable to fully fund the request for the Internal Revenue Service (IRS) and United States Immigration and Customs Enforcement (ICE) while meeting the resource needs of the Department of Justice. The conferees understand that carryover balances from fiscal year 2004 are available in fiscal year 2005. These balances may be utilized, through the regular reprogramming process under section 605 of this Act, to provide additional funding to IRS and ICE if warranted.

FEDERAL BUREAU OF INVESTIGATION

SALARIES AND EXPENSES

The conference agreement provides $5,205,028,000 for the Federal Bureau of Investigation Salaries and Expenses account as proposed by the House, instead of $4,990,728,000 as proposed by the Senate. The conference agreement funds the Foreign Terrorist Tracking Task Force, the Terrorist Screening Center, and the FBI's costs associated with the Terrorist Threat Integration Center under this heading as proposed by the House, instead of under a separate heading as proposed by the Senate. Construction costs are funded under a separate heading as proposed by the House.

Directorate of Intelligence.—The conference agreement adopts the House report language establishing a Directorate of Intelligence. The conferees applaud the improvements the FBI has made in transforming itself from an agency whose primary mission was to investigate traditional crimes, to an agency whose top priority is to prevent terrorism. However, more institutional changes are needed for the FBI's intelligence program, a critical component of an effective terrorism prevention strategy. Toward that end, the conference agreement adopts the House report language directing the FBI to create a new Directorate of Intelligence, led by the Executive Assistant Director for Intelligence. This new directorate shall have broad and clear authority over intelligence-related functions. The need for effective intelligence capabilities cuts across all FBI programs including the counterterrorism, counterintelligence, criminal and cyber crime programs. This new directorate will ensure that intelligence is shared across these programs, eliminate information stove-piping, and allow the FBI to quickly adapt as threats change. The new directorate will have responsibility for operational elements including those of the Office of Intelligence, the FBI's Terrorist Threat Integration Center participation, the Foreign Terrorist Tracking Task Force, and the Terrorist Screening Center. It will also include programmatic elements representing

analyst and administrative components across the FBI, such as training, recruitment, information technology, and security. This directorate shall be responsible for enhancing the FBI's ability to recruit and retain the highest quality intelligence staff, including attracting individuals with educational and professional backgrounds in intelligence, international relations, language, technology and other relevant skills. It shall also work to improve the FBI's capability to share intelligence, not only within the Bureau and the Intelligence Community, but also with State and local law enforcement. Further, it shall ensure that intelligence-related performance criteria are in place for agents and analysts, and develop a process for agents to receive a formal Intelligence Officer Certification. The FBI is directed to submit quarterly reports updating the Committees on Appropriations on the continued transformation, including the FBI's efforts to ensure that the priorities and operations in all of the Bureau's field offices and resident agencies match national priorities.

The conferees note that the 9/11 Commission Report endorsed many of the intelligence reforms proposed in the House bill. The conferees appreciate the assistance the Government Accountability Office, the National Academy of Public Administration, and the Congressional Research Service have provided to the Committees on Appropriations in reviewing the FBI's operations and making recommendations to improve the Bureau. The conferees expect the FBI to continue to work with these organizations and others in fiscal year 2005 to review and improve their operations.

Budget Structure.—The conference agreement adopts the budget decision unit structure proposed by the House. The conferees note that this identical budget structure was recommended by the 9/11 Commission. The new budget structure will align the FBI's budget with its organizational structure by collapsing the ten budget decision units used in previous years to four decision units. There will be a decision unit for each Executive Assistant Director (EAD) with the exception of the EAD for Administration. The costs associated with program administration will be spread to the four other decision units in order to capture the full costs of each program. This new decision unit structure will not only empower the new Director of Intelligence, but will enhance the ability of the EADs for Counterterrorism and Counterintelligence, Criminal, and Criminal Justice Services to manage their programs by unifying their budgets. The following distribution represents the conference agreement. The conferees remind the FBI that changes in this distribution are subject to the reprogramming requirements of section 605 of this Act.

FBI SALARIES AND EXPENSES

[Dollars in thousands]

Decision unit	POS	FTE	Amount
Intelligence	4,703	4,291	$792,033
Counterterrorism and Counterintelligence	10,549	10,268	1,979,378
Criminal	12,852	12,578	2,156,421
Criminal Justice Services	1,935	1,945	277,196
Total	30,039	29,082	5,205,028

The recommendation includes increases of $204,515,000 for adjustments to base to support the current operating level. The recommendation includes the following program increases as requested: $13,400,000 and 151 positions for the Office of Intelligence; $14,307,000 and 89 intelligence and counterterrorism positions for headquarters program support; $45,954,000 and 259 positions for counterterrorism field investigations; $12,838,000 and 86 positions for language services; $11,155,000 and 14 positions for legal attaché offices in Beirut, Lebanon; Baghdad, Iraq; Dakar, Senegal; Kuwait City, Kuwait; and Cape Town, South Africa; $9,000,000 for the Chemical, Biological and Radiological Forensic Analysis Counterterrorism Program; $29,000,000 for the operational costs of the Terrorist Screening Center; $35,470,000 for the relocation of portions of the Counterterrorism Division to the Hazel-Peterson Building; $63,754,000 and 294 positions for the counterintelligence program; $58,257,000 and 188 positions for cyber investigations including $3,000,000 for Innocent Images; $46,508,000 and 65 positions for information and physical security improvements; $20,000,000 for technology investments including $12,000,000 for TS/SCI LAN field installations and $8,000,000 for enterprise architecture activities; $16,000,000 and 12 positions to support the integration of IDENT/IAFIS; $1,785,000 and 10 positions to support the Criminal Division's Child Exploitation and Obscenity Section; $1,831,000 and 16 positions for the Lost Innocence National Initiative to address the problem of children forced into prostitution; $1,213,000 and 8 positions for corporate fraud cases; $1,170,000 for forensic costs associated with Indian Country and the National Backstopping Program; and $21,309,000 for renovations at the FBI Academy.

In addition, the conference agreement includes the following increases above the request: $5,000,000 for the National Security Support Capability program; $2,750,000 and 27 positions for the Indian Country Unit to investigate crimes in Indian Country, including violent crimes against Native Americans, gang violence, and crimes related to Indian gaming; $2,085,000 to establish a legal attaché office in West Africa; $10,000,000 and 78 positions to combat gang-related crime; $10,000,000 for enhanced training programs; $30,000,000 to fund additional recruitment and retention programs; $20,500,000 to accelerate the expansion of secure facilities in FBI field offices; $8,500,000 for the acquisition of helicopters and related equipment; and $5,000,000 for the Investigative Technology Division for research and development of emerging technologies.

Training.—The conference agreement adopts the House report language regarding training. The conferees direct the FBI to continue to expand its training opportunities and the capabilities of the College of Analytical Studies to ensure that agents and analysts are receiving the highest quality intelligence, counterterrorism and counterintelligence training available. These training programs should include: joint training sessions with other members of the Intelligence Community; opportunities for an academic sabbatical to pursue an advanced degree; sending staff to the Department of State's Foreign Service Institute; and creation of a fellows program to exchange staff with other Federal agencies and

the private sector. In addition, the conferees expect the FBI to expand both its basic intelligence analyst course and its advanced intelligence training courses offered at the College of Analytical Studies. The FBI shall also consider offering intelligence classes to other Federal law enforcement agencies, where appropriate. For example, the conferees believe it would be beneficial for corrections intelligence staff in the Federal Prison System to receive specialized training to recognize and thwart the introduction of violent ideology and extremism in Federal prisons. The recommendation provides $10,000,000 above the request to implement these enhanced training programs. In determining its future staffing needs, the FBI shall take into account the staff time associated with training and development programs.

Gangs.—The conference agreement adopts the House report language regarding the spread of violent gangs throughout the country. In order to address this problem, the conference agreement provides $1,754,000 for the establishment of a National Gang Intelligence Center that will integrate the assets of the FBI, the Bureau of Alcohol, Tobacco, Firearms and Explosives, and other affected Federal agencies to serve as a "clearinghouse" and information management mechanism for gang intelligence on a national and international scope. In addition, the recommendation provides $8,246,000 for additional agents, analysts and support staff to address the most violent gangs throughout the country.

Offsets.—The conference agreement does not adopt the proposed $35,000,000 offset in fees to State and local law enforcement for forensic services. The conferees are disappointed that the Administration is proposing to provide funding increases for Federal law enforcement by increasing the financial burden on State and local law enforcement. The conferees expect the FBI to absorb this proposed $35,000,000 offset within existing funds. The conference agreement also does not adopt the proposed $3,000,000 reduction to the Criminal Justice Information Services Information Management Accounts.

Retention and Recruitment.—The conferees understand that the FBI is having difficulty retaining certain staff in critical senior management positions and other specialized positions. For example, since September 11, 2001, the attrition rate for intelligence analysts has exceeded 10 percent. The conferees understand that other agencies in the Intelligence Community have more flexible pay and benefit authorities than the FBI and consequently are able to recruit talented staff from the FBI. The conferees further understand that many FBI employees living in high cost areas are experiencing financial hardships. The conferees are concerned that this financial hardship could eventually have a negative impact on FBI agent and staff performance. This is particularly troubling given that high cost areas are the most likely targets for a terrorist attack. In order to address these concerns, the conference agreement includes section 113 and section 115. These provisions are identical to those included in the House bill.

Section 113 provides the Director with the authority, after consultation with the Office of Personnel Management (OPM), to provide retention and relocation bonuses to employees with high or unique qualifications who, in the absence of a bonus, would likely

leave the FBI. The provision also allows for retention and relocation bonuses for individuals transferred to a different geographic area with a higher cost of living. A bonus may total up to 50 percent of an employee's basic rate of pay.

Section 115 authorizes the FBI, in conjunction with the Office of Management and Budget and OPM, to pay critical intelligence positions up to an Executive Schedule I salary provided that the position is determined to be: (1) a high level position in a scientific, technical, professional, or administrative field; and (2) critical to the FBI's mission.

These provisions are included to allow the FBI to begin enhancing its personnel capabilities in order to thwart terrorism. These provisions will also improve the FBI's ability to compete with other Intelligence Community agencies for high quality employees. The conference agreement provides $30,000,000 above the request to implement these new retention and recruitment authorities.

Within the level of funding provided, the conferees also expect the FBI to expand the number of employees participating in the FBI's Student Loan Repayment Program.

Mandatory Separation.—The conference agreement includes section 112, as proposed by the House. This provision empowers the Director to, on a case-by-case basis, delay the mandatory retirement age of 57 for FBI agents until the agent reaches 65 years of age. Currently, the Director is authorized to delay mandatory retirement until an agent reaches 60 years of age. This provision does not require agents to work past the age of 57, but gives the Director the authority to extend agents until the age of 65 in certain circumstances. This provision provides the FBI with additional discretion and flexibility to retain senior managers and employees with critical technical skills beyond age 60 where it is clear that the individual being retained can meet all requirements, including physical requirements, of the specific job being filled.

Reserve Service.—The conference agreement includes section 114, as proposed by the House. This provision authorizes the Director to provide for the establishment and training of an FBI Reserve Service that would facilitate streamlined, temporary re-hiring from a pre-certified cadre of retired FBI employees who possess the specialized skills required to deal with the demands of crises or other special situations. The provision will allow the FBI to quickly access experienced former employees in the event of an emergency, without adversely impacting reserve service members' retirement pay.

N–DEx.—The conferees are aware that this new information system will allow for better tracking of corporate crime, such as pollution, accounting fraud, corruption, price fixing and tax evasion. The conferees encourage the FBI to work with other federal agencies such as the Securities and Exchange Commission, the U.S. Attorneys, and the Sentencing Commission to ensure adequate data is provided on referrals for prosecution and dispositions of cases. The conference agreement adopts by reference the House report language regarding N–DEx and the submission of a report within 180 days of enactment of this Act.

Oil-for-Food.—The conferees direct the FBI to provide assistance in the United Nations investigation of the "Oil-for-Food" pro-

gram, if requested to do so by the Independent Inquiry Committee chaired by Paul Volcker. The conferees strongly support this investigation and encourage the FBI to make resources available, as appropriate, to ensure its successful conclusion.

OPR.—The conference agreement adopts by reference the House report language concerning the Office of Professional Responsibility (OPR) and the submission of a report 90 days from the enactment of this Act.

Innocent Images National Initiative.—The conference agreement adopts the Senate report language directing the FBI to consider emerging technologies that may help prevent and prosecute crimes against children and child exploitation through the Internet, such as software to troll online venues and record evidentiary materials.

Terrorist Financing.—The conference agreement adopts the Senate report language concerning software that seeks to track financial data streams and, in real time, automatically notify analysts when designated transactions occur in the financial accounts of suspected terrorists. The FBI is directed to evaluate such software and report back to the Committees on Appropriations on its findings.

Enterprise Architecture.—The conference agreement adopts the Senate report language directing the Government Accountability Office (GAO) to review the FBI's management of its enterprise architecture effort, including its use of effective contractual controls and its approach to contractor tracking and oversight. In addition, the conferees direct GAO to review whether FBI's approach to developing its enterprise architecture is consistent with established best practices.

Criminal Justice Information Services Division.—The conference agreement includes $387,271,000, including fee collections, for the Criminal Justice Information Services Division (CJIS). The conference agreement does not adopt the FBI's proposal to reduce the CJIS IT system maintenance budget by $3,000,000.

The conference agreement also includes by reference Senate language prohibiting the diversion of funding collected through the CJIS user fee for any purpose other than CJIS, its refreshment plan, or a subsequent modernization plan for the current facility. Moreover, the conferees direct that $50,668,734 of Working Capital Fund balances be utilized to begin design for hardware and software modernization at CJIS located in Clarksburg, West Virginia. The intent is to ensure that legacy systems are phased out and replaced with modern equipment so that the FBI can take advantage of emerging technologies, such as advances in biometrics, and ensure interoperability and increased information sharing with other agencies. This will also allow for dedicated development of future generations of equipment at CJIS. Within 180 days of enactment of this Act, the FBI is directed to submit to the Committees on Appropriations a status report on the modernization of the existing CJIS systems.

Automated Biometric Identification System/Integrated Automated Fingerprint Identification System (IAFIS).—The conference agreement adopts the Senate report language directing the Department of Justice to submit a report to the Committees on Appropria-

tions not later than April 5, 2005, on the existing capacity of IAFIS, the expected impact US-VISIT may have on the system, and any additional costs necessary to increase IAFIS's capacity to meet that impact.

Intellectual Property Rights.—Within the resources provided for counterintelligence, not less than $5,000,000 shall be available to combat industrial espionage and other threats to the intellectual property rights of manufacturers and researchers in the United States.

Trilogy.—The conferees have not adopted the total program cost cap included by the Senate for Trilogy, including the Virtual Case File (VCF), but agree that imposing discipline in this program is essential. The Initial Operating Capability (IOC) for VCF is expected to be completed in December 2004, and will provide the following functionality: import all document types; manage workflow; upload to the Automated Case Support System (ACS); and interfaces through ACS. The conferees recommend that the FBI commission an independent study of Trilogy that evaluates the overall achievements of the program, including equipment upgrades and improved capabilities, identifies outstanding requirements, and establishes a timeline and cost estimate to complete deployment of the program. The study shall also note the benefits of making VCF capabilities available to the users as soon as possible.

CONSTRUCTION

The conference agreement includes $10,242,000 for FBI construction as proposed by the House. The Senate funded this activity under a different heading. The conference agreement includes $1,242,000 for recurring construction needs and provides $9,000,000 for a records management center.

The conferees understand that consolidation of records and collocation of records management personnel would achieve business process efficiencies and personnel savings. It would make more space available in the FBI headquarters building, allowing the FBI to reduce leased space in the Washington, D.C., metropolitan area, and would free up needed space in the field as the number of FBI staff continues to increase. The conferees understand that the FBI hired an outside consultant to study potential locations for a records management center using the following criteria: (1) at least 60 miles outside of Washington, D.C., for continuity of operations; (2) away from obvious terrorist targets; (3) within 250 miles of Washington, D.C.; (4) having access to transportation, utilities, and communications networks; and (5) availability of an educated workforce. The conferees understand the FBI chose Frederick County, VA, as the most ideal location to establish this center. The conferees further understand that the FBI intends to lease an interim facility in Frederick County while the design and construction of a permanent facility is underway. The recommendation includes $9,000,000 for the costs to lease, equip and relocate an interim records management center in Frederick County in fiscal year 2005. This records management facility will not assume any personnel, projects, programs, or activities being performed by the CJIS.

DRUG ENFORCEMENT ADMINISTRATION

SALARIES AND EXPENSES

The conference agreement includes $1,653,265,000 for the Drug Enforcement Administration, instead of $1,661,503,000 as proposed by the House and $1,645,027,000 as proposed by the Senate.

The recommendation provides the following increases: $53,146,000 for inflationary and other costs to maintain the current operating level; $14,976,000 and 165 positions for priority targeting; $3,000,000 for the Special Operations Division; $4,047,000 and 3 positions for investigative technology support; $1,173,000 and 9 positions for computer forensics support; $1,000,000 for aviation support; $8,530,000 and 10 positions for the Concorde project and web infrastructure; and $4,837,000 and 4 positions for the El Paso Intelligence Center.

Of the funding provided for priority targeting, $4,095,000 and 82 positions are for administrative support to relieve agents from performing non-investigative duties. The remaining positions and funding shall be available for the highest priority domestic and international enforcement activities.

Decision Units.—The conference agreement adopts the Senate report language regarding the consolidation of DEA's ten decision units to three. The conferees direct DEA to provide a spending plan by the proposed three decision units to the Committees on Appropriations not less than 30 days after enactment of this Act. To measure the impact of this change, DEA is directed to provide quarterly reports to the Committees on Appropriations of its obligations by prior year as well as proposed decision units.

Demand Reduction Activities.—The conference agreement includes not less than $8,891,000 for DEA's Demand Reduction activities.

Number of Drug Agents.—Since the September 11, 2001 attacks, the Federal Bureau of Investigation (FBI) has diverted agents from drug investigations to counterterrorism and counterintelligence activities. In order to address this change in FBI priorities without negatively impacting Federal law enforcement's ability to combat drug crimes, the conferees have provided increased funding to the DEA to compensate for this change. With the additional DEA agents funded in fiscal year 2005 under this heading and under the Interagency Crime and Drug Enforcement heading, the total combined number of DEA and FBI agents working on drug cases will exceed the pre-September 11th level by 202.

Ecstasy Interdiction.—The conferees note the progress made by DEA and the Department of State against so-called "club drugs" under the "Roadmap" initiative with the Belgian and Dutch governments. The conferees direct the Department of State and DEA to submit a report to the Committees on Appropriations no later than 90 days after enactment of this Act, detailing steps to be taken in the second roadmap. The second roadmap should emphasize sufficient U.S. presence in the Netherlands, more effective work against the export of precursor chemicals, and a review of terrorist links to club drug trafficking organizations.

DEA's Role in the Intelligence Community.—The conferees are aware of the direct relationship between the funding of international terrorism and narcotics trafficking. The conferees applaud the work of DEA personnel around the world and encourage them to continue sharing critical intelligence related to terrorism with other U.S. government agencies.

Offsets.—The conference agreement assumes the implementation of all of the Administration's proposed offsets except the proposal to charge the District of Columbia Metropolitan Police Department fees for forensic evidence analysis services. The recommendation reduces funding for requested program increases in order to offset this proposal. The Committee is disappointed that the Administration's proposal to offset funding increases is to increase the funding burden on State and local law enforcement.

Operation Containment.—DEA is directed to continue to provide an update on Operation Containment activities in Afghanistan in May and September of 2005.

Diversion Control Fee Account.—The conference agreement includes $154,216,000 for this account, as provided by the House and Senate. The conference agreement includes the following program increases: $11,711,000 is to improve and modernize customer service and e-commerce; $3,482,000 is for the Internet Online Investigations Project and to update the Controlled Substances Information System II; $659,000 is to enhance DEA's ability to respond to the regulated community and improve the management and financial accountability of resources; and $15,773,000 supports the Drug and Chemical Diversion Control Decision Unit, previously funded under salaries and expenses, to simplify financial management issues and ensure a stable source of funding for the program. In addition, the conference agreement provides DEA with 10 additional positions to implement sections 110 and 111 of this Act. The Department of Justice is directed to submit quarterly reports describing its efforts to address prescription drug diversion.

BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES

SALARIES AND EXPENSES

The conference agreement provides $890,357,000 for the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) as proposed by the Senate instead of $870,357,000 as proposed by the House.

The conference agreement includes program increases of $2,707,000 and 31 positions for additional explosives investigations and regulatory compliance; $5,000,000 and 24 special agents to focus on gang-related investigations; and $5,600,000 for the construction and establishment of the Federal Firearms Licensing Center at the National Tracing Center Facility.

In addition, the conference agreement provides a $1,000,000 increase for the National Tracing Center Division. The conferees understand that the number of trace requests, particularly international trace requests, is growing dramatically.

Specialized Explosives Groups.—There has been a large increase in the criminal misuse of explosives. Therefore, the conference agreement includes an increase of $10,200,000 for the cre-

ation and operation of four specialized explosives groups. These groups shall be strategically located throughout the United States based on a thorough threat and workload assessment conducted by the Bureau. These groups will be responsible for investigating the misuse and trafficking of explosives, increasing inspection efforts for high-risk explosives licensees, and increasing forensic support to explosives investigations with the goal of proactively preventing explosives crimes and acts of terrorism.

Conversion of Records.—The conferees recognize the need for the ATF to begin converting tens of thousands of existing records of out-of-business Federal firearms dealers from film to digital images at the National Tracing Center. Once the out-of-business records are fully converted, the search time for these records will be reduced to an average of 5 minutes per search from the current average of 45 minutes per search. This significant time saving will ultimately reduce overall costs and increase efficiency at the National Tracing Center. Therefore, the conference agreement includes a $4,200,000 increase for the ATF to hire additional contract personnel to begin this conversion.

Access 2000 Program.—The conferees are aware that the Access 2000 program was initiated by ATF to improve the efficiency and reduce the costs associated with firearms tracing incurred by Federal Firearms Licensees (FFLs). ATF and FFL importers, manufacturers, and wholesalers form a partnership in this effort. FFLs take their data from their mainframe computer and import it into a stand-alone server provided by the ATF. The National Tracing Center is connected to this server remotely by secure dial-up and obtains information on a firearm that is subject to a firearms trace. The conferees support this program, which reduces the administrative burdens of the FFL and allows the ATF around the clock access to the records. The ATF currently has 36 Access 2000 partners. The conferees encourage the ATF to place more emphasis on this program and expand the number of partners to the greatest extent possible.

Special Response Teams.—The conferees are aware of the extremely important role Special Response Teams (SRTs) play in the enforcement of our Nation's laws. The Bureau has four teams throughout the United States. Due to the personnel limitations within the Bureau, the four SRTs are predominately made up of special agents that maintain a full case load on the street and train to maintain the highly specialized skills required to qualify for an SRT position. The conferees laud these special agents and the extraordinary dedication to the mission of the ATF they display in order to ensure these teams are effective, safe, and successful. The conferees also acknowledge the outstanding service the unique human scent/tactical K–9 program has provided in support of the Special Response Teams. The conferees urge the ATF to train at least two additional K–9s so as to equip each SRT with full time support.

The conferees adopt by reference the House report language concerning certain sensitive law enforcement information contained in databases maintained by the ATF.

FEDERAL PRISON SYSTEM

SALARIES AND EXPENSES

The conference agreement includes $4,627,696,000 for the salaries and expenses of the Federal Prison System as proposed by the Senate, instead of $4,567,232,000 as proposed by the House. The conferees believe that the budget request was inadequate to support the requirements of the Federal Prison System (FPS). The conference agreement provides an amount that should be sufficient to complete or begin activation of ten prisons and also continue operations at existing prisons. To ensure that the FPS is able to activate prisons on a two-year timeline, the conference agreement includes a provision making activation funds available until September 30, 2006. The conferees expect the ten new prisons to be receiving inmates by the date listed in the table below and have provided funding to maintain this schedule. Amounts are dedicated to activate each institution as follows:

Institution	Activation date	Activation costs	Inmate care nationwide	Total
Victorville, CA USP	1/05	$28,200	$5,836	$34,036
Hazelton, WV USP	1/05	37,300	5,836	43,136
Forrest City, AR facility	11/04	30,000	2,918	32,918
Herlong/Sierra, CA medium camp	3/05	30,700	8,754	39,454
Williamsburg, SC FCI	9/04	38,000	1,476	39,476
Canaan, PA USP	2/05	34,000	7,295	41,295
Terre Haute, IN USP	3/05	26,000	8,754	34,754
Bennettsville, SC FCI	12/04	32,500	4,377	36,877
Yazoo City, MS FCI	2/05	26,300	7,295	33,595
Coleman, FL USP	2/05	23,000	7,295	30,295
		306,000	59,836	365,836

Reprogramming Authority.—The amounts designated in the table above for "activation costs" are intended for the sole purpose of bringing these new prisons online. The amounts designated in the table above for "inmate care nationwide" represent the cost associated with the inmates who will eventually be housed at the new facilities. The amounts designated in the table above are to be obligated as directed, and are therefore subject to the reprogramming procedures established in section 605 of this Act.

Carryover Amounts.—In addition to the amounts designated in the table above, an additional $50,015,000 is available from amounts carried forward from fiscal year 2004 for prison activations. The conferees expect that funds for Victorville, CA; Williamsburg, SC; Canaan, PA; Hazelton, WV; Herlong/Sierra, CA; Forrest City, AR; and Yazoo City, MS will be obligated as planned. If the amounts required deviate from the planned levels, the FPS should submit a reprogramming notification in accordance with section 605 of this Act.

Base Operations.—The conferees believe that the amount provided for this account is sufficient to support the base operational needs of the entire FPS. Within the amounts provided, the conferees provide base funding of $41,000,000 for FCI Gilmer, West Virginia and $41,000,000 for FCI Beckley, West Virginia.

Contract Confinement.—The conference agreement includes $584,948,000 for the contractual costs associated with housing in-

mates. This amount includes $22,850,000 in contracts for the National Institute of Corrections and $9,400,000 for 4,500 additional low-security contract beds. The conferees adopt by reference House language regarding use of excess State, local, and private prison capacity to meet bedspace needs, if these facilities meet FPS standards. The conferees also adopt by reference Senate report language in support of private sector contract confinement.

Drug Treatment.—The conferees expect that an amount equal to the fiscal year 2004 level will be provided for the transitional drug treatment program.

Joint Bureau of Prisons/Judiciary Pilot Program.—The conference agreement includes a general provision supporting a pilot program that will allow the Federal Public Defender in the Southern District of Florida to transfer computers for use by inmates reviewing electronic discovery.

Financial Plan.—The conference agreement includes section 118, which requires submission of a financial plan. In requiring the submission of a financial plan, the conferees are mindful of the complexities of managing the budget for the FPS. However, the conferees believe that such a plan is justified in order to effectively carry out the oversight responsibilities of the Committees on Appropriations. To ensure that there is no unnecessary delay in operations of the FPS, the Committees will review the proposed financial plan and respond to the Department of Justice within 15 working days of receipt of the plan. However, submission of the financial plan does not replace the requirement for reprogramming notification under section 605 of the Act.

Sexual Misconduct.—The conferees commend the FPS on its work to address and prevent sexual misconduct. With funds provided in earlier appropriations Acts, the National Institute of Corrections has made useful progress in providing training and technical support to correctional systems throughout the country to eliminate staff sexual misconduct with inmates, training in investigating cases, and training "trainers" in order that employees at every level will be more aware of, and better prepared to deal with, these cases. The conferees direct the FPS to continue these efforts and to report to the Committee by March 31, 2005, on progress made in this area.

The conference agreement incorporates by reference House report language regarding a reimbursable agreement. The conference agreement incorporates by reference Senate report language directing the FPS to move forward with the site investigation and planning for Hazelton, West Virginia. The conferees also incorporate by reference Senate report language regarding female inmates and medical records.

BUILDINGS AND FACILITIES

The conference agreement includes funding of $189,000,000 for construction, modernization, maintenance and repair of prison and detention facilities housing Federal prisoners as proposed by the House and the Senate. The conference agreement includes section 106, which prohibits the transfer of funds from this account to any other Department of Justice account. The conferees continue to expect that all current construction projects will proceed as planned.

The conferees remain concerned that while the prison population grows, the Department of Justice continues to submit budget requests with proposed rescissions of prison construction funds. The conferees reiterate previous direction to discontinue this practice.

LIMITATION ON ADMINISTRATIVE EXPENSES, FEDERAL PRISON INDUSTRIES, INCORPORATED

The conference agreement includes language regarding a limit on administrative expenses of $3,411,000 for Federal Prison Industries, Incorporated (FPI). The conferees adopt by reference House report language regarding the FPI program.

OFFICE ON VIOLENCE AGAINST WOMEN

VIOLENCE AGAINST WOMEN PREVENTION AND PROSECUTION PROGRAMS

The conference agreement includes $387,275,000 for violence against women prevention and prosecution programs instead of $383,551,000 as proposed by the House and $410,000,000 as proposed by the Senate. The following table outlines the funding provided in the conference agreement:

[In thousands of dollars]

	FY 2004 enacted	FY 2005 request	House	Senate	Conference agreement
Violence Against Women Office Programs STOP Grants	$166,564	$176,747	$176,747	$175,705	$187,086
(National Institute of Justice—R&D)	(5,145)	(5,200)	(5,200)	(5,000)	(5,000)
(Safe Start Program)	(9,895)	(10,000)	(10,000)	(10,000)	(10,000)
(Transitional Housing Assistance)	.....	(15,000)	(15,000)	(10,000)	(12,500)
Grants to Encourage Arrest Policies	63,824	62,479	62,479	64,503	63,491
Rural Domestic Violence Assistance Grants	39,267	38,274	38,274	39,685	39,685
Violence on College Campuses	9,830	9,175	9,175	9,935	9,175
Civil Legal Assistance	39,322	39,871	39,322	39,740	39,740
Elder Abuse Grant Program	4,916	4,458	4,458	4,968	4,600
Safe Haven Project	14,746	14,078	14,078	14,903	14,078
Educ. & Train for Disabled Female Victims	7,373	6,922	6,922	7,451	7,250
Transitional Housing	14,842	.....	.....	.....	.....
Management and Administration	.....	10,473	10,339	30,000	.....
CASA (Special Advocates)	11,772	11,484	11,484	11,897	11,897
Training for Judicial Personnel	2,257	1,925	1,925	2,281	1,925
Grants for Televised Testimony	983	986	983	994	983
Training Programs	4,905	4,415	4,415	4,957	4,415
Stalking Database	2,950	2,962	2,950	2,981	2,950
Total	383,551	.....	383,551	410,000	387,275

The conference agreement directs the Office on Violence Against Women to submit a Management and Administration financial plan to the Committees on Appropriations within 60 days of enactment of this Act. The financial plan shall include the amount of funding reimbursed to the Office of Justice Programs for administrative services. The Justice Management Division is required to verify the appropriateness of this amount.

Native American/Native Alaskan Liaison Office.—The conferees understand that Native American and Native Alaskan women experience a high rate of violence compared to any other

group in the United States. The conferees are concerned these individuals lack a comprehensive community response to address their needs in breaking the cycle of violence. The conferees believe a liaison office would be an effective resource for these communities to identify and address their needs in order to develop a community response for the elimination of domestic violence.

The conferees are aware that the State of Alaska has been ranked number 1 in the country for its rate of rape, the rate at which men kill women, and the rate at which firearms are stolen. Although violent crime rates have dropped across the nation last year, Federal statistics have shown that violent crimes have been on the rise in Alaska. The conferees understand that the Office on Violence Against Women held a summit in Alaska in July, 2004, which enabled experts from across the country to assist Alaska with this pervasive social problem. The conferees commend the Office on Violence Against Women for their effort in bringing both the Alaska community and the professional community together.

The conference agreement includes $7,550,000 for the Native American/Native Alaskan Liaison Office to begin their work in Alaska. The conferees have provided $2,400,000 for the Anchorage Domestic Violence Prevention Project; $950,000 for the domestic violence prosecution unit in Alaska; $2,700,000 for the Sexual Assault/Domestic Violence Prosecution Unit for the State of Alaska; $750,000 for the Sexual Assault Response Team for the Municipality of Anchorage; and $750,000 for the Victims for Justice in Alaska. The conferees direct the Office on Violence Against Women to work with these organizations in order to develop a comprehensive community approach for the State of Alaska.

OFFICE OF JUSTICE PROGRAMS

JUSTICE ASSISTANCE

The conference agreement includes $227,900,000 for Justice Assistance. The conferees do not adopt the Administration's proposal to consolidate all Office of Justice Programs (OJP) activities under this heading. The table below displays the conference agreement compared to the request for programs funded under this heading and compared to the amounts provided in the House and Senate bills.

[In thousands of dollars]

Program	FY 2004 enacted	FY 2005 request	House	Senate	Conference agreement
National Institute of Justice	47,495	63,559	55,000	63,350	55,000
Bureau of Justice Statistics	31,787	38,717	34,000	32,125	34,000
Victim Notification	.....	.....	.....	8,000	8,000
National White Collar Crime	8,905	4,500	9,000	.....	9,000
Regional Inf. Sharing Sys	29,684	43,960	40,000	40,000	40,000
Management and Admin	34,632	118,730	38,000	25,000	35,000
Missing Children Program	35,621	35,368	41,000	42,400	46,900
Total	188,124	.....	217,000	210,875	227,900

National Institute of Justice (NIJ).—The conference agreement provides $55,000,000 for the National Institute of Justice. The conference agreement provides $20,000,000 for the Office of Science

and Technology, $3,250,000 for counterterrorism research and development, $10,000,000 for social science research and evaluation, $21,000,000 for the National Law Enforcement and Corrections Technology Centers, and $750,000 for Mistral Security Non-Toxic Drug Detention and Identification Aerosol Technology.

The conferees adopt the Senate report language concerning the National Law Enforcement and Corrections Technology Centers. Funding for these centers is distributed as follows:

The National Law Enforcement and Corrections Technology Centers

[In thousands of dollars]

Northeast Regional Center	$3,000
Southeast Regional Center	3,000
Rocky Mountain Regional Center	3,000
Western Regional Center	3,000
National Center	3,000
Northwest Center	3,000
Technology Specialty Centers	3,000
Total, Regional and Specialty Centers	21,000

Within the level of funding provided for the Office of Science and Technology, $3,000,000 is for the CommTech program.

Within the level of funding provided, $3,000,000 is for the Center for Rural Law Enforcement Technology and Training, and $2,800,000 is for the Office of Law Enforcement Technology Commercialization, Inc. The conferees recognize and support the important work of the Border Research Technology Center and support the budget request for research on trafficking in persons. NIJ shall consider expanding the Forensic Resource Network in future years.

Missing Children.—The conference agreement includes $46,900,000 for the Missing Children Program for the following purposes:

MISSING CHILDREN PROGRAM

[In thousands of dollars]

Program	FY 2004 enacted	FY 2005 request	House	Senate	Conference
National Center for Missing and Exploited Children	$14,842	$12,419	$17,000	$26,900	$23,900
Jimmy Ryce Law Enforcement Training Center	2,968	1,049	3,000	3,000	3,000
Internet Crimes Against Children Task Force	12,368	14,500	14,500	12,500	13,500
Missing and Exploited Children Office	1,484	2,400	1,500	.....	1,500
AMBER Alert Program	3,959	5,000	5,000	.....	5,000
Total	35,621	35,368	41,000	42,400	46,900

National Center for Missing and Exploited Children (NCMEC).—The conferees strongly support the NCMEC's nationwide services for the prevention of abduction, endangerment, and sexual exploitation of children. The conferees believe these services are an effective part of the congressionally intended safety net for our most vulnerable children. The conferees commend the leadership of NCMEC for their dedication to these issues. Of the funds appropriated for the NCMEC, $1,000,000 is for NCMEC's Lost Child Alert Technology Resource (LOCATER) program; $2,250,000 is for NCMEC's NETSMARTZ program; $1,650,000 is for the expansion and enhancement of the Child Recognition and Identifica-

tion System (CRIS); and $2,000,000 is for NECMEC's Team Adam initiative.

Regional Information Sharing System.—The conference agreement provides $40,000,000 for the Regional Information Sharing System (RISS). The conferees direct the Department to ensure that inter-state information sharing systems funded by OJP and COPS comply with the National Criminal Intelligence Sharing Plan. The conferees strongly support RISS's leadership role in implementing the National Criminal Intelligence Sharing Plan. In particular, the conferees are pleased with RISS's efforts in promoting collaboration between Federal, State, and local agencies through information sharing, especially in the exchange of antiterrorism information. Furthermore, the conferees commend the support provided by BJA for RISS.

Bureau of Justice Statistics.—Of the funds provided for the Bureau of Justice Statistics, $2,000,000 shall be utilized for the National Crime Victimization Survey (NCVS) conversion. This funding supports the continuation of converting the NCVS from primarily a paper and pencil operation to a fully automated data collection operation.

Victim Notification System.—The conferees understand that eighteen states have implemented statewide automatic victim notification programs, but a national automated victim notification network remains incomplete. The conference agreement recommends $8,000,000 for the Bureau of Justice Assistance to launch a new grant program for State automated victim notification programs. The conferees agree that no funding can be utilized from the Victims Assistance Program for this initiative and that funds provided under this heading require a 50 percent match from State, local, or private sources. The conferees direct the Bureau of Justice Assistance to work with Congress in developing this program and to submit to the Committees on Appropriations a report outlining the program within 180 days of the enactment of this Act.

Management and Administration.—The conference agreement provides $35,000,000 in direct appropriations for the management and administration of OJP. The conferees direct OJP to submit a financial plan to the Committees on Appropriations within 60 days of enactment of this Act. The financial plan shall include the amount of reimbursable funding OJP receives from the Office of Community Oriented Policing Services, the Office on Violence Against Women and the Office of Domestic Preparedness, as well as reimbursements for the processing of grants for any other agency outside of the Department of Justice. In addition, the financial plan shall outline the level of funding individual OJP programs will be contributing for management and administration.

The conferees are cognizant that independent auditors performing the fiscal year 2004 financial audit at OJP found multiple material weaknesses in internal controls surrounding OJP's grant accounting practices and grants management systems. The conferees are extremely disappointed that the weaknesses have caused the auditors to disclaim their opinion on OJP's financial statements and as a result have caused the loss of the overall Department of Justice clean audit opinion. The conferees understand the auditors reported weaknesses in OJP's grant accounting process, significant

errors in reporting, weak systems controls, weaknesses in OJP monitoring, and an inability to adequately document certain accounting entries. The conferees direct OJP to rectify its accounting and monitoring weaknesses, strengthen its internal controls and systems, and ensure it can reliably report its financial activity in fiscal year 2005. Additionally, the conferees expect OJP to submit monthly reports to the Committees on Appropriations on the status of the corrective action plan.

STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE

The conference agreement provides a total appropriation of $1,295,510,000. The table below displays the funding provided in the conference agreement compared to the level of funds requested under the Justice Assistance heading for similar activities, and compared to the levels provided in the House and Senate bills.

[In thousands of dollars]

	2004 enacted	2005 request	House	Senate	Conference agreement
Byrne Memorial Justice Assistance Grants	.....	508,937	634,000	.....	634,000
(Boys and Girls Clubs)	.....	(60,000)	(80,000)	.....	(85,000)
(USA Freedom Corps)	.....	.....	(5,000)	.....	(2,500)
(National Institute of Justice)	.....	(19,956)	(15,000)	.....	(10,000)
(Tribal Courts)	.....	(5,921)	.....	.....	.....
Edward Byrne Memorial State Formula	494,739	.....	.....	500,000	.....
Local Law Enforcement Block Grants	222,632	.....	.....	150,000	.....
(Boys and Girls Clubs)	(79,158)	.....	.....	(85,000)	.....
(USA Freedom Corps)	(2,968)	.....	.....	.....	.....
(National Institute of Justice)	(9,895)	.....	.....	(10,000)	.....
State Criminal Alien Assistance	296,843	.....	325,000	220,000	305,000
Southwest Border Prosecutor Program	.....	.....	.....	30,000	30,000
Cooperative Agreement Program	1,979	.....	.....	.....	.....
Indian Assistance	14,842	4,240	15,000	18,000	18,000
(Tribal Prison Construction Program)	(1,979)	.....	(2,000)	.....	(5,000)
(Indian Tribal Courts Program)	(7,916)	.....	(8,000)	.....	(8,000)
(Alcohol and Substance Abuse)	(4,947)	(4,240)	(5,000)	.....	(5,000)
Byrne Discretionary Grants	157,443	.....	110,000	117,969	170,027
USA Freedom Corps	.....	15,381	.....	.....	.....
Victims of Trafficking Grants	9,894	.....	10,000	.....	10,000
State Prison Drug Treatment	.....	74,669	35,000	25,000	25,000
Drug Courts	38,095	67,463	50,000	40,000	40,000
Prescription Drug Monitoring	6,926	.....	10,000	.....	10,000
Prison Rape Prevention and Prosecution	36,784	7,654	52,175	.....	37,000
Other Crime Control Programs:					
Intelligence State and Local Training	.....	10,654	10,000	11,000	10,500
Hate Crimes Training	989	1,000	1,000	1,000	1,000
Missing Alzheimer's Patients	883	.....	883	850	883
Law Enfor. Family Support Program	.....	.....	.....	2,000	2,000
Motor Vehicle Theft Prevention Program	.....	.....	.....	100	100
Senior Citizens Vs. Marketing Scams	1,979	.....	1,979	2,000	2,000
Miscellaneous	51,942	.....	.....	.....	.....
Rescission	.....	(53,471)	.....	.....	.....
Total, State and Local Assistance	1,335,971	.....	1,255,037	1,117,919	1,295,510

Edward Byrne Memorial Justice Assistance Grants program.—The conference agreement includes $634,000,000 for the Edward Byrne Memorial Justice Assistance Grants program, as authorized by H.R. 3036, the Department of Justice Appropriations Authorization Act, Fiscal Years 2004 through 2006, as passed by the House

on March 30, 2004. The conference agreement is $125,063,000 above the budget request.

This program is intended to consolidate the Local Law Enforcement Block Grant program and the Byrne Formula program. Funding under this program is authorized for: (a) law enforcement programs; (b) prosecution and court programs; (c) prevention and education programs; (d) corrections and community corrections programs; (e) drug treatment programs; and (f) planning, evaluation, and technology improvement programs. Funding is not available for: (a) vehicles, vessels, or aircraft; (b) luxury items; (c) real estate; or (d) construction projects.

The formula used for distributing funds under this program allocates 50 percent of funding based on population, and 50 percent based on violent crime rates. The formula allocates 60 percent of funding to States and 40 percent to units of local government. Of the amount provided, $85,000,000 is for Boys and Girls Clubs; $10,000,000 is for NIJ to assist local units of government to identify, select, develop, modernize, and purchase new technologies for use by law enforcement; and $2,500,000 is for the USA Freedom Corps initiative for the expansion of Neighborhood Watch programs and the Volunteers in Policing program.

Indian Country Grants.—The recommendation provides $18,000,000 for Indian Country grants. The conferees acknowledge the success that the Comprehensive Indian Resources for Community Law Enforcement (CIRCLE) initiative is having and urge the Department to continue to work on ways to expand CIRCLE.

Edward Byrne Discretionary Grants.—The conference agreement includes $170,027,000 for discretionary grants under this account.

Within the amounts provided, OJP is expected to review the following proposals, provide grants if warranted, and report to the Committees on Appropriations regarding its intentions:

$4,500,000 for the National Citizens Crime Prevention Campaign;

$1,750,000 for continued support for the expansion of SEARCH Group, Inc. and the National Technical Assistance and Training Program to assist States, such as West Virginia and Alabama, to accelerate the automation of the fingerprint identification process;

$350,000 for the Turtle Mountain Community College, ND, Project Peacemaker;

$1,000,000 for the Indigenous Peoples Law & Policy Project at the University of Arizona;

$1,700,000 for the Drug Abuse Resistance Education (DARE) program;

$8,000,000 for Operation UNITE for a drug enforcement, treatment and education program;

$700,000 for the New Orleans, LA, Police Department for crime fighting initiatives;

$200,000 for the Orleans Parish, LA, District Attorney's Office for crime fighting initiatives;

$500,000 for the Paul and Lisa Foundation;

$2,000,000 for the Northern Virginia Regional Gang Task Force;

$587,000 for the Northwest Virginia Regional Drug Task Force;

$3,000,000 for the State of Virginia for anti-gang coordination;

$2,500,000 for Mothers Against Drunk Driving including the continuation of Spanish language public service announcements;

$1,500,000 for the National Institute of Justice and Bureau of Justice Statistics to conduct a study of conditions of confinement in Indian country correctional facilities and the factors that exacerbate those conditions;

$150,000 for the Obscenity Crimes Project to provide citizens with an online tool to report Internet obscenity crimes;

$350,000 for Gospel Rescue Ministries;

$300,000 for The Women's Center in Vienna, VA;

$1,500,000 for the Pacific Institute for Research and Evaluation, International Institute for Alcohol Awareness for a training and technical assistance program for State and local law enforcement regarding liquor law enforcement;

$660,000 for the Virginia Community Policing Institute;

$500,000 for William and Mary College's Courtroom 21 project;

$1,540,000 for pre-release and post-incarceration services programs for the Commonwealth of Virginia;

$1,500,000 for court programs in the Commonwealth of Virginia to combat drug use and drug related crimes;

$732,000 for the Virginia Attorney General's office for a Computer Crime Unit, a gang task force, and the Triad program;

$500,000 for a school safety program in Northern Virginia;

$250,000 for the Wyandotte Focus for a program to reduce recidivism;

$200,000 for a community resource officer program and a school resource officer program in Manassas Park, VA;

$100,000 for Clarke County, VA, for a school resource officer program;

$250,000 for Securing Emergency Resources Through Volunteer Efforts for a re-entry program;

$750,000 for The Doe Fund's Ready, Willing & Able program;

$300,000 for an onsite drug testing demonstration project in the Fourth Judicial District of New York State;

$1,500,000 for the Phoenix House in Upstate New York Drug Treatment Alternative for offenders;

$225,000 for Excelsior College for law enforcement training programs;

$225,000 for the Capital Region Cybercrime Partnership in NY;

$400,000 for the Pat Thomas Law Enforcement Academy Training Program;

$100,000 for Southside Virginia law enforcement activities;

$150,000 for the Tarrant County, TX, District Attorney for a gang database program;

$1,500,000 for the Center for Court Innovation;

$500,000 for the Frank Bland Regional Training Center;

$1,000,000 for Protecting Children Against Sex Offenders in Fairfax County, VA;

$100,000 for Mountain Village, CO, for law enforcement technologies;

$400,000 for the Rhode Island Family Treatment Court program;

$1,500,000 for the Washington Metropolitan Area Drug Enforcement Task Force (MATF);

$2,000,000 for the Washington Public Building Mapping System;

$200,000 for Forest County, PA, for court related costs;

$1,000,000 for the Wichita, KS, Police Department for law enforcement costs;

$250,000 for the Chattanooga, TN, Drug Court program;

$250,000 for the Law Enforcement Innovation Center;

$500,000 for the Rape, Abuse and Incest National Network's sexual abuse hotline;

$3,000,000 for the National Clearinghouse for Science, Technology, and the Law at Stetson University College of Law;

$2,000,000 for the National Forensics Science Technology Center in Largo, FL;

$750,000 for Pinellas County, FL, for a jail diversion program for the mentally ill;

$200,000 for the Pinellas County, FL, Sexual Predator Unit;

$250,000 for Kristen's Act;

$200,000 for It Happened to Alexa;

$500,000 for Phoenix House in Dallas, TX, for at-risk youth programs;

$250,000 for the Southern Methodist University's Family Research Center to conduct research on domestic violence;

$3,000,000 for the University of Houston to work with the National Institute of Justice to test new law enforcement technologies;

$250,000 for the Ascension Parish Law Enforcement Training Center;

$250,000 for the National Correctional Industries Association's Prison Industry Enhancement Certification Training and Technical Assistance Project;

$2,000,000 for the National Institute of Justice's Cyber Science Laboratory in Rome, NY;

$300,000 for the National Association of Town Watch's National Night Out crime prevention program;

$200,000 for Athens-Clarke County, GA, for law enforcement initiatives;

$200,000 for Effingham County, GA, for law enforcement initiatives;

$200,000 for Augusta-Richmond County, GA, for law enforcement initiatives;

$500,000 for the National Institute on State Policy on Trafficking of Women and Girls;

$250,000 for the Rural Law Enforcement Information Technology Center at Tarleton State University;

$250,000 for the University of Notre Dame in collaboration with the State University of New York (SUNY) Stony Brook for law enforcement technologies research;

$250,000 for the WINGS Domestic Violence program;

$500,000 for Enough is Enough;

$50,000 for the Stargazer Foundation;

$100,000 for the Union County, NJ, Police Department in partnership with Union County College for law enforcement training programs;

$250,000 for a school resource officer training program in Palm Beach County, FL;

$250,000 for the Gun Crimes Reduction Task Force in Ventura County, CA;

$100,000 for Bartow County, GA, for equipment to prevent the spread of airborne pathogens in the county jail;

$250,000 for the State of Missouri, to enhance its Amber Alert program;

$500,000 for Beyond Missing;

$100,000 for the State University of New York for law enforcement training;

$200,000 for St. Clairsville, OH, for courtroom equipment;

$400,000 for the San Joaquin Valley Rural Crime Prevention Program;

$100,000 for Whiteclay, NE, for law enforcement programs;

$250,000 for the Regional Counter-Drug Training Academy for law enforcement training;

$250,000 for the City of Lancaster, PA, for a community policing initiative;

$250,000 for Chattahoochee Valley Community College for a law enforcement training program;

$150,000 for the Check 'Em Out program;

$300,000 for The Northwest Fund—Crime Reduction initiative;

$500,000 for the Whitman-Walker law enforcement programs;

$100,000 for the Lake Washington Technical College;

$500,000 for the University of Toledo Center for Parents criminal justice program;

$200,000 for the Westchester County, NY, Special Operations Task Force;

$250,000 for Arlington County, VA, for gang suppression;

$450,000 for the On-Site Academy's Law Enforcement Counseling Program;

$200,000 for the Safer Foundation ex-offender program;

$500,000 for Training for Judicial Personnel;

$600,000 for the Vera Institute of Justice;

$500,000 for the Fairleigh Dickinson University CyberCrime program;

$300,000 for the Computer Crimes Initiative—Suffolk County, NY;

$50,000 for the Latino Action Center for drug and crime prevention programs;

$100,000 for New York City's Community Crime Stopper Program;

$100,000 for the Opening Word, Wyandanch, NY;

$200,000 for the Eastern Michigan Center for Community Building;

$200,000 for Project COPE NY Police Foundation;

$400,000 for the STRIVE Ex-Offender Program;

$400,000 for the Fortune Society's Community Reentry Program;

$50,000 for the Bexar County, TX, Jail Diversion Program;

$200,000 for the Newport, RI, Police Department law enforcement initiative;

$1,000,000 for the National Corrections and Law Enforcement Training and Technology Center;

$500,000 for the Law Enforcement Information Technology and Analysis Program, WV;

$125,000 for Wyandotte CHWC;

$125,000 for Mid-America Nazarene;

$240,000 for the Minneapolis, MN, Police Department law enforcement initiative;

$500,000 for Hennepin County, MN, CrimNet;

$100,000 for the Wisconsin Coalition Against Domestic Violence;

$100,000 for the Wayne County, MI, Jail Diversion and Assistance Initiative;

$100,000 for the Police Command Center in Cleveland, OH;

$100,000 for California Front Line Law Enforcement;

$400,000 for the Minnesota Fond du Lac Law Enforcement Program;

$200,000 for the Central Wisconsin Drug Enforcement program;

$500,000 for the Wisconsin Alliance for Children and Families;

$1,000,000 for the International Center for Ending Violence;

$750,000 for San Francisco Ex-Offender Reentry Services;

$150,000 for California Western School of Law;

$625,000 for the Contra Costa County, CA, ARIES Integrated Justice System;

$400,000 for the Urban Justice Center;

$500,000 for West Shore Regional Law Enforcement;

$500,000 for the Multi-Jurisdictional Criminal Justice Data Integration Project;

$200,000 for the Maine Rural Substance Abuse Project;

$291,000 for the Town of Taos, NM, Police Department Law Enforcement;

$100,000 for the Providence, RI, Police Department for Command Training;

$250,000 for the Center Point Re-entry Program;

$100,000 for the WAVE domestic violence program in California;

$185,000 for a law enforcement program in Independence County, AR;

$100,000 for the Catholic University Anti-Domestic Violence Program in Puerto Rico;

$500,000 for the Steganography Analysis and Research Center;

$400,000 for the Alabama Bureau of Investigation's Missing Children's Program;

$1,000,000 for the Alaska Native Justice Center restorative justice programs;

$2,000,000 for the Alaskan Rural Prosecution Unit;

$1,100,000 for Alcohol Interdiction in Alaska for bootlegging crimes;

$250,000 for the Biloxi, MS, Police Department Technical Bomb Squad;

$125,000 for Carbon County, UT, for drug enforcement;

$200,000 for the Center on Domestic Violence at CU-Denver, CO;

$100,000 for the City of Columbia, MS, for law enforcement equipment;

$230,000 for the City of Philadelphia's Operation Safe Streets;

$100,000 for the City of Xenia, OH, Police Division Internet Child Protection Unit;

$3,000,000 for the Consolidated Advanced Technology Laboratory at UNH;

$700,000 for the Dispute Resolution program at Faulkner University, AL;

$300,000 for the Fort Bend and Harris County, TX, Anti-Drug Initiative;

$250,000 for the further testing and evaluation of TACSCAN system;

$890,000 for the Holyoke Community College, information security system;

$5,000,000 for the Institute for Security Technology Studies, NH;

$1,000,000 for the Center for Task Force Training;

$2,000,000 for the Jackson, MS, Public Safety Automated Technologies—Equipment;

$250,000 for the Kansas City Swope Parkway, MO;

$375,000 for the Leadership Institute in Judicial Education, University of Memphis;

$900,000 for the Clearwater Economic Development Association, ID, for the Idaho-Montana Lewis and Clark Bicentennial Bi-State Safety Project;

$400,000 for Mental Health Courts;

$100,000 for the Millerstown Borough Police Department, Perry County, PA;

$1,000,000 for the Mississippi State University—Computer Crime Prosecution Initiative;

$100,000 for the National Association of Promoting Success;

$2,084,650 for the National Fatherhood Initiative;

$650,000 for the New Hampshire Cyber Crime Initiative;

$750,000 for the National Child Protection Training;

$51,000 for the NH Department of Safety evidence storage expansion;

$250,000 for the NH Police Standards and Training distance learning expansion;

$1,000,000 for Operation Streetsweeper;

$550,000 for Brown University Nanotechnology DNA Sequencing in RI;

$225,000 for crime scene examination enhancement for the State of Alaska;

$500,000 for the El Paso Regional Lab in TX;

$400,000 for the Greater Columbus Area Crime Fighting AFIS Project in OH;

$100,000 for the Fulton County District Attorney's Cold Case Unit in GA;

$1,000,000 for the Mississippi Crime Lab to Address Forensic Backlog;

$200,000 for the Northwest Ohio Regional Information System AFIS;

$250,000 for the Ohio BCI Laboratory System Improvement Project;

$375,000 for the Ohio BCI Palmprint AFIS Program;

$200,000 for the Pikes Peak Metro Crime Lab DNA Laboratory in CO;

$500,000 for Southeast Missouri State University;

$200,000 for the Greenville Tech Forensic/DNS Laboratory in SC;

$200,000 for the Texas Tech Forensic Science Institute;

$150,000 for the University of Alabama at Birmingham Forensic Science Education and Training program;

$400,000 for the Utah Valley State College Forensic Science Program;

$200,000 for Weber State University's Criminal Justice Program in UT;

$200,000 for the Sam Houston State University, Texas, Center for Forensic Sciences.

$250,000 for the Partners for Downtown Progress, AK;

$2,000,000 for the Public Private Ventures, of which $750,000 is for the National Center on Neighborhood Enterprise, of which up to 5 percent may be used by Public Private for the purpose of enhanced accountability and rigorous evaluation of the Violence Free Zone project;

$1,000,000 for the Ridgelend, MS, Police Department radios and equipment;

$200,000 for the South Central Alaska Search and Rescue Training Project for the Alaska Police Department;

$210,000 for the Alaska Statewide DARE coordinator and implementation of new DARE curriculum;

$100,000 for equipment for the Tchula, MS, Police Department;

$640,400 for technology improvements at the NH Department of Motor Vehicles;

$3,000,000 for the continuation of the J-ONE information sharing system in NH;

$750,000 for the Texas Medical Center in Houston, TX, Operations Center;

$1,000,000 for the University of Kentucky Rural Drug Prosecution Assistance Project;

$500,000 for the University of Louisville Effects of Collaboration Team Intervention on Child Well Being;

$2,000,000 for University of Mississippi National Center for Justice and the Rule of Law;

$200,000 for the Texas Center for Forensic Science;

$200,000 for the University of Mississippi TechLaw to offer police online training;

$400,000 for the Institutional Security Program and the University of Southern Mississippi;

$275,000 for the University of Southern Mississippi's Rural Law Enforcement Training Initiative;

$200,000 for the Violent Crimes Fugitive Task Force, MT;

$300,000 for the State of Colorado Digital Trunked Radio System;

$400,000 for the Western Kentucky University Public Safety program;

$100,000 for the New Hampshire DARE program;

$250,000 for the City of Richton, MS, for the police department;

$65,000 for the University of Delaware Center for Drug and Alcohol Studies to conduct a statewide survey of delinquent and high risk behaviors;

$3,100,000 for the Monterey County, CA, Street Violence and Anti-gang Project;

$250,000 for the Washington State Department of Corrections Electronic Fingerprint Criminal Background Check;

$150,000 for the Family Re-Entry, Inc., prisoner reentry pilot program in Bridgeport, CT;

$400,000 for the University of Connecticut Breaking the Cycle of Behavioral Health Problems and Crime study;

$150,000 for the Native Americans Into Law Program;

$500,000 for the National Center for Victims of Crime and INFOLINK;

$950,000 for the Chicago Project for Violence Prevention to expand Ceasefire;

$500,000 for the San Diego, CA, Crisis Intervention Response Teams;

$1,200,000 for the Methamphetamine Jail Treatment, IA;

$765,000 for the Highway Interdiction Team, IA;

$4,750,000 for the National Advocacy Center/National District Attorneys Association;

$14,000,000 for the South Carolina Judicial Department case docket system;

$1,000,000 for the Richland County Sheriff's Office Carolina Regional Fugitive Task Force;

$1,750,000 for Indian Legal Services

$425,000 for the Oglala Sioux Tribe Judicial System operations;

$500,000 for the Rosebud Sioux Tribe, SD, Judicial System operations;

$1,000,000 for the Worcester Polytechnic Institute, MA, for the development of law enforcement technologies;

$100,000 for the Hampshire County, MA, Triad;

$100,000 for the Phoenix House Treatment Center, MA;

$950,000 for the Milwaukee County, WI, Judicial Oversight Demonstration Initiative;

$400,000 for the Milwaukee, WI, Community Partners;

$300,000 for the New Orleans District Attorney's Office for system upgrades;

$1,000,000 for the Child Safe Personalized Weapon, New Jersey's Institute of Technology;

$1,500,000 for the Baltimore City Operation Safe Streets;

$150,000 for the Leadership and Public Service Mentoring and Education Program at the University of Florida;

$250,000 for the University of Nebraska at Kearney Polygraph Credibility Project;

$550,000 for the Henderson Emergency Operations Center, NV;

$50,000 for the UNLV Boyd School of Law Immigration Clinic;

$50,000 for the UNR Grant Sawyer Center for Justice Studies;

$30,000 for the Mineral County, Nevada, Sheriff's Office;

$735,000 for the Family Development Foundation, Las Vegas, Nevada;

$750,000 for the National Judicial College;

$400,000 for the Bodega Association of NYC;

$130,000 for the National Megan's Law Helpline; and

$500,000 for the Tools for Tolerance Program;

Harold Rogers Prescription Drug Monitoring Program.—The conference agreement includes $10,000,000 to assist States in building or enhancing prescription drug monitoring systems, facilitating the exchange of information between States, and providing technical assistance and training on establishing and operating effective prescription drug monitoring programs. During 2002, 6.2 million Americans abused prescription drugs. The conferees expect OJP to collaborate with DEA and other entities of the Executive Branch, such as the Food and Drug Administration and the Office of National Drug Control Policy, to ensure a coordinated government-wide approach to address prescription drug diversion. The Department of Justice is directed to submit quarterly reports describing its efforts to address prescription drug diversion.

Prison Rape Prevention and Prosecution.—The conference agreement provides $37,000,000 for implementation of the Prison Rape Elimination Act of 2003 (Public Law 108–79). The conference agreement provides $15,000,000 for the collection of statistics, data and research as authorized by section 4 of the Act; $1,000,000 for the National Institute of Corrections for a national clearinghouse, training and education as authorized by section 5 of the Act; $20,000,000 for grants to States to protect inmates and safeguard communities as authorized by section 6 of the Act; and $1,000,000 to be transferred to the National Prison Rape Elimination Commission.

Improving State and Local Law Enforcement Intelligence Capabilities.—The conference agreement includes $10,500,000 for the implementation of the National Criminal Intelligence Sharing Plan and the efforts of the Global Justice Information Sharing Initiative. The conferees direct this funding to be used to support training for State and local law enforcement on the intelligence process including planning, collection, analysis, dissemination and reevaluation. This program should continue to provide support for training in the use of intelligence as a tool in identifying pre-incident indicators. The conferees believe the training should ensure that law enforcement officials are protecting individuals' privacy, civil rights, civil liberties, and constitutional rights within the intelligence process. The conferees also expect some funding to be available to promote the use of information technology standards among law enforcement to ensure that the data can be exchanged across disparate information systems.

WEED AND SEED PROGRAM FUND

The conference agreement includes $62,000,000 for the Weed and Seed program as proposed by the Senate. Of the funds provided, $2,000,000 shall be for comprehensive community development training and technical assistance.

COMMUNITY ORIENTED POLICING SERVICES

The conference agreement includes $606,446,000 for Community Oriented Policing Services (COPS) programs instead of $686,702,000 as proposed by the House and $755,969,000 as proposed by the Senate.

The table below displays the funding provided in the conference agreement compared to the level of funds requested under the COPS and Justice Assistance headings for similar activities and compared to the levels provided in the House and Senate bills.

[In thousands of dollars]

Program	FY 2004 enacted	FY 2005 request	House	Senate	Conference
Enhancement Grants	.....	.....	113,000	.....	.....
Hiring/School Resource Officers	118,737	.....	.....	180,000	10,000
Training and Technical Assistance	(5,000)	17,625	.....	20,000	15,000
Tribal Law Enforcement	24,737	20,000	.....	20,000	20,000
Meth Hot Spots	53,482	20,000	60,000	55,000	52,556
COPS Technologies	156,740	.....	130,000	110,969	138,615
Interoperable Communications	84,106	1,550	.....	100,000	100,000
Safe Schools Initiative	4,552	.....	.....	5,000	4,325
Police Integrity Grants	9,894	10,000	.....	15,000	7,500
Management and Administration	29,684	27,914	27,914	35,000	30,000
Prior Year Balances (Rescission)	.....	(53,471)	.....	.....	.....
Bullet-Proof Vests	24,737	24,950	25,000	25,000	25,000
Police Corps	14,842	27,579	20,000	15,000	15,000
Criminal Records Upgrade	29,684	56,186	50,000	.....	25,000
DNA Initiative	98,948	175,788	175,788	100,000	110,000
Paul Coverdell Forensic Science	9,894	.....	.....	20,000	15,000
Crime Identification Technology Act	23,971	.....	.....	35,000	28,450
(Safe Schools Technologies)	(4,948)	.....	.....	(5,000)	.....
SW Border Prosecutor Program	29,684	47,431	40,000	.....	.....
Project Safe Neighborhoods	29,684	45,080	30,000	15,000	.....
Offender Re-Entry	4,948	15,000	15,000	5,000	10,000

[In thousands of dollars]

Program	FY 2004 enacted	FY 2005 request	House	Senate	Conference
Grand total	748,324	.....	686,702	755,969	606,446

COPS Hiring Program.—The conference agreement includes $10,000,000 for the hiring of law enforcement officers, of which $5,000,000 shall be for school resource officers.

Police Corps.—The conference agreement includes $15,000,000 for the Police Corps program. The conferees expect that the Police Corps training curriculum will incorporate all relevant training portions of the National Criminal Intelligence Sharing Plan.

Indian Country.—The conferees recommend that 5 percent of COPS funds be provided directly to tribal judicial systems to assist Tribal Courts with the caseload associated with increased arrests as a result of more stringent tribal law enforcement.

Methamphetamine Enforcement and Clean-Up.—The conference agreement includes $52,556,000 for State and local law enforcement programs to combat methamphetamine production and distribution, to target drug "hot spots," and to remove and dispose of hazardous materials at clandestine methamphetamine labs.

Within the amount provided, the conference agreement includes $20,000,000 to reimburse the Drug Enforcement Administration (DEA) for assistance to State and local law enforcement for proper removal and disposal of hazardous materials at clandestine methamphetamine labs.

In addition, within the amount provided, the conferees expect the COPS Program Office, in consultation with DEA, to examine each of the following proposals, to provide grants if warranted, and to submit a report to the Committees on Appropriations on its intentions for each proposal:

$2,000,000 for a Washington State law enforcement methamphetamine initiative;

$2,000,000 for the Methamphetamine Task Force in East Tennessee, to fight the spread of meth labs in this region;

$250,000 for the Indiana State Police meth enforcement team;

$300,000 for the Clackamas County, OR, Methamphetamine Initiative: Community Prosecution;

$1,000,000 for the Minot State University Rural Methamphetamine Education Demonstration Project in North Dakota;

$300,000 for the COPS Methamphetamine Drug Hot Spots Program in AR;

$600,000 for the Marion County, OR, Methamphetamine Forensic Lab Enhancement;

$6,000,000 for the Comprehensive Methamphetamine Response in HI;

$1,500,000 for the Methamphetamine Clandestine Lab Task Force in IA;

$600,000 for the Virginia State Police, of which $175,000 shall be for the Northwest Virginia Regional Drug Task Force, and $175,000 shall be for the Harrisonburg Drug Task Force to assist their efforts in combating methamphetamine;

$2,000,000 for the Partnership for a Drug Free America to provide technical assistance to State and local law enforcement to address meth;

$160,000 for Winston and Fayette Counties, AL, for a meth initiative;

$1,500,000 for the California Department of Justice, Bureau of Narcotics Enforcement, for the California Methamphetamine Strategy (CALMS);

$250,000 for the Mineral Area Drug Task Force;

$100,000 for the South Central Missouri Drug Task Force;

$200,000 for the Southeast Missouri Drug Task Force;

$100,000 for the Bradford County, PA, Sheriff's Department for a meth initiative;

$250,000 for the Commerce City, CO, Police Department for meth initiatives;

$250,000 for the Franklin County, MO, Sheriff's Department for Operation CHEM;

$250,000 for the Regional Training Center in Sioux City, IA;

$250,000 for the Iowa Office of Drug Control Policy for meth initiatives;

$250,000 for the Daviess County, KY, Sheriff's Department to combat production and distribution of methamphetamine;

$250,000 for the Oklahoma Bureau of Narcotics and Dangerous Drug Control Clandestine Laboratory Enforcement Program;

$250,000 for the Nebraska State Patrol to combat the production and distribution of methamphetamine;

$250,000 for Polk County, FL, Sheriff's Department to combat the production and distribution of methamphetamine;

$250,000 for the Oregon Partnership meth prevention program;

$350,000 for the Pennyrile Narcotics Task Force in KY;

$300,000 for the Lincoln County, OR, Methamphetamine Intervention and Enforcement;

$200,000 for the St. Matthews, SC, Police Dept Methamphetamine Initiative;

$100,000 for the Merced County, CA, "Meth is Death" Project;

$50,000 for the Lauderdale County, AL, Sheriff's Office Meth Initiative;

$50,000 for the Colbert County, AL, Sheriff's Office Meth Initiative;

$100,000 for the Guam Methamphetamine Initiative;

$100,000 for the Miami Tribe's Meth Hot Spots program;

$250,000 for the Pulaski County, IL, Sheriff Department Meth Initiative;

$310,000 for the Fresno County, CA, District Attorney Methamphetamine Initiative;

$500,000 for the TN 13th Judicial District/Surrounding Counties Methamphetamine Task Force;

$100,000 for the Woodland, CA, Methamphetamine Enforcement;

$100,000 for the Combined Ozarks Multi-Jurisdictional Enforcement Team [COMET] in MO;

$750,000 for the Five County Northern UT Methamphetamine Project;

$125,000 for Jackson County Methamphetamine Clean-Up in MS;

$250,000 for the Jackson County Mississippi Sheriff's Department—Narcotics Task Force/Technology;

$100,000 for Jefferson County, Colorado, Methamphetamine Interdiction & Response;

$300,000 for the Kansas Methamphetamine Prevention Project;

$400,000 for the Maricopa County Arizona Meth Funding;

$250,000 for the Methamphetamine Addiction in MT;

$1,000,000 for the Mississippi Bureau of Narcotics—Methamphetamine Enforcement;

$1,000,000 for the MoSmart Board, MO;

$125,000 for the North Carolina Attorney General Office Meth Program;

$250,000 for the North Carolina U.S. District Attorneys Meth;

$200,000 for the State of Minnesota's Methamphetamine Hot Spots Initiative;

$250,000 for the Statewide Drug Enforcement and Lab Equipment in NE;

$26,000 for the Wright County Drug Mobile Command;

$500,000 for the Methamphetamine Montana Initiative;

$300,000 for the Anhydrous Ammonia Nurse Tank Locks in IA;

$1,000,000 for the Wisconsin I Methamphetamine Law Enforcement Initiative;

$300,000 for the Louisiana Methamphetamine Task Force;

$1,750,000 for the Vermont Drug Task Force; and

$60,000 for the Coos and Curry Co. METH Reduction, OR;

COPS Interoperable Communications Technology Program.—The conference agreement provides $100,000,000 to continue the COPS Interoperable Communications Technology Program being designed and implemented by the COPS Office, in consultation with NIJ's OS&T as well as the Bureau of Justice Assistance. The conferees commend the COPS Office for its coordination with other Federal agencies who deal with public safety interoperability. The conferees believe coordination of Federal efforts is critical to ensure our Nation's safety and a necessity if we are not to fall victim to the pitfalls of the past.

The conferees strongly support the need for minimum standards for law enforcement communications technology. Therefore, OS&T should continue to assist COPS in incorporating existing minimum standards into the formulation of this grant program. Within the amount provided, $5,000,000 shall be transferred to the National Institute of Standards and Technology (NIST) to continue the efforts of the Office of Law Enforcement Standards (OLES) regarding the development of a comprehensive suite of minimum standards for law enforcement communications.

The conferees commend the Institute for Telecommunication Sciences (ITS) in Boulder, Colorado, for all their efforts and contributions to the public safety communications statement of requirements. Their contributions were critical in addressing the many issues plaguing public safety organizations for decades.

Interoperable Standards.—Over a decade ago, APCO Project 25 was established through a joint effort of Public Safety First Responders, U.S. Industry, and elements of the Federal Government to provide the public safety community with interoperable, spectrally-efficient, economically-priced, digital radios capable of providing a variety of operationally required functions and features, including backward compatibility with existing analog land mobile radios.

The Project 25 suite of standards, being developed with the technical assistance of the Telecommunications Industry Association (TIA) Standards Committee TR–8, is intended to satisfy defined user needs, allow multiple vendors to manufacture some or all components of the Project 25 system at their discretion, and ensure that components produced by many sources will be interoperable.

The timely completion of the Project 25 standards for all of the relevant communications systems equipment is essential to the public safety community. The conferees are concerned that the functional standards that specify key Project 25 system interfaces (such as the Inter-RF Subsystem Interface (ISSI), the Console Interface, and the Fixed Station Interface) have not been developed or approved, nor have the standards that define how the interfaces should be tested and evaluated.

The conferees encourage the OLES to work with CommTech within the National Institute of Justice and the Wireless Public SAFEty Interoperability COMmunications (SAFECOM) Program within the Department of Homeland Security, to consider the issuance of interim standards that can be used to specify the required functionality and testing validation characteristics.

Law Enforcement Technology Program.—The conference agreement includes $138,615,000 for the COPS Law Enforcement Technology Program. The conference agreement adopts by reference the House report language concerning standards.

Within the overall amounts recommended, the conferees expect the COPS office to examine each of the following proposals, to provide grants if warranted, and to submit a report to the Committees on Appropriations on its intentions for each proposal:

$750,000 for the City of Lubbock, TX, Police Department for law enforcement technologies;

$1,125,000 for the State of New Mexico State Police;

$1,500,000 for the Midwest Forensics Resource Center, IA;

$500,000 for the Arkansas State Police for law enforcement technologies;

$500,000 for the City of Stamford, CT, for law enforcement technologies;

$750,000 for continued participation of Idaho in the Criminal Information Sharing Alliance;

$750,000 for law enforcement technologies, to be split evenly between the City of Tucson, AZ Police Department and the Pima County, AZ Police Department;

$250,000 for law enforcement technologies for sheriff's offices in Cochise County, AZ;

$2,000,000 for the City of Asheville, NC, Police Department for law enforcement technologies;

$100,000 for the New Orleans Metropolitan Crime Commission;

$70,000 for the Leesburg, VA, Police Department for law enforcement technologies;

$2,100,000 for the Integrated Criminal Justice Information System for the State of Virginia;

$1,500,000 for a statewide records management system for Virginia law enforcement;

$15,000 for the Berryville, VA, Police Department for in-car cameras;

$75,000 for the City of Manassas, VA, Police Department for law enforcement technologies;

$40,000 for Guin, AL, Police Department for law enforcement technologies;

$20,000 for the Southside, AL, Police Department for law enforcement technologies;

$20,000 for the Boaz, AL, Police Department for law enforcement technologies;

$80,000 for the Morgan County, AL, Sheriff's Department for law enforcement technologies;

$1,000,000 for the Simulated Prison Environment Crisis Aversion Tools for programs in Alabama, North Carolina, and Pennsylvania;

$2,000,000 for law enforcement technology enhancements for Middle Rio Grande Border Region of Texas;

$500,000 for the Florida Department of Corrections for a system to electronically monitor criminal probationers and link their location to crime events;

$775,000 for the City of Houston, TX, Police Department for law enforcement technologies;

$500,000 for San Diego County, CA, Sheriff's Department for automation infrastructure upgrades;

$500,000 for I–SAFE America;

$500,000 for the City of Roseville, CA, Police Department for law enforcement technologies;

$500,000 for the Placer County, CA, Sheriff's Department for law enforcement technologies;

$1,000,000 for the Morris County, NJ, Police Department for law enforcement technologies;

$300,000 for the Sussex County, NJ, Police Department for law enforcement technologies;

$300,000 for the Somerset County, NJ, Police Department for law enforcement technologies;

$300,000 for the West Essex Port of Essex County, NJ, Police Department for law enforcement technologies;

$405,000 for Southside Virginia law enforcement agencies for law enforcement technologies;

$3,000,000 for the Center for Criminal Justice Technology;

$350,000 for the City of Moultrie, GA, Police Department for law enforcement technologies;

$1,500,000 for the Oakland County, MI, Sheriff's Department for an Identification Based Information System (IBIS) including portable hand-held digital fingerprint and photo devices for patrol cars;

$500,000 for the Morgan County, IL, Police Department for law enforcement technologies;

$350,000 for the City of Beardstown, IL, Police Department for law enforcement technologies;

$150,000 for the City of Peoria, IL, Police Department for law enforcement technologies;

$500,000 for the Iowa State University for a cyber-crime program;

$750,000 for the East Valley Community Justice Center;

$500,000 for San Bernardino, CA, Police Department for law enforcement technologies;

$500,000 for the Redlands, CA, Police Department for a crime mapping project;

$250,000 for the development of an electronic crime report filing system for San Bernardino County, CA;

$750,000 for the Louisville, KY, Metro Police Department for mobile data terminals;

$15,000 for the West Buechel, KY, Police Department for in-car computers and cameras;

$70,000 for the Lynnview, KY, Police Department for law enforcement equipment;

$1,000,000 for the Onondaga County, NY, Sheriff's Office for crime fighting technologies;

$400,000 for the Syracuse, NY, Police Department for law enforcement technologies;

$250,000 for the Lee County, MS, Sheriff's Department for law enforcement technologies;

$500,000 for the City of Largo, FL, for the Law Enforcement Accessing Data (LEAD) project;

$500,000 for the Pinellas County, FL, Sheriff's Department for a consolidated law enforcement records management system;

$1,250,000 for the City of La Verne, CA, Police Department for law enforcement technologies;

$750,000 for the Los Angeles County, CA, Sheriff's Department for law enforcement technologies;

$500,000 for the Criminal Justice Information System in Mecklenburg County, NC;

$250,000 for the Dallas, TX, Police Department for law enforcement technologies;

$1,000,000 for law enforcement technologies for the Genesee/Finger Lakes region;

$580,000 for Jasper County, MO, Sheriff's Department for law enforcement technologies;

$20,000 for the City of Ozark, MO, Police Department for law enforcement technologies;

$1,000,000 for Greater Harris County, TX, for in-car police technologies;

$150,000 for the Batavia, IL, Police Department for law enforcement technologies;

$1,000,000 for the Kendall County, IL, Sheriff's Office for law enforcement technologies;

$300,000 for the Village of East Dundee, IL, Police Department for law enforcement technologies;

$250,000 for the DuPage County, IL, Sheriff's Office for law enforcement technologies;

$250,000 for the City of Bastrop, LA, Police Department for law enforcement technologies;

$250,000 for the Tuscaloosa County, AL, Sheriff's Department for law enforcement technologies;

$250,000 for the Shelby County, AL, Sheriff's Department for law enforcement technologies;

$250,000 for Aurora, CO, for law enforcement technologies;

$250,000 for the City of Clearwater, FL, Police Department for law enforcement technologies;

$250,000 for the City of Mobile, AL, Police Department for mobile data terminals;

$250,000 for the Riverside County, CA, Sheriff's Department for law enforcement technologies;

$250,000 for the Pasco County, FL, Sheriff's Office for in-car cameras;

$100,000 for the Alexander County, NC, Sheriff's Office for law enforcement technologies;

$250,000 for the City of Corona, CA, Police Department for law enforcement equipment;

$110,000 for the Page County, VA, Sheriff's Office for law enforcement technologies;

$60,000 for the Rappahannock County, VA, Sheriff's Office for law enforcement technologies;

$60,000 for the Orange County, VA, Sheriff's Office for law enforcement technologies;

$60,000 for the Goochland County, VA, Sheriff's Office of law enforcement technologies;

$250,000 for the Delaware Courts Organized to Serve program;

$250,000 for the Cincinnati, OH, Police Department for a records management system;

$250,000 for the Orange County, CA, Integrated Law and Justice System;

$50,000 for the Prince William County, VA, Police Department for law enforcement technologies;

$950,000 for the Fairfax County, VA, Police Department for law enforcement technologies;

$50,000 for the Fairfax County, VA, Regional Intelligence Center for law enforcement technologies;

$50,000 for the Fairfax City, VA, Police Department for law enforcement technologies;

$250,000 for the Rappahannock, VA, Regional Jail for the criminal information exchange efforts;

$250,000 for the Blount County, TN, Sheriff's Department for law enforcement technologies;

$250,000 for the University of Central Florida and the Florida Law Enforcement Consortium to enhance information sharing among law enforcement in Florida;

$100,000 for the Chesterfield County, VA, Police Department for law enforcement technologies;

$25,000 for the Dinwiddie County, VA, Sheriff's Office for law enforcement technologies;

$25,000 for the Isle Wight County, VA, Sheriff's Office for law enforcement technologies;

$25,000 for the Southampton, VA, Sheriff's Office for law enforcement technologies;

$100,000 for the City of Chesapeake, VA, Police Department for laptop computers;

$75,000 for the City of Suffolk, VA, Police Department for law enforcement technologies;

$150,000 for the Cobb County, GA, Sheriff's Department for the multi-level law enforcement technology project;

$80,000 for the City of Lynchburg, VA, Police Department for in-car cameras;

$80,000 for the City of Harrisonburg and Rockingham County, VA, consolidated law enforcement network;

$190,000 for the Amherst County, VA, for law enforcement technologies;

$245,000 for the Bristol Township, PA, Police Department for law enforcement technologies;

$250,000 for Sarasota County, FL, for law enforcement technologies;

$250,000 for Manatee County, FL, for law enforcement technologies;

$250,000 for New Castle, PA, for law enforcement technologies;

$100,000 for the Anson County, NC, Sheriff's Department for mobile data terminals;

$200,000 for the Illinois State Police to develop an encryption system for criminal justice information;

$100,000 for the Ashtabula City, OH, Police Department for a computer aided dispatch system;

$1,300,000 for technology enhancements for law enforcement agencies in Northern Illinois;

$250,000 for the Counties of Mid-Carolina Council of Government for law enforcement activities;

$250,000 for the Putnam County, FL, Sheriff's Office for law enforcement technologies;

$100,000 for the Macomb County, MI, Sheriff's Office for law enforcement technologies;

$50,000 for the Shelby Township, MI, Police Department for law enforcement technologies;

$250,000 for the Sacramento County, CA, Sheriff's Department for an identification based information system;

$112,000 for the City of Muncie, IN, for a crime scene analysis project;

$250,000 for the York City, PA, Police Department for equipment to improve information sharing and purchase in-car digital video technology;

$1,000,000 for the National Sheriff's Association Pegasus program;

$1,000,000 for the Navajo Nation, AZ, for law enforcement technologies and crime prevention programs;

$500,000 for the City of Key West, FL, Police Department for law enforcement technologies;

$125,000 for the City of Bayamon, PR, for law enforcement technologies and crime prevention programs;

$125,000 for the City of Guaynabo, PR, for law enforcement technologies and crime prevention programs;

$20,000 for the City of Warren, AR, Police Department for law enforcement technologies;

$150,000 for the Virginia Beach, VA, Police Department for law enforcement technologies;

$100,000 for the Hampton, VA, Police Department for law enforcement technologies;

$50,000 for the Accomack County, VA, Sheriff's Office for law enforcement technologies;

$50,000 for the Northampton County, VA, Sheriff's Office for law enforcement technologies;

$250,000 for the Borough of Chambersburg, PA, Police Department for law enforcement technologies;

$200,000 for the Manchester Township, NJ, Police Department for law enforcement technologies;

$300,000 for the Kern County, CA, Sheriff's Department for law enforcement technologies;

$70,000 for the San Luis Obispo County, CA, Sheriff's Department for law enforcement technologies;

$250,000 for the Kalamazoo County, MI, Justice Integrated Management System;

$250,000 for the Bernalillo County, NM, Sheriff's Department for law enforcement technologies;

$1,000,000 for the Worcester Polytechnic Institute, MA;

$500,000 for a Violent Crime Scene Response Unit in Arizona;

$500,000 for Technology to Combat Crime and Terrorism in Phoenix;

$1,000,000 for the WV High Technology Consortium Foundation;

$500,000 for the Detroit WSU for police initiatives;

$500,000 for NEMESIS—Sharable Law Enforcement CAD and OMS/JMS;

$1,000,000 for the Missouri Criminal Justice Integration Project;

$500,000 for the Huntsville, AL, Police Department Technology and Equipment upgrades;

$500,000 for the Madison County, AL, Sheriff's Dept. Technology and Equipment upgrades;

$100,000 for the Morgan County, AL, Sheriff's Dept. Technology and Equipment Upgrades;

$500,000 for the San Mateo County, CA, Sheriff's Office for law enforcement technologies;

$300,000 for Modesto, CA, for law enforcement technologies;

$100,000 for Lakewood, NJ, for law enforcement technologies;

$100,000 for Oakland, CA, for law enforcement technologies;

$100,000 for Solano County, CA, for law enforcement technologies;

$250,000 for the Montebello, CA, Police Department for law enforcement technologies;

$250,000 for Pomona, CA, for law enforcement technologies;

$188,000 for the Garden Grove, CA, Police Department for a digital camera system;

$100,000 for Inglewood, CA, for law enforcement technologies;

$200,000 for Fontana, CA, for law enforcement technologies;

$100,000 for Colton, CA, for a police communications project;

$300,000 for Rosemead, CA, for law enforcement technologies;

$125,000 for Covina, CA, for law enforcement technologies;

$100,000 for West Covina, CA, for law enforcement technologies;

$1,000,000 for the San Francisco, CA, Police Department for a records management system;

$500,000 for Santa Monica, CA, for law enforcement technologies;

$150,000 for Whittier, CA, for a school resource officers program;

$200,000 for the Lakewood, CA, Sheriff's Department, for technology improvements;

$50,000 for the Fullerton, CA, Police Department, for law enforcement technologies;

$200,000 for Salinas, CA, for the Mobile Automated Fingerprint and Facial Recognition System;

$200,000 for the Santa Ana, CA, Police Department for law enforcement technologies;

$500,000 for the Connecticut Department of Safety for law enforcement technologies;

$500,000 for the Connecticut State Police for law enforcement technologies;

$100,000 for Baker County, GA, for law enforcement technologies;

$45,000 for Shellman, GA, for law enforcement technologies and equipment;

$100,000 for Atlanta, GA, for law enforcement technologies;

$50,000 for the Illinois State Police Academy;

$100,000 for the State of Illinois for law communications technologies;

$450,000 for the South Suburban Mayors and Managers Association, IL, for law enforcement technologies;

$150,000 for the Village of Niles, IL, for law enforcement technologies;

$300,000 for Southcom law enforcement technologies in Illinois;

$145,000 for the Jasper County, IN, Sheriff's Office for law enforcement technologies;

$200,000 for the Portage, IN, Police Department for law enforcement technologies;

$25,000 for the Porter, IN, Police Department for technology upgrades;

$500,000 for the Gary, IN, Police Department for law enforcement technologies;

$250,000 for the Franklin County, KY, for law enforcement equipment;

$250,000 for Madison County, KY, for law enforcement technologies;

$375,000 for North Worcester County, MA, for law enforcement technologies;

$600,000 for Seekonk, MA, for law enforcement technologies;

$165,000 for the Middlesex County, MA, Sheriff's Office for offender tracking technologies;

$150,000 for Howard County, MD, for law enforcement technologies;

$100,000 for Takoma Park, MD, for law enforcement technology improvements;

$400,000 for the Prince George's County, MD, Police Department for law enforcement technologies;

$500,000 for the Maine Bureau of Warden Service for law enforcement technologies;

$200,000 for the Michigan State Police Criminal Justice Information Network;

$80,000 for the Chippewa County, MI, Sheriff's Office for law enforcement technologies;

$50,000 for Alger County, MI, for law enforcement technologies;

$1,000,000 for the Hennepin County, MN, Sheriff's Department for law enforcement technologies;

$200,000 for Durham, NC, for law enforcement technologies;

$100,000 for the Charlotte, NC, Sheriff's Office for law enforcement technologies;

$150,000 for Orange County, NC, for law enforcement technologies;

$150,000 for the Morrisville, NC, Police Department for law enforcement technologies;

$500,000 for the Bismarck, ND, Memorial Police and Training Complex;

$500,000 for Fargo, ND, for law enforcement technologies;

$100,000 for Jamesburg, NJ, for law enforcement technologies;

$100,000 for the Newark, NJ, Police Department for law enforcement technologies;

$1,000,000 for Jersey City, NJ, for SP law enforcement enhancements;

$1,100,000 for Hudson County, NJ, for law enforcement technologies;

$125,000 for the New Mexico Department of Public Safety for law enforcement technologies;

$100,000 for the Suffolk County, NY, Police Department for law enforcement technologies;

$310,000 for Rochester, NY, for law enforcement technologies;

$225,000 for the New York City Haber Houses for law enforcement technologies;

$500,000 for Westchester and Rockland County, NY, for law enforcement communications;

$200,000 for Brookhaven, NY, for law enforcement technologies;

$200,000 for White Plains, NY, for law enforcement technologies;

$140,000 for Westchester County, NY, for law enforcement technologies;

$75,000 for Niagara, NY, for law enforcement technologies;

$150,000 for Poughkeepsie, NY for law enforcement technologies;

$250,000 for the Ulster County, NY, Sheriff's Department for law enforcement technologies;

$500,000 for Thompkins County, NY for law enforcement technologies;

$500,000 for Lucas County, OH, for law enforcement technologies;

$100,000 for Canby, OR, for law enforcement technologies;

$150,000 for Coos County, OR, for law enforcement technologies;

$300,000 for Woodburn, OR, for police technology improvements;

$200,000 for Clatsop County, OR, for law enforcement technologies;

$500,000 for the State of Pennsylvania for prison technology upgrades;

$1,000,000 for the State of Pennsylvania for law enforcement technologies;

$500,000 for Philadelphia, PA, for law enforcement technologies;

$250,000 for the Tiverton, RI, Police Department for law enforcement technologies;

$350,000 for the Central Falls, RI, Police Department for law enforcement technologies;

$200,000 for the Providence, RI, Police Department for law enforcement technologies;

$400,000 for the Bamberg County, SC, Sheriff's Department for law enforcement technologies;

$200,000 for Manning, SC, for law enforcement technologies;

$500,000 for Florence, SC, for law enforcement technologies;

$250,000 for the El Paso, TX, Police Department for law enforcement technologies;

$250,000 for El Paso, TX, for law enforcement technologies;

$100,000 for Dallas, TX, for law enforcement technologies;

$500,000 Waco Police Dept., TX, law enforcement technologies;

$500,000 for the Waco, TX, Police Department for law enforcement communications;

$500,000 for the Salt Lake City, UT, Department of Public Safety for law enforcement technologies;

$250,000 for the Sandy City, UT, Police Department for law enforcement technologies;

$400,000 for the Alexandria, VA, Police Department for law enforcement technologies;

$500,000 for the Snohomish County, WA, Sheriff's Office for law enforcement technologies;

$500,000 for the Kitsap County, WA, Sheriff's Department for law enforcement technologies;

$200,000 for the Marathon County, WI, Sheriff's Department for law enforcement technologies;

$200,000 for the Douglas County, WI, Sheriff's Department for law enforcement technologies;

$300,000 for the Sun Prairie, WI, Police Department for law enforcement technologies;

$250,000 for Andover, KS, police technology equipment;

$100,000 for the Borough of Waynesboro, Franklin County, PA;

$600,000 for the City of Radcliff Law Enforcement Equipment, KY;

$300,000 for the City of Reading, PA, Integrated Geographic Information System;

$150,000 for the City of St. Joseph and Heartland Health Law Enforcement Communication System, MO;

$150,000 for the Clarion County, PA, Geographic Information System;

$1,000,000 for the continuation of digital radio conversion, NH;

$400,000 for the Corpus Christi Radio Communications and Security Equipment, TX;

$150,000 for the Derry Township, PA, Police Department;

$150,000 for the Dona Ana County, NM, Command Post Vehicle;

$300,000 for the ECU Center for Excellence—Criminal Justice, OK;

$300,000 for El Paso, TX, Interoperability;

$100,000 for the enforcement of crime identification assistance for the City of Kodiak, AK;

$300,000 for the Extend Radio System, WY;

$200,000 for the Hopkinsville-Christian County—Pennyrile Narcotics Task Force Partnership Equipment, KY;

$100,000 for In-Car Video Deployment, City of Martin, TN;

$100,000 for Interagency Communications in GA;

$200,000 for the Internet Scale Event and Attack Generation Environment at ISU;

$400,000 for the Iowa State Patrol TraCS software and computer upgrade;

$400,000 for the Jefferson County Commission, AL, for video conferencing equipment for the Jefferson County Criminal Justice Center;

$100,000 for the Jefferson County, CO, COPLINK;

$1,000,000 for the Johnson County, KS, Sheriff's Office;

$125,000 for the Kansas Attorney General, for equipment;

$125,000 for the Kansas Bureau of Investigation mobile data terminals;

$600,000 for the Keene State College/UNH public safety management system;

$2,500,000 for the Land Mobile Radio migration for a multi-agency communications network in AK;

$1,000,000 for the Land Mobile Radio site infrastructure equipment and portable radios for the Kenai Peninsula Borough, AK;

$1,500,000 for the Land Mobile Radio/Public Safety Communications for Anchorage Infrastructure, AK;

$240,000 for Las Cruces, NM, Communications Infrastructure;

$100,000 for the Police Department Command Center in Billings, MT;

$100,000 for the Police Department Indoor Firearms Range in Billings, MT;

$200,000 for the Las Vegas, NV, Identity Theft Center;

$100,000 for the Greenville County, SC, communications system;

$300,000 for the Huntsville, Alabama Police Department equipment upgrades;

$1,500,000 for the Matanuska Susitna Borough Emergency Response Radio Network, AK;

$160,000 for the Mayfield, KY, Police Department for equipment;

$1,000,000 for the mobile computers for Wasilla, AK, for police squad cars;

$350,000 for the Montana Supreme Court Video Conferencing;

$150,000 for the Newport, RI, Area Interoperable Surveillance Network Upgrade;

$750,000 for the Records Interoperability through CATlab in NH;

$1,500,000 for the Regional Law Enforcement Communications System, City of Memphis and Shelby County;

$300,000 for the Rural Utah Law Enforcement Tech Program;

$100,000 for the Simpson County improvement to technology center, KY;

$1,000,000 for the Southaven Police Department for radios/equipment in MS;

$250,000 for the Statewide Computer Aided Dispatch [CAD] System, NE, State Patrol;

$2,000,000 for the statewide implementation of public safety technology through the University of New Hampshire;

$265,000 for the Training Academy Driver Simulator for the State of Alaska;

$2,000,000 for the Training Village Public Safety Officer in the State of Alaska;

$300,000 for the CrimeTracks Georgia;

$250,000 for Voice Viewer Technologies and Law Enforcement in WY;

$100,000 for the Western Forensic Science and Law Enforcement Training Center in CO;

$500,000 for the Yazoo City, MS, Police Department;

$300,000 for the Delaware State Police for the Automatic Fingerprint Identification System;

$200,000 for the New Castle County, DE, Police Department, for an upgraded records management system;

$500,000 for the Interagency Communications Interoperability System [ICIS] in CA;

$500,000 for the Solano County, CA, Radio Interoperability Project;

$350,000 for the Snohomish County, WA, Sheriff Palm AFIS System;

$60,000 for the Westchester County, NY, Police Department Interagency Radio Interconnect;

$500,000 for the Town of North Hempstead, NY, Police Department Communication Management System;

$1,000,000 for the Camden County, NJ, Law Enforcement Technology;

$500,000 for the Hudson County, NJ, Law Enforcement Technology;

$450,000 for the North East Minnesota Enforcement and Safety Information System [NEMESIS];

$1,000,000 for the Fargo, ND, Interoperable Communications System;

$400,000 for the Bismarck ND, Memorial Training Complex;

$100,000 for technology upgrades for the Williamson County, IL, Sheriff's Department;

$3,000,000 for the South Carolina Judicial Department Case Docket System;

$4,000,000 for the Southeast National Law Enforcement Technology Center for the Backscatter and high-energy technology transmission x-ray technology;

$100,000 for Arlington County, VA, for the Sheriff's Office for a pilot program to test a geo-location network;

$400,000 for the Burlington, VT, Police Technology Grant;

$100,000 for the Middlebury, VT, Police Technology Grant;

$100,000 for the Bellows Falls, VT, Police Technology Grant;

$325,000 for the Oglala Sioux Tribe, South Dakota for technology and equipment;

$750,000 for the Massachusetts Law Enforcement Technology and Training Support Center;

$100,000 for the Essex County, MA, law enforcement technology;

$500,000 for the Milwaukee Police Department Mobile Two-Finger ID System, WI;

$90,000 for the Town of Brookfield Police Department Technology Upgrades, WI;

$100,000 for the City of Elizabeth, NJ, Law Enforcement Communication Interoperability Enhancement;

$300,000 for the St. Clair County, MI, Sheriff's Department Communications towers and equipment upgrades;

$200,000 for the Downriver Mutual Aid communications equipment, MI;

$750,000 for the Arkansas State Police Automated Fingerprint Identification System;

$1,400,000 for the Montgomery County, MD, Police Department for National Capital Region Criminal Identification System Update;

$400,000 for the Wireless High Speed Network for Prince George's County, MD;

$700,000 for the City of Rockville, MD, COPS Technology Grant;

$1,000,000 for the Pierce County, WA, Police Rapid Mobile Response Network;

$500,000 for Miami-Dade County, FL, Law Enforcement Technology Enhancements;

$250,000 for the Alachua County/City of Gainesville, FL, Enforcement Communications Upgrade;

$150,000 for Providence, RI, Police Department Technology;

$150,000 for the Smithfield, RI, Police Department Emergency Management Operation Center;

$1,500,000 for the Las Vegas, NV, Metropolitan Police Department Communications System;

$155,000 for the Churchill County, NV, Sheriff's Office Interoperability Communication Project; and

$200,000 for the Boulder City, NV, Wireless Communications Canopy;

Crime Identification Technology Act.—The conference agreement includes $28,450,000 for the Crime Identification Technology Act program. Within the overall amounts recommended, the conferees expect OJP to examine each of the following proposals, to provide grants if warranted, and to submit a report to the Committees on Appropriations on its intentions for each proposal:

$2,000,000 for the Harrison County Public Safety Automated Systems in MS;

$200,000 for the City of St. Paul/Ramsey County co-location of public safety equipment in MN;

$325,000 for North Carolina Supreme Court Security;

$200,000 for the MAGIC Pegasus Project for the Jefferson County Sheriff in AL;

$600,000 for Case and Document Management in MT;

$150,000 for the Marion County, MS, Sheriff's Department for equipment;

$250,000 for the Pascagoula, MS, Police Department for equipment;

$1,000,000 for the Alaska Court System Information Network;

$4,000,000 for the Marshall University Forensic Science DNA Lab in WV;

$4,000,000 for the West Virginia University Forensic Science Initiative;

$525,000 for Marshall University Computer Forensics in WV;

$1,000,000 for the Forensic DNA Analysis Lab at North Dakota University;

$11,050,000 for the South Carolina Judicial Department case document system;

$1,000,000 for the Honolulu PD Crime Lab in HI;

$500,000 for the Fox Valley Technical College [FVTC] DNA Training Initiative in WI;

$1,000,000 for equipment and planning for the Vermont Forensics Laboratory; and

$400,000 for the Vermont Incident Based Reporting System.

DNA Initiative.—The conference agreement includes $110,000,000 for a DNA analysis and capacity enhancement program including eliminating casework backlogs, eliminating offender backlogs, strengthening crime lab capacity, training of the criminal justice community and identifying missing persons. OJP shall submit a financial plan for this program within 60 days of enactment of this Act. In addition, the conference agreement provides $15,000,000 for Paul Coverdell Forensic Sciences Improvement grants.

Safe Schools Initiative.—The conference agreement includes $4,325,000 for programs aimed at preventing violence in public schools, and to support the assignment of officers to work in collaboration with schools and community-based organizations to address the threat of terrorism, crime, disorder, gangs, and drug activities.

Within the amount provided, the COPS Office should examine each of the following proposals, provide grants if warranted, and submit a report to the Committees on Appropriations on its intentions for each proposal:

$750,000 for the Alaska Community in Schools Mentoring Program;

$300,000 for the Granite School District Anti-Violence Project in UT;

$125,000 for the HOPE for Henderson Juvenile Justice in KY;

$200,000 for the Martin Luther King, Jr. Center for Non-Violence in PA;

$500,000 for School-Based Violence Prevention and Mentoring in IL;

$1,200,000 for the Schools and Communities Coming Together in MT; and

$1,250,000 for the Youth Advocates Programs in SC.

JUVENILE JUSTICE PROGRAMS

The conference agreement includes $384,177,000 for Juvenile Justice programs, instead of $349,000,000 as proposed by the House and $360,000,000 as proposed by the Senate. The conference agreement provides for the following programs:

[In thousands of dollars]

Program	*Amount*
Part A—Coordination of Federal Efforts	$3,000
Part B—State Formula	84,000
Part D—Research and Development	10,000
Part E—Demonstration Projects	102,177
Juvenile Mentoring Program	15,000
Big Brothers/Big Sisters	(7,000)
Title V—Incentive Grants	80,000
Tribal Youth	(10,000)
Gang Prevention	(25,000)
Enforcing Underage Drinking Laws Program	(25,000)
Secure Our Schools Act	15,000
Victims of Child Abuse Programs	15,000
Juvenile Accountability Block Grant	55,000
Project Childsafe	5,000
Total	384,177

Concentration of Federal Efforts.—The conferees commend the Office of Juvenile Justice and Delinquency Prevention (OJJDP) for its leadership of the Coordinating Council on Juvenile Justice and Delinquency. The conferees understand that there has been an increase in interest and membership which has allowed the Council to more effectively examine and address the Federal, State and local response to juvenile justice issues. The conferees strongly support the Council's efforts in addressing truancy, children's mental health issues, and adolescent substance abuse issues, as well as their role on the White House Task Force for disadvantaged youth.

Discretionary Grants.—The conference agreement includes $102,177,000 for part E programs. Within the amounts provided, OJP is expected to review the following proposals, provide grants if warranted, and report to the Committees on Appropriations on its intentions:

$1,900,000 for law-related education;

$1,500,000 for Girls and Boys Town, U.S.A.;

$1,750,000 for the National Council of Juvenile and Family Court Judges;

$750,000 for Teens, Crime and Community;

$4,000,000 for the Eisenhower Foundation for the Youth Safe Haven program;

$250,000 for Lea County, NM, for a juvenile corrections education program;

$150,000 for the Fort Worth Comin' Up Gang Violence Prevention program, TX;

$700,000 for the University of South Alabama for youth violence prevention research;

$250,000 for the University of Connecticut for a juvenile delinquency prevention program;

$200,000 for the Rhode Island Court Truancy Court Program;

$500,000 for the Dakota Boys Ranch Mentoring Program in ND;

$200,000 for the Colton Police Activities League [PAL] Program in CA;

$700,000 for the Los Angeles Community Law Enforcement and Recovery Program [CLEAR];

$1,600,000 for the continuation of the Office of Juvenile Justice and Delinquency Prevention's Protecting Our Children: Working Together to End Child Prostitution program;

$600,000 for Northwestern University's Juvenile Project;

$1,750,000 for Parents Anonymous;

$500,000 for the Stark County Court, Juvenile Pre-Trial Services Office to assist with the implementation of early intervention strategies for targeted youth in Stark County, OH;

$500,000 for the juvenile delinquency prevention programs in Massillon, OH;

$100,000 for A Child is Missing, Inc. in OH;

$225,000 for the Family, Career, and Community Leaders of America "Stop the Violence" program;

$250,000 for the Buckhorn Lake Children's Center for programs to serve at-risk youth;

$250,000 for Prevent Child Abuse America for the programs of the National Family Support Roundtable;

$750,000 for the ACA—NY for an anti-drinking program for children ages 11 and above;

$3,000,000 for the Hamilton Fish National Institute on School and Community Violence;

$650,000 for Learning for Life;

$350,000 for the Virginia Attorney General's Office for Class Action and other educational programs in Virginia schools;

$1,000,000 for the Center for Successful Parenting;

$700,000 for the Association of Christian Community Computer Centers;

$500,000 for Youth for Tomorrow;

$225,000 for the Memorial Child Guidance Clinic's Child SAVE program;

$200,000 for the Farmington Children's Home for delinquency prevention programs;

$200,000 for Operation Blue Ridge Thunder;

$750,000 for the Tarrant County Youth Collaboration for a child abuse prevention program;

$750,000 for the Residential Care Consortium for delinquency prevention programs;

$75,000 for Waukon, IA, for a youth intervention program;

$400,000 for the IMPACT/Night Light Program in San Bernardino County, CA, to team police officers with probation officers to reduce juvenile crime;

$250,000 for the Child Endangerment Response Coalition in Spokane, WA;

$500,000 for the International Youth Service and Development Corps. for programs in Washington, DC;

$300,000 for Project Choice, a gang prevention program in Syracuse, NY;

$300,000 for the Violence Intervention and Prevention Project in Syracuse, NY;

$1,500,000 for the Drug Free America Foundation for an anti-drug program for youth, parents, and teachers;

$500,000 for Eckerd Youth Alternatives to divert at-risk and troubled youth from the criminal justice system through residential and community-based programs;

$250,000 for the Pinellas County, FL, Police Athletic League;

$250,000 for the Florida Gulf Coast University Interagency Family Assessment Team program for at-risk youth;

$500,000 for the Marcus Institute in Atlanta, GA, for a juvenile crime and delinquency study;

$250,000 for the ARISE Foundation;

$250,000 for the Miami-Dade Juvenile Assessment Center;

$250,000 for Darkness to Light;

$60,000 for the Page County, VA, Sheriff's Office for a juvenile crime prevention program;

$100,000 for the City of South Bend, IN, youth gang violence prevention initiative;

$100,000 for the CHKD Child Abuse Program;

$250,000 for the South Carolina Department of Juvenile Justice for statewide technology system enhancements;

$500,000 for the Daytop, NJ, alcohol and drug treatment program for at-risk youth;

$250,000 for the Ohel Children's Home & Family Services for a child abuse prevention program;

$250,000 for juvenile delinquency prevention programs in Van Wert, OH;

$100,000 for the Laurinburg, NC, for a juvenile delinquency program;

$150,000 for the DuPage County, IL, Youth Mentoring Program;

$250,000 for the Teen Challenge program for at-risk youth in IL;

$250,000 for the Covenant House New Jersey's Right of Passage program;

$700,000 for the Wayne County, MI, for a juvenile mentoring program;

$100,000 for the Boys and Girls Home of Nebraska;

$45,000 for the Generation Next Youth Empowerment Program in Dumas, AR, to prevent juvenile delinquency;

$200,000 for A Child Is Missing, Inc, FL;

$1,500,000 for World Vision for at-risk youth programs;

$150,000 for Greater Trenton, NJ, for an at-risk youth program;

$250,000 for the Healthy Schools Initiative in NJ;

$100,000 for A Child Is Missing, Inc, OK;

$250,000 for a juvenile court program in Philadelphia, PA;

$100,000 for the LaSalle, IL, Child Advocacy Center;

$100,000 for Operation Take Back Narcotics Enforcement in Detroit, MI;

$750,000 for the California Safe from the Start;

$750,000 for the Bay Area Youth Violence Prevention Network;

$450,000 for the San Francisco, CA, "Safe Streets Project";

$100,000 for the City Parks Foundation programs for at-risk youth in the Bronx, NY;

$500,000 for the Lehman College, NY, program for at-risk youth;

$100,000 for the Woodycrest, NY, program for at-risk youth;

$100,000 for the Adventist Healthcare Facility, MD, for an at-risk youth program;

$100,000 for the DePaul Stand Tall Program;

$300,000 for Fordham University's Regional Education Technology Center to assist at-risk youth;

$75,000 for the Fordham Youth Ministry for teens;

$250,000 for Project Avary—Children of Imprisoned Parents;

$100,000 for the After-School Alliance National Resource Center;

$100,000 for the Sistas and Brothas alternatives to gangs and drugs;

$200,000 for Youth Ministries for Peace and Justice;

$400,000 for the Mary Mitchell Family and Youth Center programs for families and teens;

$475,000 for the Boys and Girls Home and Family Services, IA;

$300,000 for an at-risk youth program in Chicago schools;

$700,000 for Messiah College, PA, programs for at-risk teens;

$100,000 for the Marion County, OR, for the Children of Incarcerated Parents Initiative;

$100,000 for the Marion County, OR, for Co-occurring Disorders Pilot Project for at-risk youth;

$200,000 for the Clackamas County, OR, Juvenile Community Assessment Center;

$500,000 for the Granite, UT, Rock Solid Project for at-risk youth;

$300,000 for the Spurwink Institute program for at-risk youth;

$1,000,000 for the Washington State School Security program;

$500,000 for the USTA for at-risk youth;

$200,000 for the Barron County Restorative Justice Truancy Initiative;

$200,000 for Phipps Houses;

$900,000 for Philadelphia's College Opportunity Resources for Education (C.O.R.E.) initiative for at-risk youth;

$100,000 for the At-Risk Youth Entrepreneurship Program at New Covenant Campus, PA;

$1,000,000 for the City of Toledo, OH, Police Athletic League Youth Center for at-risk youth;

$500,000 for Opportunities, Alternatives, and Resources for youth;

$100,000 for Substance Abuse Prevention for Youth, MA;

$200,000 for the Liberty's Promise programs for youth;

$100,000 for the Indiana "No Workshops, No Jumpshots" program for at-risk youth;

$150,000 for the Thomas Area Teen Center for youth;

$150,000 for the City of Dawson, GA, Youth Advocacy;

$200,000 for the Muscogee County, GA, National Model Parenting Center;

$75,000 for the Mitchell County, GA, Youth Advocacy and Outreach Program;

$500,000 for Youth Crime Watch, FL;

$200,000 for Jump Start Tallahassee, FL, for at-risk youth;

$500,000 for the Juvenile Justice Education Program Model Study for teens;

$150,000 for the Overtown Youth Center, Miami, FL;

$200,000 for Florence Crittendon programs for at-risk teens;

$250,000 for the Richland County, SC, ScoutReach program;

$100,000 for the Village of Riverdale, IL, programs for youth;

$200,000 for the TechMission Youth Program for at-risk kids, MA;

$200,000 for Operation Quality Time for at-risk youth, AZ;

$150,000 for the April Michelle West Foundation's Winners by Choice program for at-risk teens;

$250,000 for the Camp Police Athletic League of NJ;

$200,000 for Soundview Community in Action for outreach for teens, NY;

$150,000 for the Project Parkchester Youth Zone;

$100,000 for the Hope and Help for All Foundation At-Risk Juvenile Mentoring Program;

$200,000 for the Community Outreach Center Drug Prevention Program, NY;

$200,000 for the Bronx, NY, Cluster of Settlement Houses At-Risk Youth Mentoring Program;

$300,000 for the Anti-Gang Initiative of the Urban League of Long Island, NY;

$50,000 for City Parks Foundation programs for at-risk youth—Queens, NY;

$250,000 for the ABT programs for at-risk youth;

$150,000 for Fortune Society programs for children of incarcerated parents in NY;

$225,000 for the Nassau County, NY, Youth Board programs;

$50,000 for the Nassau County, NY, Police Dept. programs for at-risk youth;

$225,000 for the Grace Multi-Community Development Corporation, Uniondale, NY;

$250,000 for the Roy Wilkins Park Family Center, Project Re-Connect;

$100,000 for the GRADS Foundation, Inc. programs for at-risk youth;

$310,000 for BAM programs to prevent juvenile delinquency;

$140,000 for the New York Acorn programs to prevent teen delinquency;

$100,000 for the Community Service Society/Enterprise Corps programs for at-risk kids, NY;

$200,000 for the Harlem, NY, RBI programs for at-risk youth;

$200,000 for the NYC College of Tech at-risk youth education;

$75,000 for the Downtown Learning Center—expansion of programs for at-risk youth, NY;

$75,000 for City Parks Foundation programs for at-risk teens in East NY;

$250,000 for the Project Intercept program to prevent at-risk youth from turning to drugs, NY;

$100,000 for the Brooklyn Arts Council's Arts in Education Program for at-risk youth;

$60,000 for the Gilbert-Lindsay Center for Youth;

$100,000 for the Junior Aztec Fire Fuels Crew programs for at-risk kids in Cypress Park, CA;

$250,000 for the Northeast Trees at risk youth program;

$40,000 for the Reach Our Community Kids (ROCK);

$100,000 for the Eagle Rock Center "Will Power to Youth" programs, CA;

$250,000 for Texas A&M University in Corpus Christi programs decreasing behaviors in at-risk youth;

$500,000 for the Hispanic National Juvenile Delinquency Prevention Program—Self-Reliance Foundation;

$150,000 for the City of Norwalk, CA for the Teen Alliance Program;

$250,000 for the Before- and After-School Delinquency Prevention Program, TX;

$150,000 for the Gang Alternative Program in Southeast Los Angeles County, CA;

$500,000 for the Texas A&M Center for at-risk youth;

$200,000 for the SBH Services for at-risk youth, NY;

$200,000 for the Boricua College Project Success for at-risk youth, NY;

$200,000 for the NYC YD programs for at-risk teens, NY;

$100,000 for the Loisaida Youth Leadership Academy for at-risk kids, NY;

$250,000 for the La Esperanza Home for Boys, TX;

$250,000 for the Anaheim, CA, Police Activities League Center;

$500,000 for the Los Angeles County, CA, Friends of Child Advocates;

$100,000 for the Teen Shelter, AL, programs for at-risk teens;

$100,000 for the Northwest Alabama Children's Advocacy Center;

$50,000 for the Morgan County, AL, Child Advocacy Center;

$250,000 for the Gateway Healthcare in Pawtucket, RI, programs for at-risk youth;

$500,000 for the Rhode Island Family Court programs for youth and families;

$500,000 for the Folwell Neighborhood Association, MN, programs for kids;

$100,000 for the Collaborative Drug Intervention Committees, NJ;

$100,000 for the Lena Park Development Corporation for services for at-risk youth, MA;

$100,000 for the Stillman College Juvenile Justice Delinquency Prevention Program, AL;

$100,000 Amer-I-Can program for youth, IL;

$100,000 for the Old King's Orchard Community Center Teen Reach Program, IL;

$100,000 for the Juvenile Justice Center at Suffolk University Law School, MA;

$100,000 for the Vermont Coalition of Teen Centers;

$500,000 for the Youth Development and Crime Prevention Initiative, CA;

$60,000 for the Middlesex District Attorney Citizenship in Action Institute;

$300,000 for the Jovenes program for at-risk youth;

$150,000 for NYC Arts for at-risk youth;

$200,000 for the Medgar Evers at-risk youth program;

$100,000 for the VA "No Workshops, No Jumpshots";

$100,000 for Metropolitan Family Services for at-risk youth;

$200,000 for the Mayor's Time disadvantaged and at-risk youth program;

$100,000 for Wayne County, MI, Teen Court;

$375,000 for a Salinas Gang Violence program for at-risk youth;

$200,000 for the Washington County, OR, for a juvenile justice prevention program;

$400,000 for the Alabama Council on Substance Abuse-NCADD;

$2,000,000 for the Alaska Child Advocacy Center for a child abuse investigation program;

$600,000 for the Alaska Children's Trust child abuse prevention program;

$750,000 for the Alaska Mentoring Demonstration Project for a statewide at-risk youth mentoring program;

$1,000,000 for the Alaska Youth Courts;

$300,000 for An Achievable Dream program in VA;

$2,000,000 for the Anaheim Learning Center in CA;

$3,000,000 for the Cal Ripken, Sr., Foundation;

$602,000 for the Child Support Enforcement Incentives in AK;

$100,000 for the Clinton County, PA, Action Team Against Drugs;

$1,000,000 for the Crimes Against Children Research Center at the University of New Hampshire;

$100,000 for the Child Protection Program/Nez Perce Tribe, Lapwai, ID;

$75,000 for the Shelby County, TN, Youth Violence and Gang Prevention—Initiative;

$500,000 for the Daniel Webster Boy Scout Council for outdoor education;

$3,000,000 for the Life Skills Training Program in Saint Augustine, FL;

$1,750,000 for the Girl Scouts Beyond Bars and PAVE programs;

$600,000 for the Iowa Mentor Center for a rural mentoring program in partnership with Big Brothers/Big Sisters;

$300,000 for the Jackson, MS, Juvenile Justice & Delinquency Prevention Program;

$4,000,000 for the Junior Achievement program;

$200,000 for the Juvenile Fire Setters Prevention Program;

$100,000 for the Juvenile Justice Program Enhancement in UT;

$100,000 for the Juvenile Justice Work Program in UT;

$75,000 for the Lonesome Pine Office on Youth in VA;

$250,000 for the MO Juvenile Justice Labs;

$200,000 for the Morning Star Ranch, Florence, KS;

$125,000 for the Native American Liaison at the Child and Family Intervention Center in Billings, MT;

$100,000 for the New Hampshire Expansion of the Go Girl Go program;

$300,000 for the State of New Mexico for juvenile offenders;

$225,000 for the University of Southern Mississippi Citizenship and Justice Academy;

$350,000 for the USM Family Network Partnership Program;

$600,000 for the Western Kentucky University Spotlight Youth Program;

$200,000 for the Winona State University Child Protection/Training Center in Minnesota;

$100,000 for the "I Have a Dream" Foundation;

$800,000 for the Juvenile Justice Information System in HI;

$600,000 for Children & Families First of DE;

$200,000 for the New Mexico Police Athletic League;

$750,000 for the Outdoor Education Center project, Harpers Ferry, WV;

$350,000 for Women In Support of the Million Man March in Newark, NJ;

$150,000 for Brookdale Community College for Project OPTIMIST in NJ;

$400,000 for the Generations of Hope program in IL;

$100,000 for the Horizons for Youth program in IL;

$250,000 for the San Jose, B.E.S.T At-Risk Youth and Anti-Gang Program in CA;

$500,000 for the Drug Endangered Children program in IA;

$325,000 for Court Teams for Maltreated Infants and Toddlers in IA;

$200,000 for WINGS for kids, SC;

$100,000 for the Children in Crisis in SC;

$3,000,000 for the Hawaii Rural Youth Outreach Program;

$750,000 for the Families and Schools Together (FAST) in Wisconsin;

$60,000 for the Eau Claire County Restorative Justice Program in WI;

$150,000 for the Milwaukee Summer Stars program in WI;

$500,000 for Louisiana Children's Advocacy Centers;

$300,000 for the Washington County Youth Service Bureau, VT;

$250,000 for the Nevada Child Seekers;

$200,000 for the Computer Corp Skills and Knowledge Acquired Toward Enhancing Success in NV; and

$100,000 for the S.A.F.E. House Domestic Violence Counseling Center in NV.

Enforcing the Underage Drinking Laws Program.—Within the funds provided in the At Risk Children Program (Title V), the conference agreement provides $25,000,000 for grants to assist States in enforcing underage drinking laws.

Gang Prevention.—The conference agreement includes $25,000,000, within Title V grants, for OJP to administer a gang resistance and education program. These funds shall be available to develop comprehensive community strategies to address gangs, including anti-gang education programs and coordination with Federal, State and local law enforcement. This program shall be administered by the Bureau of Justice Assistance with assistance from the Bureau of Alcohol, Tobacco, Firearms and Explosives, and the Office of Juvenile Justice and Delinquency Prevention.

Internet Safety.—The conferees strongly support programs that provide various services and resources to protect children from being vulnerable to on-line predators. The conferees understand there are a multitude of arenas where parents, law enforcement personnel, school personnel and after-school programs can obtain information about Internet safety. The conferees desire a better understanding of what types and how many Internet safety programs are being Federally funded. The conferees direct the Administrator of the Office of Juvenile Justice, in coordination with the Coordinating Council on Juvenile Justice and Delinquency, to submit a report on Federally funded internet safety programs to the Committees on Appropriations within 180 days of the enactment of this Act.

Victims of Child Abuse Act.—The conference agreement includes $15,000,000 for the various programs authorized under the Victims of Child Abuse Act (VOCA). The recommendation provides the following:

$3,000,000 for Regional Children's Advocacy Centers, as authorized by section 213 of VOCA;

$9,500,000 for local Children's Advocacy Centers, as authorized by section 214 of VOCA;

$50,000 for the National Children's Advocacy Center in Huntsville, AL, to implement a training program;

$850,000 for the National Children's Alliance for technical assistance and training, as authorized by section 214a of VOCA; and

$1,600,000 for the National Center for Prosecution of Child Abuse for specialized technical assistance and training programs to improve the prosecution of child abuse cases, as authorized by section 214a of VOCA.

PUBLIC SAFETY OFFICERS BENEFITS

The conference agreement includes $69,464,000 for this account, including $63,054,000 for death benefits, $3,615,000 for disability benefits, and $2,795,000 for education benefits.

GENERAL PROVISIONS—DEPARTMENT OF JUSTICE

The conference agreement includes the following general provisions for the Department of Justice:

Section 101 provides language making up to $60,000 of the funds appropriated to the Department of Justice available to the Attorney General for reception and representation expenses.

Section 102 provides language, included in prior Appropriations Acts, which prohibits the use of funds to perform abortions in the Federal Prison System.

Section 103 provides language, included in previous Appropriations Acts, which prohibits use of the funds in this bill to require any person to perform, or facilitate the performance of, an abortion.

Section 104 provides language, included in previous Appropriations Acts, which states that nothing in the previous section removes the obligation of the Director of the Bureau of Prisons to provide escort services to female inmates who seek to obtain abortions outside a Federal facility.

Section 105 includes language providing authorization for Department of Justice programs until the effective date of a subsequent Justice authorization act.

Section 106 provides language allowing the Department of Justice, subject to the Committees' reprogramming procedures, to transfer up to 5 percent between any appropriation, but limits to 10 percent the amount that can be transferred into any one appropriation. The provision also prohibits transfers of funds from the Bureau of Prisons Buildings and Facilities account unless the President certifies that such a transfer is necessary to the national security interests of the United States, and such authority shall not be delegated, and shall be subject to section 605 of this Act.

Section 107 provides language to continue section 114 of Public Law 107–77 during fiscal year 2005.

Section 108 includes language regarding additional funding for Project Seahawk.

Section 109 provides for the extension of the Personnel Management Demonstration Project for certain positions of the Bureau of Alcohol, Tobacco, Firearms and Explosives.

Section 110 prohibits the Drug Enforcement Administration from establishing procurement quotas in certain circumstances.

Section 111 provides for the establishment of procurement quotas for certain drugs following the approval of a new drug application.

Section 112 empowers the Director of the FBI to, on a case-by-case basis, delay the mandatory retirement age of 57 for FBI agents until the agent reaches 65 years of age. Currently, the Director is authorized to delay mandatory retirement until the agent reaches 60 years of age. This provision does not require agents to work past the age of 57, but gives the Director the authority to extend agents until the age of 65 in certain circumstances.

Section 113 provides the Director of the FBI with the authority, after consultation with the Office of Personnel Management (OPM), to provide retention and relocation bonuses to employees with high or unique qualifications who in the absence of bonuses would likely leave the FBI. The provision also allows for retention and relocation bonuses for individuals transferred to a different geographic area with a higher cost of living. A bonus may total up to 50 percent of an employee's basic rate of pay.

Section 114 authorizes the Director of the FBI to provide for the establishment and training of an FBI Reserve Service that would facilitate streamlined, temporary re-hiring from a pre-certified cadre of retired FBI employees who possess the specialized skills required to deal with the demands of a crisis or other special situation. The provision will allow the FBI to quickly access experienced employees in the event of an emergency, without adversely impacting reserve service members' retirement pay.

Section 115 authorizes the FBI, in conjunction with the Office of Management and Budget and the Office of Personnel Management, to pay critical intelligence positions up to an Executive Schedule I salary provided that the position is determined to be (1) a high level position in a scientific, technical, professional, or administrative field, and (2) critical to the FBI's mission.

Section 116 provides authority for the Bureau of Alcohol, Tobacco, Firearms and Explosives to use confiscated funds during undercover operations.

Section 117 amends Title 31 of the United States Code to provide protection for the Director of the Bureau of Alcohol, Tobacco, Firearms and Explosives.

Section 118 requires the Bureau of Prisons to submit a financial plan.

Section 119 directs the Bureau of Prisons to work with the Federal Public Defender in the Southern District of Florida on a pilot program.

Section 120 limits the placement of maximum or high security prisoners to appropriately secure facilities.

Section 121 restricts Federal prisoner access to certain amenities.

Section 122 provides for payment of certain eligible radiation exposure claims.

Section 123 changes the name of the National Prison Rape Reduction Commission to the National Prison Rape Elimination Commission.

Section 124 establishes the 9/11 Heroes Medal of Valor.

Section 125 provides for the transfer of certain land to the Secretary of the Army.

Section 126 establishes an Office of Justice for Victims of Overseas Terrorism, as recommended by the Koby Mandell Act of 2003, to ensure that the investigation and prosecution of deaths of American citizens overseas are a high priority within the Department of Justice. The Office shall create a Joint Agency Task Force consisting of Department of Justice and Department of State personnel to be activated in the event of a terrorist incident against American citizens overseas.

TITLE II—DEPARTMENT OF COMMERCE AND RELATED AGENCIES

TRADE AND INFRASTRUCTURE DEVELOPMENT

RELATED AGENCIES

OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

SALARIES AND EXPENSES

The conference agreement includes $41,552,000 for the Office of the United States Trade Representative (USTR) for fiscal year 2005, as proposed by both the House and Senate.

The conference agreement adopts, by reference, language proposed by the House regarding the United States trade deficit with other nations, reporting requirements, and international standards.

The conferees expect the USTR to make use of all available mechanisms, including the safeguards delineated under the Trade Act of 1974, specifically Sections 301 and 421, to address the disruptions resulting from trade with the People's Republic of China.

The conference agreement includes language proposed by the Senate regarding the establishment and the responsibilities of a Chief Negotiator for Intellectual Property Enforcement.

The conference agreement continues language from the prior year regarding certain trade negotiations to be conducted within the World Trade Organization, as proposed by the Senate.

NATIONAL INTELLECTUAL PROPERTY LAW ENFORCEMENT COORDINATION COUNCIL

The conference agreement includes $2,000,000 for the National Intellectual Property Law Enforcement Coordination Council (NIPLECC), instead of $20,000,000 as proposed by the Senate.

The conference agreement adopts by reference Senate report language regarding the mission of the NIPLECC and the creation of a Coordinator for International Intellectual Property Enforcement to head this Council.

INTERNATIONAL TRADE COMMISSION

SALARIES AND EXPENSES

The conference agreement includes $61,700,000 as proposed by both the House and Senate for the International Trade Commission for fiscal year 2005.

DEPARTMENT OF COMMERCE

INTERNATIONAL TRADE ADMINISTRATION

OPERATIONS AND ADMINISTRATION

The conference agreement includes $401,513,000 in total resources for the programs of the International Trade Administration (ITA) for fiscal year 2005, of which $8,000,000 is to be derived from fee collections, as proposed by both the Senate and House.

Manufacturing and Services.—Of the amounts provided under this heading, the conference agreement includes $10,000,000 for the National Textile Center, $3,000,000 for Textile/Clothing Technology Corporation, $500,000 for Kansas City Smart Port, and $500,000 for the continuation of the international competitiveness program.

Market Access and Compliance.—Of the amounts provided under this heading, sufficient funding is provided to continue the BISNIS program.

Import Administration.—The conferees direct the Department to ensure that in cases regarding non-market economies, the surrogates are carefully selected. For those alleged dumping cases, the Department should clearly distinguish the fundamental differences in production processes and rely upon all credible expert information (including economic modeling and industry-based cost comparisons) in determining whether the financials of a surrogate realistically reflect costs. The conferees note that in chemical cases, as well as other cases, producers of identical products may not be the most reliable surrogate if they are distinctly different in size or production process. The conferees direct the Department to select the surrogates that most accurately reflect actual costs.

United States and Foreign Commercial Service.—Of the amounts provided under this heading, the conferees direct that overseas position levels dedicated to the Baltics will remain at fiscal year 2004 levels.

The conferees expect the Department to continue to fully participate in and contribute to the Clean Energy Technology Exports Initiative, a nine-agency approach to help open international markets and aid in the export of a range of United States clean energy technologies.

The conference agreement adopts, by reference, language regarding the Appalachian-Turkish Trade Project as proposed by the Senate.

The conferees direct the Secretary of Commerce to report back to the Committees on Appropriations, no later than January 20, 2005, on the trade and U.S. employment impact of the currency valuation of our trading partners including China, Japan, Vietnam, South Korea, Taiwan, the Ukraine, and Indonesia.

The conference agreement includes bill language designating the amounts available for each unit within ITA. The conferees remind ITA that any deviation from the funding distribution provided in the bill and report, including carryover balances, is subject to reprogramming procedures set forth in section 605 of this Act. In addition, ITA is directed to submit to the Committees on Appropriations, not later than 60 days after the enactment of this Act,

a spending plan for all ITA units that incorporates any carryover balances from prior fiscal years.

The conference agreement adopts, by reference, language as proposed by the Senate under the heading of World Trade Organization. The conference agreement adopts, by reference, language as proposed by the House concerning imports of polyester fibers from Korea, Channa micropeltes also known as Snakehead fish, staffing for market access compliance, establishment of a dispute settlement mechanism, report on right-sizing methodology, human rights training, spending plan, trade missions, foreign currency valuation, Caribbean Basin, Global Diversity, the rural export program, and travel expenditures.

The conference agreement includes $500,000 for the Rural Export Initiative for fiscal year 2005, and directs the ITA to work with the West Virginia High Technology Consortium Foundation. Further, the conferees expect the previously provided $500,000 for the Rural Export Initiative's National Technology Transfer Center to be awarded or otherwise made available to the West Virginia High Technology Consortium Foundation.

The conference agreement includes report language as proposed by the House regarding the Office of Trade and Economic Analysis (OTEA). The conference agreement includes up to $3,000,000 for this purpose.

The conference agreement includes, by reference, report language as proposed by the House regarding jobs in food manufacturing (including confectionery) and the submission of a certain report.

The conferees direct the Secretary of Commerce to take all necessary steps to ensure that American business interests are represented in international standards negotiations, including those concerning digital telecommunications. The conferees continue to direct that ITA collaborate with NIST, the USTR, and the State Department to reduce trade barriers to U.S. business exports. The conferees direct the Secretary to report to the Committees on Appropriations regarding the steps taken to ensure these goals are met and what obstacles are impeding the conferees' intended results. This report should include proposals to transfer existing ITA and NIST personnel on a temporary or permanent basis to certain international organizations.

Executive Direction.—The conferees are concerned regarding the accuracy and timeliness of information presented to the Committees on Appropriations, specifically data regarding financial and human capital. The conferees urge the Secretary to address the conferees' concerns.

Language is included regarding a certain international trade study.

BUREAU OF INDUSTRY AND SECURITY

OPERATIONS AND ADMINISTRATION

The conference agreement includes a total operating level of $68,393,000 for the operations and administration of the Bureau of Industry and Security (BIS), as proposed by the House, instead of $70,872,000, as proposed by the Senate.

The conference agreement adopts, by reference, Senate report language regarding a certain report.

ECONOMIC DEVELOPMENT ADMINISTRATION

ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

The conference agreement includes $257,423,000 for Economic Development Assistance (EDA) Programs. The conferees direct EDA to continue traditional programs to provide needed assistance to communities struggling with long-term economic dislocation, as well as sudden and severe economic dislocation. Of the amounts provided, $166,593,000 is for Public Works and Economic Development; $45,400,000 is for Economic Adjustment Assistance; $24,500,000 is for planning; $8,435,000 is for technical assistance, including university centers; $12,000,000 is for trade adjustment assistance; and $495,000 is for research.

The conference agreement adopts, by reference, language proposed by the House regarding coal and timber industry downturns, and assistance to applicants and requirements for applicants. The conference agreement adopts, by reference, Senate language regarding the economic downturns including the timber, steel, and coal industries, United States-Canadian trade-related issues, communities in New England, the mid-Atlantic, Hawaii, and Alaska impacted by fisheries regulations, and communities in the southeast impacted by downturns due to the North American Free Trade Agreement.

SALARIES AND EXPENSES

The conference agreement includes $30,483,000 for the salaries and expenses of the Economic Development Administration, instead of $30,565,000 as proposed by the House, and $30,400,000 as proposed by the Senate.

The conference agreement adopts, by reference, House language regarding efforts to maximize the operating funding level, a special headquarters reserve fund, and requirements for reorganization proposals.

MINORITY BUSINESS DEVELOPMENT AGENCY

MINORITY BUSINESS DEVELOPMENT

The conference agreement includes $29,899,000 for the Minority Business Development Agency for fiscal year 2005, instead of $31,555,000 as proposed by the Senate, and $28,899,000 as proposed by the House. The conference agreement adopts, by reference, House language regarding the Entrepreneurial Technology Apprenticeship Program.

The conference agreement adopts, by reference, Senate language regarding the Initiative on Asian Americans and Pacific Islanders. The conferees continue to support the Office of Native American Business Development.

ECONOMIC AND INFORMATION INFRASTRUCTURE

ECONOMIC AND STATISTICAL ANALYSIS

SALARIES AND EXPENSES

The conference agreement includes $80,000,000 for the economic and statistical analysis programs of the Department of Commerce, including the Bureau of Economic Analysis (BEA), for fiscal year 2005, instead of $78,211,000 as proposed by the House, and $81,764,000 as proposed by the Senate.

The BEA has received programmatic increases over the past four years to ensure that policy makers have access to more accurate and timely economic data.

Language is included regarding a grant to the National Academy of Public Administration to conduct a comprehensive study on the effects of off-shoring on the U.S. workforce and economy. Subcontracts should be awarded as necessary. Information and opinion should be collected from stakeholders in business, education, and government, as well as professional associations and employee organizations.

BUREAU OF THE CENSUS

The conference agreement includes a total operating level of $754,881,000 for the Bureau of the Census, instead of $773,881,000 as proposed by the House, and $605,768,000 as proposed by the Senate.

SALARIES AND EXPENSES

The conference agreement includes $198,765,000 for the salaries and expenses of the Bureau of the Census for fiscal year 2005, instead of $174,304,000 as proposed by the Senate, and $202,765,000 as proposed by the House.

The conference agreement adopts, by reference, House report language regarding the highest priority core activities, reimbursement, the monthly Export-Import and Trade Balance statistics on a North American Industry Classification System (NAICS) basis, and the Advanced Technology Trade Imports, Exports, and Net Balance By Country, domestic stock production, and other key reports.

PERIODIC CENSUSES AND PROGRAMS

The conference agreement includes a total of $556,116,000 for all periodic censuses and related programs in fiscal year 2005, instead of $571,116,000 as proposed by the House, and $431,464,000 as proposed by the Senate. Of the amounts provided, $146,009,000 is provided for the American Community Survey, and $82,310,000 is for the Master Address File/Topologically Integrated Geographic Encoding and Referencing (MAF/TIGER) system. The conferees expect to be kept apprised on a monthly basis on the expenditure of these funds.

The conference agreement includes language regarding the collection of data on race identification.

NATIONAL TELECOMMUNICATIONS AND INFORMATION ADMINISTRATION

The conference agreement includes a total of $39,202,000 for the National Telecommunications and Information Administration (NTIA), instead of $17,820,000 as proposed by the House and $58,194,000 as proposed by the Senate.

SALARIES AND EXPENSES

The conference agreement includes $17,433,000 for the Salaries and Expenses appropriation of the NTIA, instead of $15,282,000 as proposed by the House, and $21,583,000 as proposed by the Senate.

The conference agreement adopts, by reference, language proposed by the House regarding the maximization of the operating level and reimbursements.

PUBLIC TELECOMMUNICATIONS FACILITIES, PLANNING AND CONSTRUCTION

The conference agreement includes $21,769,000, the same amount as in the Senate, instead of $2,538,000 as proposed by the House.

INFORMATION INFRASTRUCTURE GRANTS

The conference agreement includes language allowing recoveries and balances to be used for administration of open grants as proposed by the House. The Senate proposed an appropriation of $14,842,000.

UNITED STATES PATENT AND TRADEMARK OFFICE

SALARIES AND EXPENSES

The conference agreement includes $1,544,754,000 for the United States Patent and Trademark Office (USPTO) for fiscal year 2005, the same as proposed by the Senate, and $1,523,407,000 as proposed by the House.

The conference agreement includes language restricting certain travel payments and language designating full-time equivalents and funding for certain functions.

The conference agreement adopts, by reference, language proposed by the House regarding the National Inventor's Hall of Fame and Inventure Place and the International Intellectual Property Institute.

The conference agreement adopts, by reference, language proposed by the Senate regarding the Whittemore School of Business for an intellectual property rights pilot project.

The conference agreement includes $20,000,000 for USPTO's efforts to combat piracy and counterfeiting overseas, as proposed in the Senate report.

The conferees remind the PTO that any changes from the funding distribution provided in the bill and report including carryover balances are subject to the reprogramming procedures set forth in section 605 of this Act.

In addition, PTO is directed to submit to the Committees on Appropriations, not later than three months after the enactment of this Act, a spending plan, which incorporates any carryover balances from previous fiscal years and any increases to the patent or trademark fee structure.

SCIENCE AND TECHNOLOGY

TECHNOLOGY ADMINISTRATION

SALARIES AND EXPENSES

The conference agreement includes $6,547,000 for necessary expenses of the Under Secretary for Technology Policy and the Office of Technology Policy, as proposed by the House, instead of $6,407,000 as proposed by the Senate.

The conference agreement includes $200,000 for the World Congress on Information Technology.

NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY

The conference agreement includes $708,692,000 for the National Institute of Standards and Technology (NIST) for fiscal year 2005, instead of $524,970,000 as proposed by the House, and $784,963,000 as proposed by the Senate.

SCIENTIFIC AND TECHNICAL RESEARCH AND SERVICES

The conference agreement includes $383,892,000 for the Scientific and Technical Research and Services (core programs) of the NIST, as proposed by the Senate, instead of $375,838,000 as proposed by the House. Of the funds made available, $2,900,000 is provided for transfer to the NIST Working Capital Fund.

[In thousands of dollars]

	Committee recommendation
Electronics and Electrical Engineering	$49,590
Manufacturing Engineering	23,779
Chemical Science and Technology	43,951
Physics	41,796
Materials Science and Engineering	60,897
Building and Fire Research	21,779
Computer Science and Applied Mathematics	63,820
Technology Assistance	15,592
National Quality Program	5,465
Research Support Activities	57,223
Total, STRS	383,892

Within the funds made available for Electronics and Electrical Engineering, $4,000,000 is provided for the Office of Law Enforcement Standards (OLES) to fund the highest priority homeland security research projects. Projects managed by OLES are to be coordinated with the Department of Justice and the Department of Homeland Security. In addition, $1,000,000 is for a nanoelectronics initiative to support the development of semiconductor technologies.

Within the funds made available for Manufacturing Engineering, $2,000,000 is for the nanomanufacturing initiative enabling

critical infrastructural measurements and standards for the developing nanotechnology industry.

Within the funds made available for Physics, $3,000,000 is for quantum computing. The conference agreement adopts language, as proposed by the Senate, regarding support of NIST's Nobel Laureates' efforts.

Within the funds made available for Materials Science and Engineering, $6,000,000 is provided for upgrades to the National Center for Neutron Research in order to meet the increasing demand for this national scientific resource.

Within the funds made available for Building and Fire Research, $2,000,000 is for measurements and standards for advanced fire fighting technologies. Numerous innovative technologies are becoming available for the Nation's fire departments. Unfortunately, there are few standard test methods able to assess the performance of these instruments.

Within the funds made available for Computer Science and Applied Mathematics, $500,000 is for NIST's efforts in support of the Technical Guidelines Development Committee, as established under the Help America Vote Act, Public Law 107–252. Additionally, the conferees recognize the need to continue support of the US–VISIT program and other biometric programs of the Departments of State and Justice and have provided $2,000,000 to allow for NIST to begin testing the accuracy of multimodal systems, develop guidelines for testing fingerprint segmentation methods, and determining the influence of multiple images on the accuracy of facial biometrics.

The Nation's critical infrastructure continues to be at risk due to inadequate security, which is subject to exploitation, including the critical systems of the Federal Government. The Congress has designated the Computer Security Division as having the authority and responsibility of developing Federal standards, security guidelines, security checklists and associated methods and techniques for securing information systems, specifically Federal non-classified systems. These responsibilities are derived from the Federal Information Security Management Act and the Cyber Security Research and Development Act. The conference agreement includes $10,000,000 to develop the standards, guidelines, security specifications, testing methods, checklists, and testing and scanning tools necessary to protect the Nation's cyberspace.

Within the funding for Research Support, an increase of $3,000,000 is provided to the Competence program and $10,050,000 is provided for Business Systems. The recommendation continues funding of $2,400,000 for a telework project and $6,500,000 for a critical infrastructure program, both of which received similar funding in fiscal year 2004.

Chemical Science and Technology Study.—The conferees understand that the current methods of bulk asbestos analysis were designed to segregate commercial asbestos products containing more than 1 percent asbestos and may be inadequate for determining low concentrations of asbestos that occur in the natural environment. The conferees are aware of private-sector interest in developing a mass-based method that is accurate to the 0.1–1 WT percent levels and which will segregate asbestos from non-asbestos

particles on mine-grade samples of amphiboles and a method for distinguishing asbestos and non-asbestos particles in airborne filter samples. The conferees direct NIST to provide to the Committees on Appropriations in both the House and Senate, not later than January 31, 2005, a determination on whether developing such a methodology is necessary and, if so, the process, cost, and timetable for developing this methodology.

INDUSTRIAL TECHNOLOGY SERVICES

The conference agreement includes $251,300,000 for the Industrial Technology Services appropriation of the National Institute of Standards and Technology, instead of $106,000,000 as proposed by the House, and $315,000,000 as proposed by the Senate.

Manufacturing Extension Partnership program (MEP).—The conference agreement includes $109,000,000 to fully fund all MEP centers. The conference agreement includes bill language prohibiting the Secretary of Commerce from recompeting any existing Manufacturing Extension Partnership Center prior to 2007. Federal support for the MEP program, combined with State and private sector funding, has translated into more jobs, more tax revenue, more exports, and a more secure supply source of consumer and defense goods. The MEP program is an economical and prudent means of assisting small manufacturers that want to remain in the United States, continue to hire American workers, and stay competitive in the global market place. Of the amounts provided, $3,000,000 is to ensure small and rural States receive necessary manufacturing assistance and services. The conferees have reviewed the Department of Commerce's report entitled, "Manufacturing in America" and its recommendations. The conferees do not support the report's recommendation to reorganize the MEP program around a regional approach. The conferees recognize that the original concept of 12 regional centers for MEP is not the best model to address the needs of small and medium-sized manufacturers. The conferees support MEP's expansion in order to equalize services to all types of manufacturers across the country. The conferees direct the Secretary of Commerce to provide the necessary coverage for small and medium-sized manufacturers. In addition, the conferees are concerned about the ability of small and rural States to provide adequate 'matching' funds. The conferees direct MEP to develop a program, which will provide additional assistance to small and rural States and report back to the Committees on Appropriations by April 15, 2005, with an implementation plan.

The conference agreement includes a new provision naming the Manufacturing Extension Partnership Centers the Hollings Centers.

The conference agreement adopts, by reference, language in the House report regarding the requirements for applicants seeking assistance.

Advanced Technology Program.—The conference agreement provides an appropriation of $142,300,000 for the Advanced Technology Program (ATP), instead of $203,000,000 as proposed by the Senate and no funding as proposed by the House. The conference agreement does not adopt bill language providing specific funding for new awards as proposed by the Senate.

CONSTRUCTION OF RESEARCH FACILITIES

The conference agreement includes $73,500,000 for the construction and major renovations of the NIST campuses at Boulder, Colorado, and Gaithersburg, Maryland.

The conferees provide $23,000,000 for safety, capacity, maintenance, and major repairs, and $7,000,000 for the central utility plant upgrades for the Boulder, Colorado, facility.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

The conference agreement includes a total of $3,940,000,000 for the National Oceanic and Atmospheric Administration (NOAA), instead of $3,158,000,000 as proposed by the House and $4,141,793,000 as proposed by the Senate. The conference agreement includes funding under the same account structure as in previous years as proposed by the House, instead of unifying the two main accounts as proposed by the Senate.

OPERATIONS, RESEARCH, AND FACILITIES

(INCLUDING TRANSFERS OF FUNDS)

The conference agreement includes total funding of $2,872,065,000, instead of $2,324,000,000 as proposed by the House. The Senate bill included $4,109,646,000 under a new "Operations, Research, Facilities, and Systems Acquisition" account which included funding for activities under this account. Of the amount provided, $65,000,000 is from balances in the account entitled, "Promote and Develop Fishery Products and Research Pertaining to American Fisheries", instead of $79,000,000 as proposed by the House, and $57,000,000 as proposed by the Senate. The net appropriation from the General Fund is $2,804,065,000.

Language is included prohibiting any general administrative charge against an assigned activity in this Act or the accompanying report. An exception is provided to facilitate the modernization of NOAA's grant systems. The conferees endorse the language in the Senate report emphasizing the need to expedite financial assistance to grantees.

Language is also included capping the amount provided for corporate services administrative support at $171,530,000, and capping the amount available to the Department of Commerce Working Capital Fund at $39,500,000.

The conference agreement stipulates that any deviation from the amounts designated for specific activities in the report accompanying this Act shall be subject to the procedures set forth in section 605 of this Act.

The conference agreement includes, by reference, language in the House report regarding the submission of a report on amounts planned for line office personnel and overhead, and a report on positions, full-time equivalents, and salary-related costs for each line office.

The conferees support the intent of the Senate report language connecting the NOAA budget with the agency's strategic plan and goals. However, the conferees were surprised to learn through NOAA's appeal in response to the Senate bill that the agency is un-

able to track its funds or execute its budget in alignment with its strategic goals. Accordingly, the language proposed by the Senate has not been adopted. The conferees have, however, provided a crosswalk for appropriated amounts between strategic goals and line offices in the financial tables included in this statement.

The following table identifies the activities, sub-activities, and projects funded in this appropriation:

NOAA OCEANS AND COASTS/NATIONAL OCEAN SERVICE
($ in Thousands)

FY 2005 Strategic Plan	FY 05 PROPOSED OPERATING PLAN Operations, Research and Facilities	FY 2005 Conference Agreement
	Navigation Services	
	Mapping & Charting	
CT	Mapping & Charting Base (incl $2,000 FY 02 Supp)	27,600
CT	Coastal Mapping	500
CT	Joint Hydrographic Center	7,600
CT	Marine Modeling & Geospatial Technology	1,100
CT	Hydrographic Surveys	1,300
CT	Electronic Navigational Charts	4,300
CT	Nautical Charting	6,500
CT	Navigational Services	1,885
CT	Shoreline Mapping	2,448
CT	Chesapeake Bay	1,000
CT	Aerial	1,000
CT	Address Survey Backlog/Contracts	19,000
CT	EEZ Outer Continental Shelf Ocean Bottom Claims	2,200
CT	Gulf of Alaska	2,500
CT	North Pacific	1,000
CT	North Pacific Maritime Boundary Line	1,000
CT	MS/LA Digital Coast	800
CT	Vessel Time Charter	2,000
	Subtotal, Mapping and Charting	**83,733**
	Geodesy	
CT	Geodesy Base	20,295
CT	National Spatial Reference System	2,000
CT	Height Modernization Regional Expansion - NGS Implementation	250
CT	Height Modernization Regional Expansion - NC	1,000
CT	Height Modernization Regional Expansion -TX	750
CT	Height Modernization Study - MS	600
CT	Geodetic Survey-KY	500
CT	Geodetic Survey- CA	500
CT	Geodetic Survey- LA	497
CT	Geodetic Survey - WI	3,000
CT	Geodetic Survey - WA	500
CT	Geodetic Survey - AL	2,000
	Subtotal, Geodesy	**31,892**
	Tide & Current Data	
CT	Tide & Current Data Base	18,415
WW	National Water Level Observation Network	2,500
CT	PORTS	2,981
CT	Great Lakes NWLON	2,000
CT	Alaska Current & Tide Data	1,500
	Subtotal, Tide & Current Data	**27,396**
	Total, Navigation Services	**143,021**
	Ocean Resources Conservation and Assessment	
	Ocean Assessment Program (OAP)	
ECO	Ocean Assessment Program Base	22,323
ECO	Coastal Observation Technology System	2,177
ECO	Coastal Ocean Research & Monitoring Program	2,473
ECO	NOAA ICOOS	7,500
ECO	NOAA/UNH Joint Ocean Observing Technology Center	4,000
ECO	Gulf of Alaska Ecosystem Monitoring	2,000
ECO	Gulf of Maine Observing System	1,900
ECO	Long Island Sound Observing System	1,000

NOAA OCEANS AND COASTS/NATIONAL OCEAN SERVICE
($ in Thousands)

FY 2005 Strategic Plan	FY 05 PROPOSED OPERATING PLAN Operations, Research and Facilities	FY 2005 Conference Agreement
ECO	Central Gulf of Mexico Observing System (USM)	2,000
ECO	So Cal Coastal Ocean Observing System (Scripps)	1,500
ECO	Alliance for Coastal Technologies	2,500
ECO	Center for Coastal Ocean Observation and Analysis	2,500
ECO	Carolina Coastal Ocean Observing and Prediction System	2,500
ECO	Wallops Ocean Observation Project	2,000
ECO	Coastal Ocean Monitoring Network for West Florida	750
WW	Coastal Storms	2,500
ECO	Cook Inlet Coastal Monitoring and Habitat	1,000
ECO	Coastal Services Center	23,000
ECO	Pacific Coastal Services Center	2,250
ECO	Seacoast Science Center	1,000
ECO	EE Just Environmental Institute	750
ECO	Coastal Change Analysis	500
ECO	Lake Pontchartrain	1,500
ECO	CREST	450
ECO	CI-CORE	2,500
ECO	Aquatic Research Consortium MS	2,500
ECO	Coop Institute for Coastal and Estuarine Enviro Tech	6,800
ECO	Hawaii Coral Reef Initiative	1,500
ECO	Nat'l Coral Reef Initiative - Florida	1,000
ECO	Coral Reef - Puerto Rico	500
ECO	Coral Reef	25,000
ECO	National Fish and Wildlife Foundation - NFWF	700
ECO	Ocean Health Initiative	18,000
ECO	Monterey Bay Watershed	500
	Subtotal, Ocean Assessment Program (OAP)	**149,073**
	Response and Restoration	
ECO	Response and Restoration Base	10,600
ECO	Estuary Restoration Program	1,200
ECO	Damage Assessment Program	2,282
ECO	Coastal Protection and Restoration Project	400
ECO	Mitigating Coastal Development Impacts/MS State Univ	1,000
ECO	Marine Wildlife Noise Impacts/Univ. of RI	100
ECO	Marine Debris	5,000
ECO	Marine Debris Removal - Alaska	1,200
ECO	Marine Debris Removal - SC	200
ECO	Hazardous Materials Response Program	1,619
ECO	Aquatic Resources Environmental Initiative	5,000
CT	Center for Marine Spill Response Project	2,000
ECO	Vieques	1,000
ECO	Pribilof Islands Cleanup and Economic Development	7,000
	Subtotal, Response and Restoration	**38,601**
	National Centers for Coastal Ocean Science (NCCOS)	
ECO	Center for Coastal Environmental Health & Bimolecular Rsch	15,000
ECO	Extramural Research	4,000
ECO	High salinity estuaries (Baruch)	1,000
ECO	Oxford, MD	4,500
ECO	Extramural Research	2,000
ECO	Ctr for Coastal Fisheries Habitat Research	5,750
ECO	Extramural Research	2,000
ECO	Center for Coastal Monitoring & Assessment	6,000
ECO	Extramural Research	2,000
ECO	Center for Sponsored Coastal Ocean Research	3,700
ECO	Coastal Ocean Research Grants (HAB/Pfisteria/GLOBEC)	5,500

NOAA OCEANS AND COASTS/NATIONAL OCEAN SERVICE
($ in Thousands)

FY 2005 Strategic Plan	FY 05 PROPOSED OPERATING PLAN Operations, Research and Facilities	FY 2005 Conference Agreement
ECO	NCCOS Headquarters	5,000
ECO	Marine Env Health Research Lab - MEHRL	4,000
	Subtotal, NCCOS	**60,450**
	Total, Ocean Resources Conserv. & Assess.	**248,124**
	Ocean and Coastal Management	
	Coastal Management	
ECO	CZM Grants	67,000
ECO	CZM Program Administration	6,700
ECO	National Estuarine Research Reserve System	16,400
ECO	Non-point Pollution Implementation Grants	3,000
ECO	Marine Protected Areas	3,000
	Subtotal, Coastal Management	**96,100**
	Ocean Management	
	Marine Sanctuary Program	
ECO	Marine Sanctuary Program Base	51,000
ECO	Marine Sanctuary Foundation / Ocean Activity Fund	5,000
ECO	Northwestern Hawaiian Islands Rsrch / HI Institute of Marine Biology	1,500
ECO	Northwest Straits Citizens Advisory Commission	1,250
	Subtotal, Ocean Management	**58,750**
	Total, Ocean and Coastal Management	**154,850**
CT	**Payment to OMAO**	**2,793**
	Total, National Ocean Service - ORF	**548,788**

FY2005	Strategic Plan	
ALL	NOAA-WIDE	0
ECO	ECOSYSTEMS	398,474
C	CLIMATE	0
WW	WEATHER & WATER	5,000
CT	COMMERCE & TRANSPORTATION	145,314
OE	OCEAN EXPLORATION	0

NOAA FISHERIES/NATIONAL MARINE FISHERIES SERVICE
($ in Thousands)

FY 2005 Strategic Plan	FY 05 PROPOSED OPERATING PLAN Operations, Research and Facilities	FY 2005 Conference Agreement
	Marine Mammals & Sea Turtles	
ECO	California Sea Lions/Protected Species Management (PSM)	750
ECO	Cook Inlet Beluga and Bio Research	200
ECO	Bottlenose Dolphins	4,000
ECO	MS Inst. For Marine Mammal Studies	2,500
ECO	Dolphin Encirclement	2,000
ECO	Dolphins/Yellowfin Tuna Research	233
ECO	Marine Mammal Protection (MMP)/NMFS Activites	7,976
ECO	Alaska Sea Life Center	1,000
ECO	MS Center for Marine Education and Research	2,000
ECO	Charleston Health and Risk Assessment	800
ECO	Marin Headlands Marine Mammal Center	2,000
ECO	Shedd Marine Mammals	250
ECO	Marine Mammal Initiative	10,000
ECO	Prescott Grant Program	4,000
ECO	Marine Mammals, Sea Turtles & Other Species/Endangered Species Act (ESA)	23,604
ECO	Marine Mammal Commission Studies (protection/predation)	1,207
ECO	Alaska Eskimo Whaling Commission	900
ECO	Participation of AEWC in International Whaling Commission Meetings	100
ECO	Alaska Harbour Seals	150
ECO	Aleut Pacific Marine Resources Observers	125
ECO	Beluga Whale Committee	225
ECO	Bowhead Whale Spatial Studies	600
ECO	Bristol Bay Native Association	50
ECO	National Fish & Wildlife Foundation (NFWF) Species Mgmt (PSM)	1,000
ECO	North Pacific Southern Resident Orca Population (PSM)	1,500
ECO	Aleut Marine Mammal Commission	150
ECO	Right Whale Activities (ESA)	10,000
ECO	Cooperative State Plans	2,000
ECO	ESA	5,176
ECO	Hawaiian Sea Turtles	7,800
ECO	Southeastern Sea Turtles	300
ECO	Harbor Seals	600
ECO	Hawaiian Monk Seals	825
ECO	Endangered Species Act	850
ECO	Alaska Seals and Steller Sea Lions	8,500
ECO	State of Alaska Seals and Steller Sea Lion Programs	3,200
ECO	Alaska SeaLife Center Seals and Steller Sea Lion Programs	7,000
ECO	N. Pacific Universities MM Consortium (and Harbor Seal Research)	2,500
ECO	Fisheries Management (North Pacific Council)	2,000
ECO	Univ of AK Gulf Apex Predator	1,500
ECO	Winter Food Limitation (Pr William Sound Sci Ctr)	1,000
	Subtotal, Marine Mammals & Sea Turtles	**120,571**
	Fish:	
ECO	Alaska Fisheries Information Network (AKFIN)	3,200
ECO	Bering Sea Fishermen's Association Community Development Quota (CDQ)	175
ECO	Crab Research NMFS	473
ECO	NMFS Activities	2,017
ECO	NMFS Field Fishery Monitoring	300
ECO	NMFS Rockfish Research	334
ECO	Winter Pollock Survey	800
ECO	State of AK Rockfish Research	1,000
ECO	Alaska Near Shore Fisheries State of Alaska	1,000
ECO	Calibration Studies	240
ECO	NMFS Activities	400
ECO	Implementation	3,525

NOAA FISHERIES/NATIONAL MARINE FISHERIES SERVICE
($ in Thousands)

FY 2005 Strategic Plan	FY 05 PROPOSED OPERATING PLAN Operations, Research and Facilities	FY 2005 Conference Agreement
ECO	National Standards 4 and 8 State of Alaska	500
ECO	NMFS Activities	2,100
ECO	Anadromous Fish Commission - North Pacific	750
ECO	Anadromous Grants	2,000
ECO	Atlantic Herring and Mackerel	198
ECO	Bering Sea Pollock Research	936
ECO	Bering Sea Aleut. Is. Non-Pollock Groundfish Buyback	250
ECO	Bluefin Tuna Tagging-- Monterey	550
ECO	Bluefish/Striped Bass:	692
ECO	Chesapeake Bay	478
ECO	Long Island Sound	239
ECO	Rutgers	790
ECO	Charleston Bump	250
ECO	Chesapeake Bay Multi-Species Management	500
ECO	Expand Annual Stock Assessments - Improve Data Collection	18,900
ECO	California Oceanic Cooperative Fisheries Investivation (CalCOFI)	900
ECO	Narragansett Bay (Phase IV)	1,000
ECO	Fisheries Statistics	12,771
ECO	Atlantic States Marine Fisheries Commission	2,000
ECO	Economics & Social Sciences Research	4,100
ECO	National Fisheries Information System	2,500
ECO	National Standard 8	998
ECO	Hawaii Fisheries Development (Oceanic Institute)	750
ECO	Product Quality and Marketing--Shrimp (WASI)	1,000
ECO	Product Quality and Safety/Seafood Inspection	7,500
ECO	Fisheries Research and Management Programs	125,000
ECO	Gulf Fisheries Information Network (GULF FIN) Data Collection Effort	4,250
ECO	Gulf of Maine Groundfish Survey	519
ECO	Halibut Data Collection	500
ECO	Halibut/Sablefish	1,143
ECO	Hawaii Seafood Safety Program	1,500
ECO	Hawaii Stock Management Plan (Oceanic Institute)	500
ECO	Highly Migratory Shark Fishery Research Program (Mote)	2,000
ECO	Interjurisdictional Fisheries Grants	2,500
ECO	3 Commissions	750
ECO	Atlantic Cooperative Management	9,250
ECO	Large Pelagics Research Program (UNH)	3,000
ECO	NMFS Activities	2,400
ECO	NE Activities	250
ECO	Red Snapper	750
ECO	New England Stock Depletion	1,000
ECO	Management of George's Bank	441
ECO	Pacific Coastal Fisheries Information Network (PACFIN) Catch Effort Data	2,994
ECO	Recreational Fishery Harvest Monitoring/Rec. Fisheries Info Ntwk (RECFIN)	3,445
ECO	RECFIN - SC (inshore recreation species assessment/ tagging)	500
ECO	Red Snapper Monitoring and Research	5,000
ECO	Reduce Fishing Impacts on Essential Fish Habitat (EFH)	500
ECO	Reducing Bycatch	3,800
ECO	Regional Councils	15,000
ECO	ESA Recovery and Research	2,915
ECO	Recovery Plan	450
ECO	Research	694
ECO	State of Maine Salmon Recovery (PSM)	1,200
ECO	Management	150
ECO	Pacific Salmon Treaty - Chinook Salmon Agreement	1,844
ECO	Research at Auke Bay	300
ECO	State of Alaska	1,000

NOAA FISHERIES/NATIONAL MARINE FISHERIES SERVICE
($ in Thousands)

FY 2005 Strategic Plan	FY 05 PROPOSED OPERATING PLAN Operations, Research and Facilities	FY 2005 Conference Agreement
ECO	Yukon River Drainage Fisheries Assoc	500
ECO	ESA - Columbia River Biological Opinion (BIOP) Implementation	4,000
ECO	Endangered Species Studies	299
ECO	Facilities (Columbia River Hatcheries)	3,200
ECO	Hatcheries and Facilities	11,457
ECO	Hatcheries - Monitor, Evaluation and Reform	1,700
ECO	Pacific Salmon Treaty	8,000
ECO	ESA Recovery and Research	41,527
ECO	West Coast Groundfish	4,800
	Subtotal, Fish	**347,144**
	Crustaceans & Mollusks	
ECO	Bering Sea Crab (State of Alaska)	1,200
ECO	Blue Crab Research Consortium	2,200
ECO	Crab Rationalization NOAA Fisheries	1,000
ECO	Chesapeake Bay Oyster Restoration	2,000
ECO	Horseshoe Crab Research (HCRC)	650
ECO	Lobster Sampling	150
ECO	Mobile Bay Oyster Recovery	800
ECO	Non-Native Oyster Chesapeake Bay Program - VA	2,000
ECO	Oyster Restoration (Chesapeake - VIMS)	2,000
ECO	Seafood Safety Initiative	1,500
ECO	Scallop Fishery Assessment (MFI)	1,900
	Subtotal, Crustaceans & Mollusks	**15,400**
	Enforcement & Observers:	
ECO	Driftnet Act Implementation	1,199
ECO	Ghostnet - High Seas Driftnet Detection	250
ECO	NMFS Activities	1,692
ECO	Pacific Rim Fisheries	150
ECO	State Participation AK/WA	200
ECO	Enforcement & Surveillance	23,000
ECO	Cooperative Agreements w/ States	17,000
ECO	Vessel Monitoring System	3,000
	Subtotal, Enforcement	**46,491**
	Observers/Training	
ECO	Atlantic Coast Observers	3,345
ECO	East Coast Observers	350
ECO	Hawaii Longline Observer Program	4,000
ECO	N. Pacific Marine Resources Observers	1,834
ECO	N. Pacific Observer Program	750
ECO	NE Groundfish Court-Ordered Observers	9,100
ECO	National Observer Program	1,500
ECO	West Coast Groundfish Observers	4,000
	Subtotal, Observers/Training	**24,879**
	Subtotal, Enforcement and Observers/Training	**71,370**
	Habitat Conservation & Restoration	
ECO	Connecticut River Partnership	400
ECO	Atlantic Salmon/Penobscot River Habitat Restoration	1,000
ECO	Bronx River Restoration	1,000
ECO	Community-Based Restoration Grants	16,000
ECO	Pinellas County Environmental Foundation	1,000
ECO	Habitat Conservation	15,000
ECO	Merrimack River fish habitat/land conservation	500

NOAA FISHERIES/NATIONAL MARINE FISHERIES SERVICE
($ in Thousands)

FY 2005 Strategic Plan	FY 05 PROPOSED OPERATING PLAN Operations, Research and Facilities	FY 2005 Conference Agreement
ECO	Refine EFH Designations	1,000
	Subtotal, Habitat Conservation & Restoration	**35,900**
	Other Activities Supporting Fisheries	
ECO	Antarctic Research	1,468
ECO	Center for Marine Education and Research MS	3,000
ECO	Chesapeake Bay Studies	3,500
C	Climate Regimes & Ecosystem Productivity	1,500
ECO	Computer Hardware and Software - FY 2004 Omnibus Funded in PAC	3,383
ECO	Conservation and Recovery with States	990
ECO	Consortium for Fisheries & Wildlife Conflict Resolution (UNH/NEA/VIMS)	500
ECO	Cooperative Marine Education & Research	200
ECO	Cooperative Research - North Pacific Research Board	3,000
ECO	National Cooperative Research	2,750
ECO	NE Cooperative Research	3,750
ECO	Northeast Consortium	5,000
ECO	SE Cooperative Research	4,250
ECO	West Coast Groundfish Cooperative Research	500
ECO	Endangered Species Act - Fish, Crustaceans, Mollusks	2,500
ECO	FMP Extended Jurisdiction, State of Alaska	1,200
ECO	Gulf of Alaska Coastal Communities Coalition	425
ECO	Hawaiian Community Development	500
ECO	Information Analyses & Dissemination	17,943
ECO	Joint Institute for Marine and Atmospheric Research (JIMAR), HI	2,500
ECO	Magnuson-Stevens (MSA) Implementation off Alaska	7,120
ECO	Marine Environmental Research Institute	300
ECO	Marine Resources Monitoring, Assessment & Prediction Prgm (MarMap)	1,250
ECO	National Environmental Policy Act (NEPA)	3,000
ECO	New England Multispecies Survey (SMAST)	3,000
ECO	Pzyment to OMAO	700
ECO	SCORE Science Consortium - NH/WA/Mote Marine	1,000
ECO	Southeast Area Monitoring & Assessment Program (SEAMAP)	1,385
ECO	Pacific Island Region/Center	5,000
ECO	NW Fisheries Science Center (Groundfish Team)	1,700
ECO	South Carolina Taxonomic Center	500
	Subtotal, Other Activities Supporting Fisheries	**83,814**
	Total, National Marine Fisheries Service - ORF	**674,199**

FY2005	Strategic Plan	
ALL	NOAA-WIDE	0
ECO	ECOSYSTEMS	672,699
C	CLIMATE	1,500
WW	WEATHER & WATER	0
CT	COMMERCE & TRANSPORTATION	0
OE	OCEAN EXPLORATION	0

NOAA RESEARCH
($ in Thousands)

FY 2005 Strategic Plan	FY 05 PROPOSED OPERATING PLAN Operations, Research and Facilities	FY 2005 Conference Agreement
	Climate Research	
	Laboratories & Joint Institutes	
C	Laboratories & Joint Institutes	46,717
	Subtotal, Laboratories & Joint Institutes	**46,717**
	Climate & Global Change Program	
C	Climate and Global Change	67,000
C	Accelerating Climate Models - IRIS	1,500
	Subtotal, Climate & Global Change Program	**68,500**
	Climate Observations & Services	
C	Carbon Cycle	2,908
C	Ocean Observations/Ocean Systems	4,000
C	ARGO	7,000
C	Climate Change Research Initiative	40,000
	Subtotal, Climate Observations & Services	**53,908**
	Other Partnership Programs	
C	Central CA Ozone Study	250
C	East Tennessee Ozone Study	300
C	Climate System Research Center	750
C	Intl Council for Local Environmental Initiatives	500
C	Climate and Environmental Change	2,473
C	Univ of AL Huntsville Climate Research	1,000
C	Abrupt Climate Change Research	495
C	Arctic Research Initiative (SEARCH)	3,000
	Subtotal, Other Partnership Programs	**8,768**
	Total, Climate Research	**177,893**
	Weather & Air Quality Research	
	Laboratories & Joint Institutes	
WW	Laboratories & Joint Institutes	34,777
	Subtotal, Laboratories & Joint Institutes	**34,777**
	U.S. Weather Research Program	
WW	U.S. Weather Research Program (USWRP/THORPEX)	500
WW	Targeted Wind Sensing	2,000
	Subtotal, U.S. Weather Research Program	**2,500**
	Other Partnership Programs	
WW	Tornado Severe Storm Research	2,000
WW	New England Air Quality Study	2,000
WW	NE Center for Atmospheric Science and Policy	1,500
C	Inst. for Study of Earth, Oceans & Space (Air-Map - CCRC)	5,000
C	Risk Reduction in Water Forecasts (MSU)	2,000
C	Remote Sensing Research (ISU/BCAL)	495
WW	STORM (U. of N. Iowa)	650
	Subtotal, Other Partnership Programs	**13,645**
	Total, Weather & Air Quality Research	**50,922**
	Ocean, Coastal, and Great Lakes Research	
	Laboratories & Joint Institutes	
ECO	Laboratories & Joint Institutes	20,535
	Subtotal, Laboratories & Joint Institutes	**20,535**

NOAA RESEARCH
($ in Thousands)

FY 2005 Strategic Plan	FY 05 PROPOSED OPERATING PLAN Operations, Research and Facilities	FY 2005 Conference Agreement
	National Sea Grant College Program	
ECO	National Sea Grant College Program Base	58,000
ECO	Fish Extension	1,500
ECO	Aquatic Nuisance Species/Zebra Mussel Research	1,000
ECO	Gulf of Mexico Oyster Initiative	1,000
ECO	Marine Invasive Species Program--HI	250
ECO	Oyster Disease Research	1,000
	Subtotal, National Sea Grant College Program	**62,750**
	National Undersea Research Program (NURP)	
OE	National Undersea Research Program (NURP)	12,500
OE	National Institute for Undersea Science and Technology	5,000
	Subtotal, National Undersea Research Program (NURP)	**17,500**
OE	NMNH East Wing (Oceans)	5,000
OE	Ocean Exploration	23,000
OE	Submersible Micro-technology Research	983
	Subtotal, Ocean Exploration	**28,983**
	Other Partnership Programs	
ECO	Aquatic Ecosystems - Canaan Valley Institute	4,300
ECO	Arctic Research	2,000
ECO	Institute for Science Technology and Public Policy	900
ECO	Atmospheric Dispersion Forecasting / Jackson State Univ.	1,000
ECO	Great Lakes Toxicity	495
ECO	Gulf of Maine Council	750
ECO	Lake Champlain Research Consortium	350
ECO	NISA/Ballast Water Demonstrations	3,500
ECO	NISA/Alaska	1,500
ECO	Cooperative Sensor Develop Lab for Oceans and Climate	500
ECO	Cooperative Institute for New England Mari-culture and Fisheries	3,000
ECO	NH Center for the Study of Lakes and Ecosystems	500
ECO	Aquaculture Education Program - Cedar Point MS	1,800
ECO	Pacific Tropical Ornamental Fish	500
	Subtotal, Other Partnership Programs	**21,095**
	Total, Ocean, Coastal, and Great Lakes Research	**150,863**
	Information Technology, R&D, and Science Education	
ALL	High Performance Computing Initiatives	12,500
ALL	Educational Partnership Program/Minority Serving Institutions	17,000
	Total, Info Tech, R&D, & Science Education	**29,500**
ECO	**Payment to OMAO**	**100**
	Total, NOAA Research - ORF	**409,278**

FY2005	Strategic Plan	
ALL	NOAA-WIDE	29,500
ECO	ECOSYSTEMS	104,480
C	CLIMATE	185,388
WW	WEATHER & WATER	43,427
CT	COMMERCE & TRANSPORTATION	0
OE	OCEAN EXPLORATION	46,483

NOAA NATIONAL WEATHER SERVICE
($ in Thousands)

FY 2005 Strategic Plan	FY 05 PROPOSED OPERATING PLAN Operations, Research and Facilities	FY 2005 Conference Agreement
WW	**Operations and Research**	
C	Local Warnings and Forecasts Base	8,634
CT	Local Warnings and Forecasts Base	21,135
WW	Local Warnings and Forecasts Base	498,429
WW	Tsunami Hazard Mitigation (moved from OAR)	4,300
WW	Tsunami Warning & Environmental Obs for AK (TWEAK)	2,000
WW	Air Quality Forecasting Pilot Program	2,968
WW	Air Quality Forecasting	1,750
CT	Alaska Data Buoys	1,500
CT	HI Data Bouys	250
C	Sustain Cooperative Observer Network	1,800
WW	Hurricane Mitigation Alliance (SUSF)	3,250
WW	Red River Basin Institute / Decision Info Network	270
WW	New England Weather Technology Initiative	550
WW	NOAA Profiler Network	3,200
WW	NC Flood Plain Mapping Pilot	593
WW	Pacific Island Compact	3,500
C	Space Environment Center	200
WW	Space Environment Center	6,750
WW	USWRP-THORPEX	4,500
WW	Vermont Northeast Weather & Wind Data Integration	250
	Subtotal, Local Warnings and Forecasts	**565,829**
WW	**Advanced Hydrological Prediction Services**	**5,800**
CT	**Aviation Weather**	**2,400**
	Weather Radio Transmitters	
WW	Weather Radio Transmitters Base	2,320
WW	NOAA Weather Radio Transmitters - HI	200
	Subtotal, Weather Radio Transmitters	**2,520**
	Subtotal, Local Warnings and Forecasts	**576,549**
	Central Forecast Guidance	
C	Central Forecast Guidance	6,494
CT	Central Forecast Guidance	6,344
WW	Central Forecast Guidance	32,934
	Subtotal, Central Forecast Guidance	**45,772**
	Total, Operations and Research	**622,321**
WW	All Systems Operation and Maintenance	88,000
	Total, Systems Operation & Maintenance	**88,000**
WW	**Payment to OMAO**	**475**
	Total, National Weather Service - ORF	**710,796**

FY2005	Strategic Plan	
ALL	NOAA-WIDE	0
ECO	ECOSYSTEMS	0
C	CLIMATE	17,128
WW	WEATHER & WATER	662,039
CT	COMMERCE & TRANSPORTATION	31,629
OE	OCEAN EXPLORATION	0

NOAA SATELLITES/NATIONAL ENVIRONMENTAL SATELLITE, DATA & INFORMATION SERVICE
($ in Thousands)

FY 2005 Strategic Plan	FY 05 PROPOSED OPERATING PLAN Operations, Research and Facilities	FY 2005 Conference Agreement
	Environmental Satellite Observing Systems	
ALL	Satellite Command and Control	36,550
ALL	NSOF Operations	5,681
	Satellite Command and Control	**42,231**
	Product Processing and Distribution	
ALL	Product Processing and Distribution	27,263
	Subtotal, Product Processing and Distribution	**27,263**
	Product Development, Readiness & Application	
ALL	Product Development, Readiness & Application	16,538
ECO	Product Development/Ocean Remote Sensing	4,000
ECO	Coral Reef Monitoring	700
WW	Joint Center/Accelerate Use of Satellites	2,200
WW	Research to Ops/NOAA-NASA partnerships	4,000
WW	Global Wind Demo	3,750
	Subtotal, Product Development, Readiness & Application	**31,188**
CT	Commercial Remote Sensing Licensing & Enforcement	1,100
	Total, Environmental Satellite Observing Systems	**101,782**
	NOAA's Data Centers & Information Services	
	Archive, Access & Assessment	
C	Archive, Access & Assessment	31,000
C	KY	7,925
C	MD	5,500
C	Quality Assurance/Quality Control (NC)	1,500
C	WV	7,925
ALL	Office of Space Commercialization	600
CT	GPS Interagency Board	250
C	GOES Data Archive Project	2,473
	Subtotal, Archive, Access & Assessment	**57,173**
ECO	Coastal Data Development	4,576
C	Regional Climate Centers	2,500
C	International Pacific Research Ctr (U of H)	2,000
ECO	Pacific Ocean and Environment Info Center	1,000
C	Environmental Data Systems Modernization	8,955
	Total, NOAA's Data Centers & Information Services	**76,204**
C	**Payment to OMAO**	**333**
	Total, Nat'l Environmental Satellite, Data and Information Service - ORF	**178,319**

FY2005	Strategic Plan	
ALL	NOAA-WIDE	86,632
ECO	ECOSYSTEMS	10,276
C	CLIMATE	70,111
WW	WEATHER & WATER	9,950
CT	COMMERCE & TRANSPORTATION	1,350
OE	OCEAN EXPLORATION	0

NOAA-WIDE PROGRAM SUPPORT
($ in Thousands)

FY 2005 Strategic Plan	FY 05 PROPOSED OPERATING PLAN Operations, Research and Facilities	FY 2005 Conference Agreement
	Corporate Services	
	Under Secretary and Associate Offices	
ALL	Under Secretary and Associate Offices Base	25,000
	Subtotal, Under Secretary and Assoc. Ofc	**25,000**
	Policy Formulation and Direction	
ALL	Policy Formulation and Direction Base	41,030
ALL	CAMS	10,000
ALL	Payment to the DOC Working Capital Fund	39,500
ALL	Payment to the Business Management Fund	56,000
	Subtotal, Policy Formulation and Direction	**146,530**
	Total, Corporate Services	**171,530**
	NOAA Education Program	
ALL	NOAA Education Program / Education Initiative	6,500
ALL	Ocean Science Bowl	1,000
ALL	JASON Education and Outreach	2,500
ALL	Bay Watersheds Education & Training Program	2,500
ALL	BWET Hawaii	1,500
ALL	Narragansett Bay Marine Education (Save the Bay)	500
	Total, NOAA Education Program	**14,500**
	Facilities	
ALL	NOAA Fac ilities Management, Construction and Safety	7,500
ALL	NOAA Wide Facility Maintenance (consolidated)	18,000
ALL	Boulder Facilities Operations	4,564
ALL	Western Regional Center Operations & Maintenance	700
	Subtotal, NOAA Fac Mgmt, Const& Maint	**30,764**
ALL	**Environmental Compliance& Safety**	**3,000**
	Total, Facilities	**33,764**
	Marine Operations & Maintenance	
	Marine Services	
ALL	Salaries & Expenses	75,000
ALL	UNOLS	1,500
ALL	HI'IALAKAI	4,600
ALL	OSCAR DYSON & FAIRWEATHER	10,200
ALL	NANCY FOSTER	550
OE	OE and NOAA Corps Pay Differential	2,000
	Subtotal, Marine Services (including base)	**93,850**
	Fleet Planning and Maintenance	
ALL	New Vessels (O Dyson, N Foster, Fairweather, Hi'alakai)	2,000
ALL	Fleet Planning and Maintenance	12,000
	Subtotal, Fleet Planning and Maintenance	**14,000**
	Total, Marine Operations and Maintenance	**107,850**
	Aviation Operations	
ALL	Aircrafi Services	18,600
	Total, Aviation Operations	**18,600**

NOAA-WIDE PROGRAM SUPPORT
($ in Thousands)

FY 2005 Strategic Plan	FY 05 PROPOSED OPERATING PLAN Operations, Research and Facilities	FY 2005 Conference Agreement
ALL	Future Healthcare Benefits for Current Officers	1,941
	Total, Office of Marine & Aviation Operations	128,391
	Total, Program Support - ORF	348,185

FY2005	Strategic Plan	
ALL	NOAA-WIDE	346,185
ECO	ECOSYSTEMS	0
C	CLIMATE	0
WW	WEATHER & WATER	0
CT	COMMERCE & TRANSPORTATION	0
OE	OCEAN EXPLORATION	2,000

PLANNING AND PROGRAM INTEGRATION
($ in Thousands)

FY 2005 Strategic Plan	FY 05 PROPOSED OPERATING PLAN Operations, Research and Facilities	FY 2005 Conference Agreement
ALL	Planning and Program Integration	2,500
	Total, Program, Planning and Integration	2,500

FY2005	Strategic Plan	
ALL	NOAA-WIDE	2,500

NOAA OCEANS AND COASTS/NATIONAL OCEAN SERVICE

The conference agreement includes a total of $548,788,000 for activities of the National Ocean Service (NOS). The conference agreement adopts, by reference, language in the House report on the hydrographic survey backlog, and on the strategy for the use of private mapping services. The conference agreement adopts, by reference, language in the Senate report regarding NOAA's Integrated Coastal Ocean Observing System, including the important contributions of the National Data Buoy Center and the National Center for Environmental Prediction (NCEP) Environmental Modeling Center.

The conferees agree that amounts provided to address the hydrographic survey backlog on the line items "North Pacific Maritime Boundary Line", "Gulf of Alaska" and "North Pacific" may be used to contract for hydrographic services in Alaska in areas defined as "navigationally significant" in the current edition of the NOAA Hydrographic Survey Priorities.

The conference agreement includes funding for NOAA to consult with and provide assistance to the Departments of Defense and Interior and the Environmental Protection Agency in carrying out their responsibilities in cleaning up Vieques, Puerto Rico.

The conference agreement for the Marine Sanctuary Program includes $2,000,000 for the conservation of artifacts related to the USS MONITOR, including the vessel's turret and engine. These funds are provided for that grant in addition to the amounts currently provided for public education, the housing of MONITOR archives, and artifact conservation. The conferees expect that MONITOR exhibits will reference any support provided by NOAA and the Marine Sanctuary Program. The conference agreement for the Marine Sanctuary Program also includes $500,000 to be used for international marine sanctuary and reserve issues, including, but not limited to, the work with the Galapagos Islands Marine Reserve. The conferees expect funds will be allocated, from within amounts provided for the Marine Sanctuary program, for conservation activities at the Monterey Bay National Marine Sanctuary Exploration Center.

The conference agreement adopts, by reference, report language regarding Pier Romeo and a Memorandum of Understanding between the NOS Assistant Administrator and other Federal agencies as proposed by the Senate.

NOAA FISHERIES/NATIONAL MARINE FISHERIES SERVICE

The conference agreement includes $674,199,000 for the operations of the National Marine Fisheries Service (NMFS).

The conference agreement adopts, by reference, language proposed by the House regarding continuation of funding for implementation of a West Coast in-season harvest data collection system. The conference agreement also includes, by reference, language in the House report regarding the development of forensic tools, the protection of consumers from bacteria in raw molluscan shellfish, and the continuation of funding for the Gulf and Atlantic Foundation for education programs regarding Vibrio vulnificus.

The conference agreement includes additional funding for marine mammal activities, as proposed by the Senate. Of the funding provided for Dolphin Encirclement, NMFS is directed to dedicate funding and efforts on revising downward its definition of a vessel that is not capable of setting on or encircling dolphins to reflect the fact that vessels smaller than 400 short tons are known to engage in this practice.

The conference agreement adopts, by reference, language proposed by the Senate under the heading Native Hawaiian Observer Program.

Within funds provided for Habitat Conservation, the conferees encourage NOAA to work with the Ocean Resources Enhancement and Hatchery Program in California, if warranted, and to support the program's efforts to evaluate the effectiveness of marine replenishment.

The conference agreement includes funding for maintenance, operations, and lease costs of all NMFS labs. The conference agreement includes, by reference, language in the House report regarding future NMFS base budget requests.

The conferees urge NOAA to continue support for Virginia Trawl Survey activities.

NOAA RESEARCH/OCEANIC AND ATMOSPHERIC RESEARCH

The conference agreement includes $409,278,000 for the Oceanic and Atmospheric Research (OAR) line office.

The conference agreement adopts, by reference, language in the House report on ballast water exchange programs; forecasting models for beach closings; coordination of efforts to protect the Great Lakes, including a report on mercury contamination; and responding to the report of the Research Review Team.

The conferees reject the proposed reductions in the budget request to continue activities at the fiscal year 2004 level for paleoclimate and abrupt climate change research; for social science research related to climate variability, including the human dimensions of climate change; and for educational outreach.

Funding is included in the Climate Research account for Joint and Cooperative Institutes for the institutes to continue their work at fiscal year 2004 levels. The conferees direct NOAA to fund all Joint Institutes on a fully annualized basis for fiscal year 2005.

The conference agreement adopts, by reference, language regarding the Economic Development Alliance of Hawaii, and language regarding the Hawaii Marine Invasives Program, as proposed by the Senate under the National Marine Fisheries Service.

The conference agreement adopts, by reference, language in the Senate report regarding the distribution of funds for the Ocean Exploration Program and the National Undersea Research Program (NURP), including the participation in the Ocean Exploration Program.

NOAA NATIONAL WEATHER SERVICE

The conference agreement includes $710,796,000 for the operations of the National Weather Service (NWS).

The conference agreement adopts, by reference, language in the House report on weather radio coverage in certain locations.

The conferees agree that the amount provided for Air Quality Forecasting includes $750,000 for efforts to establish air quality and meteorological monitoring equipment throughout the Shenandoah Valley as described in the House report.

The conference agreement includes funding for the Susquehanna River basin flood system within funding for Advanced Hydrological Prediction Services.

The conferees urge NOAA and NWS to take maximum advantage of capabilities and services that already exist in the commercial sector to eliminate duplication and maximize the accomplishment of the core mission of the NWS.

The conference agreement adopts, by reference, language regarding the weather radar and office in Williston, ND, as proposed by the Senate.

NOAA SATELLITES/NATIONAL ENVIRONMENTAL SATELLITE, DATA, AND INFORMATION SERVICE

The conference agreement includes $178,319,000 for the operational and research and development programs of the National Environmental Satellite, Data, and Information Service (NESDIS).

Data Dissemination.—The conferees are concerned that with the significant increase in oceanographic and environmental data collection in Hawaii and the American Flag Territories, including the Northwestern Hawaiian Islands, NOAA continues to have inadequate capacity to provide timely data and services to the region. The conferees urge NOAA to enhance its Pacific Ocean and environmental data services and specifically encourage NOAA to incorporate the ongoing data management and archival activities at the University of Hawaii's Asia-Pacific Data Research Center (APDRC) as a critical component of an NOAA Pacific Ocean and Environment Information Center.

NOAA-WIDE PROGRAM SUPPORT

The conference agreement includes $348,185,000 for Program Support.

The conference agreement adopts, by reference, language in the Senate report regarding the NOAA Education Initiative. The agreement includes $6,500,000 for the Office of Education and new initiatives to improve K–12 environmental, science and math outreach and education. Of this amount, $100,000 is provided to replicate the successful "Science on a Sphere" environmental education technology display at the John C. Stennis Space Center's Infinity Center facility. The conferees have shifted funding for a number of specific educational programs to the NOAA-wide program support area. As in past years, the BWET Hawaii program is to be managed by the Pacific Coastal Services Center. The amounts under the NOAA Ocean Exploration Program provided under NOAA Research include $1,500,000 to support the Sea Research Foundation's Immersion Project as described in the Senate report.

The conference agreement adopts, by reference, Senate report language regarding modernization of NOAA's infrastructure, including the fleet of vessels and aircraft, and the fleet modernization plan. The referenced plan should also provide a breakdown by geographic region, including the Western Pacific. Within the marine

services activity, $15,350,000 is provided to ensure the full-year operation of the NOAA vessels OSCAR DYSON, FAIRWEATHER, NANCY FOSTER, and HI'IALAKAI, at standard operating tempos. The amounts within fleet planning and maintenance include $2,000,000 for these same vessels. The conference agreement includes $1,000,000 for staffing, training and planning for the newly dedicated NOAA ocean exploration vessel. The conference agreement also includes an increase of $2,100,000 above the budget request, and above the House and Senate bills, to offset fuel price increases for all NOAA ships and aircraft.

The conferees agree that, within the amount provided for Marine Services, NOAA shall take the necessary actions to convey a decommissioned NOAA ship in operable condition to the Utrok Atoll local government as authorized by Public Law 108–219.

Of the amounts provided for Facilities, $200,000 shall be used for completion of the Santa Cruz Laboratory sea water system.

PLANNING AND PROGRAM INTEGRATION

The conference agreement includes $2,500,000 for Planning and Program Integration.

PROCUREMENT, ACQUISITION AND CONSTRUCTION

The conference agreement includes $1,053,436,000 under this heading instead of $840,000,000 as proposed by the House. The Senate bill included funding for these activities under the "Operations, Research, Facilities, and Systems Acquisition" account. The conference agreement makes funding available for three fiscal years with exceptions for certain construction activities.

The conference agreement includes language clarifying procurement authorities related to the National Polar-Orbiting Operational Environmental Satellite System.

Of the amount provided for Maryland Chesapeake Bay Coastal and Estuarine Land Conservation projects, $1,000,000 is for Wapiti Farms and $300,000 is for Holly Grove.

The conference agreement adopts, by reference, language regarding land acquisition and construction, including Section 2 (Fish & Wildlife Coordination Act), as proposed by the Senate.

The conference agreement includes language proposed by the Senate requiring the submission of multi-year program cost estimates for each NOAA procurement, acquisition and construction program having a total multi-year cost of more than $5,000,000.

The conference agreement includes $2,400,000 for acoustic quieting, outfitting and improvements for the OSCAR DYSON. The conferees understand that NOAA's first acoustically quiet fisheries research vessel is not meeting its design specifications. The conferees are concerned about NOAA's inability to adequately address this key design element within the original project budget and schedule. The conferees agree that NOAA shall submit a report to the Committees by January 1, 2005, addressing quieting issues in fisheries research vessels, including other vessels in the design and construction phase.

The conference agreement includes $34,000,000 to complete funding for the construction of the third NOAA Fisheries Research Vessel; $5,600,000 for initial procurement of the fourth NOAA

Fisheries Research Vessel which will be homeported on the West Coast; and $9,300,000 to complete funding for the SWATH hydrographic vessel.

The following distribution reflects the activities funded within this account:

NOAA PROCUREMENT, ACQUISITION AND CONSTRUCTION
($ in Thousands)

FY 2005 Strategic Plan	FY 05 PROPOSED OPERATING PLAN Procurement, Acquisition and Construction	FY 2005 Conference Agreement
	NOS/NOAA Oceans and Coasts	
	Construction/Acquisition	
	Coastal and Estuarine Land Conservation Program	
ECO	Orange Beach (Robinson Island), AL	1,000
ECO	Southwest Alaska Conservation	1,000
ECO	Dos Pueblos, CA	3,000
ECO	Tonner Canyon, CA	500
ECO	Hawaii CELP projects	3,000
ECO	Louisiana Dept. of Wildlife and Fisheries	2,000
ECO	Bayou Liberty Watershed Wetlands, LA	900
ECO	Nulands Neck, MA	300
ECO	Mount Agamenticus to the Sea, ME	1,000
ECO	MD Chesapeake Bay	5,750
ECO	Wolf River Corridor	2,000
ECO	Seacoast, NH	2,500
ECO	Manahawkin Marsh, NJ	800
ECO	North Hempstead, NY	1,000
ECO	Southhold, NY	1,500
ECO	Flats East Riverfront Park, Ohio	1,500
ECO	Mentor Marsh Lake County, Ohio	1,000
ECO	East Sandusky Bay Preserve, Ohio	1,500
ECO	Maumee River Basin, Ohio	1,500
ECO	Middletown, RI	750
ECO	Armand Bayou and Genoa-Red Bluff, TX	600
ECO	Buffalo Bayou, TX	1,200
ECO	Port Aransas Nature Preserve Wetlands Project, TX	3,000
ECO	Potomac Watershed, VA	3,000
ECO	Bainbridge Is., WA	500
ECO	Maury Is., WA	1,500
	Subtotal, Coastal and Estuarine Land Conservation Program	**42,300**
	NERRS Acquisition/Construction:	
ECO	National Estuarine Rsrch Reserve Construction & Land Acq (NERRS)	7,000
ECO	Elkhorn Slough, CA	2,000
	Subtotal, NERRS Acquisition/Construction	**9,000**
	Section 2 (FWCA) Coastal/Estuarine Land Acquisition	
ECO	Bonneau Ferry, SC	20,000
ECO	Great Bay Partnership, NH	8,000
	Subtotal, NERRS Acquisition/Construction	**28,000**
	Subtotal, NERRS Acquisition/Construction	**37,000**
	Marine Sanctuaries Construction/Acquisition	
ECO	Marine Sanctuaries Construction Base	5,000
ECO	Channel Islands National Marine Sanctuary	4,000
ECO	Thunder Bay NMS Exhibit	1,000
	Subtotal, Marine Sanctuary Construction/Acquisition	**10,000**
	Other NOS Construction/Acquisition	
ECO	Bigelow Lab for Ocean Science (ME)	1,500
ECO	NOAA ICOOS Observing Systems	9,000
ECO	Convert NOAA Weather Buoys with NDBC	8,000
ECO	Gulf Coast Lab at Cedar Point (USM)	1,500
ALL	Pier Romeo Hardening (Charleston)	2,400
ECO	Marine Environmental Health Research Lab Enhance/Equip	7,000
ECO	National Aquarium Partnership	1,000
ECO	Conservation Institute	1,200
ECO	Univ of South Carolina Thomas Cooper Facility	4,000
ECO	Coastal Service Center	4,000
	Subtotal, Other NOS Construction/Acquisition	**39,600**
	Total NOS - PAC	**128,900**

NOAA PROCUREMENT, ACQUISITION AND CONSTRUCTION
($ in Thousands)

FY 2005 Strategic Plan	FY 05 PROPOSED OPERATING PLAN Procurement, Acquisition and Construction	FY 2005 Conference Agreement
	NMFS/NOAA Fisheries	
	Systems Acquisition/Construction	
ALL	Systems Acq. Computer Hardware & Software	3,500
ALL	Aquatic Resources	5,000
ECO	NOAA Pacific Regional Center/HI	15,000
C	Barrow Artic Research Center	6,000
ECO	Phase III - Galveston Laboratory Renovation - NMFS	2,000
	Subtotal, NMFS Construction	**31,500**
	Total, NMFS - PAC	**31,500**
	OAR/NOAA Research	
	Systems Acquisition	
C	Research Supercomputing/ CCRI	9,500
	Subtotal, OAR Systems Acquisition	**9,500**
	Total, OAR - PAC	**9,500**
	NWS/NOAA Weather Service	
	Systems Acquisition	
WW	ASOS	4,675
WW	AWIPS	12,894
WW	NEXRAD	10,820
WW	NWSTG Legacy Replacement	2,512
WW	Radiosonde Network Replacement	6,376
C	Weather and Climate Supercomputing	6,779
WW	Weather and Climate Supercomputing	12,825
WW	Weather and Climate Supercomputing Back-up	7,148
WW	Cooperative Observer Network Modernization	877
	Subtotal, NWS Systems Acquisition	**64,906**
	Construction	
WW	WFO Construction	13,000
ALL	NOAA Center for Weather & Climate Prediction	2,300
	Subtotal, NWS Construction	**15,300**
	Total, NWS - PAC	**80,206**
	NESDIS/NOAA Satellites	
	Systems Acquisition	
ALL	Geostationary Systems	305,537
	Subtotal, NESDIS - GOES	**305,537**
ALL	**Polar Orbiting Systems - POES**	**105,746**
ALL	**Polar Orbiting Systems - NPOESS**	**304,901**
C	EOS & Advanced Polar Data Processing, Distribution& A Archiving Systems	1,500
WW	EOS & Advanced Polar Data Processing, Distribution& A Archiving Systems	1,500
	Subtotal, NESDIS - EOS	**3,000**
ALL	CIP - single point of failure	2,800
	Subtotal, NESDIS - CIP	**2,800**
C	Comprehensive Large Array Data Stewardship Sys (CLASS)	6,541
	Subtotal, NESDIS Systems Acquisition	**728,525**
	Construction	
ALL	Satellite CDA Facility	2,250
ALL	Suitland Facility / NSOF	11,255
	Subtotal, NESDIS Construction	**13,505**
	Total, NESDIS - PAC	**742,030**

NOAA PROCUREMENT, ACQUISITION AND CONSTRUCTION
($ in Thousands)

FY 2005 Strategic Plan	FY 05 PROPOSED OPERATING PLAN Procurement, Acquisition and Construction	FY 2005 Conference Agreement
	NOAA-wide Program Support / Corporate Services	
ALL	AMNH	1,000
	Subtotal, Corporate Services	**1,000**
	Program Support / OMAO	
	Fleet Replacement	
CT	Small Waterplane Area Twin Hull Vessel (SWATH) & EFH	9,300
ALL	McARTHUR II /NANCY FOSTER /OSCAR ELTON SETTE Upgrades	1,800
ECO	Fisheries Research Vessel Replacement #1	2,400
ECO	Fisheries Research Vessel Replacement #3	34,000
ECO	Fisheries Research Vessel Replacement #4	5,600
ECO	Sonar for Long Range Fisheries Research	5,700
	Subtotal, OMAO Fleet Replacement	**58,800**
	Aircraft Replacement	
ALL	Required Safety & Regulatory Upgrades to Various Aircraft	1,500
	Subtotal, OMAO Aircraft Replacement	**1,500**
	Total, Ship Building, Sys. Acq. & Construction	**61,300**
	TOTAL, PAC - Line & Staff Office Direct Obs	**1,053,436**
	Total Construction	190,205
	Total System Acquisition	802,931
	Total Fleet Replacement	58,800
	Total Aircraft Replacement	1,500
	TOTAL, PAC - Line & Staff Office Direct Obs	**1,053,436**

FY2005	Strategic Plan	
ALL	NOAA-WIDE	749,989
ECO	ECOSYSTEMS	191,200
C	CLIMATE	30,320
WW	WEATHER & WATER	72,627
CT	COMMERCE & TRANSPORTATION	9,300
OE	OCEAN EXPLORATION	0

PACIFIC COASTAL SALMON RECOVERY

The conference agreement provides $90,000,000 for Pacific Coastal Salmon Recovery, instead of $80,000,000 as proposed by the House and $99,000,000 as proposed by the Senate. Language is included extending authorization for this program in fiscal year 2005 and authorizing participation by the State of Idaho.

Funds provided under this heading shall be allocated as follows: $24,000,000 for Alaska; $13,000,000 for California; $2,500,000 for Columbia River Tribes; $4,500,000 for Idaho; $13,000,000 for Oregon; $8,000,000 for Pacific Coast Tribes; and $25,000,000 for Washington.

With respect to the amounts for Alaska, the conferences agree to the following allocation: $3,500,000 is for the Arctic Yukon-Kuskokwim Sustainable Salmon initiative; $1,000,000 is for the Cook Inlet Fishing Community Assistance Program; $500,000 is for the Yukon River Drainage Association; $3,368,000 is for Fairbanks hatchery facilities; $250,000 is for an initiative to redefine optimum goals for sockeye, chinook, and coho stocks; $2,500,000 is for the NSRAA Hatchery; $500,000 is for Coffman Cove king salmon; $250,000 is for the State of Alaska to participate in discussions regarding the Columbia River hydro-system and for fisheries revitalization; $100,000 is for the United Fishermen of Alaska's subsistence program; $3,500,000 is to restore salmon fisheries in Anchorage at Ship Creek, Chester Creek, and Campbell Creek, including habitat restoration and facilities; $500,000 is for Alaska Village Initiatives to enhance salmon stocks; $800,000 is for Bristol Bay Science and Research Institute; $1,100,000 is for the Alaska Fisheries Development Foundation; $150,000 is for the State of Alaska for fishing rationalization research; $1,500,000 is for the State of Alaska for fisheries monitoring; $1,500,000 is for the Alaska SeaLife Center to restore salmon runs in Resurrection Bay; $500,000 is for the southeast Revitalization Association for its fleet stabilization program; $1,000,000 is for the Kenai River; and $200,000 is to restore the Craig watershed.

Of the amounts provided to the State of Washington, $3,500,000 is for the Washington State Department of Natural Resources and other State and Federal agencies for purposes of implementing the State of Washington's Forest and Fish report, and $3,000,000 is for the purchase of mass marking equipment used at Federal hatcheries in Washington State to promote selective fisheries and protect threatened and endangered species.

Of the amounts provided to the State of Oregon, $1,000,000 is for conservation mass marking at the Columbia River Hatcheries.

The conferees agree that NOAA shall report to the Committees by March 31, 2005, on final performance measures for this program, including an assessment of cumulative program effects on Pacific salmon stocks, and the identification of recovery needs of specific salmon populations as a resource for determining future funding allocations.

COASTAL ZONE MANAGEMENT FUND

The conference agreement includes language allowing the transfer of up to $3,000,000 to the "Operations, Research, and Fa-

cilities" account for the costs of implementing the Coastal Zone Management Act, as proposed by the Senate.

FISHERMEN'S CONTINGENCY FUND

The conference agreement includes $499,000 for the Fishermen's Contingency Fund, instead of no funding as proposed by the House and $956,000 as proposed by the Senate.

FISHERIES FINANCE PROGRAM ACCOUNT

The conference agreement includes language proposed by the Senate providing $287,000 to subsidize up to $5,000,000 for Individual Fishing Quota loans and up to $59,000,000 for fishing capacity reduction loans, of which $40,000,000 may be used for the United States distant water tuna fleet, and $19,000,000 may be used or the United States menhaden fishery.

OTHER

DEPARTMENTAL MANAGEMENT

SALARIES AND EXPENSES

The conference agreement includes $48,109,000 for costs related to managing the Department of Commerce, instead of $52,109,000 as proposed in the House, and $55,550,000 as proposed in the Senate. The conference agreement includes $1,621,000 and 12 full-time equivalents for the legislative affairs function of the Department.

The conference agreement includes, by reference, language proposed in the House report regarding the security upgrades to the Herbert C. Hoover building, and language regarding office relocations.

The conferees direct the Secretary of Commerce, in cooperation with the Secretaries of Energy and Labor, to examine and prepare a study on the economic impacts of rising natural gas prices on energy-intensive industries overseas. The conferees expect a report to be provided to the Committees on Appropriations no later than 120 days after the enactment of this Act.

UNITED STATES TRAVEL AND TOURISM PROMOTION

The conference agreement includes $10,000,000 for the United States Travel and Tourism Promotion program, instead of $20,000,000 as proposed by the Senate. The House did not include funding for this purpose.

OFFICE OF INSPECTOR GENERAL

The conference agreement includes $21,660,000 for the Inspector General for fiscal year 2005, instead of $22,249,000 as proposed by the House and $21,071,000 as proposed by the Senate.

GENERAL PROVISIONS—DEPARTMENT OF COMMERCE

The conference agreement includes the following general provisions for the Department of Commerce:

Section 201 making Department of Commerce funds available for advanced payments only upon certification of officials designated by the Secretary that such payments are considered to be in the public interest.

Section 202 making appropriations for the Department for Salaries and Expenses available for hire of passenger motor vehicles, and for services, uniforms and allowances as authorized by law.

Section 203 providing the authority to transfer funds between Department of Commerce appropriation accounts and requiring notification to the Committees of certain actions.

Section 204 providing that any costs incurred by the Department in response to funding reductions shall be absorbed within total budgetary resources available.

Section 205 prohibiting the use of Commerce Department funds for the purpose of reimbursing the Unemployment Trust Fund or any other account of the Treasury to pay unemployment compensation for temporary census workers.

Section 206 designating amounts available in the "Promote and Develop Fishery Products and Research Pertaining to American Fisheries" fund and including language to provide authorities for a certain Board.

Section 207 authorizing the Secretary of Commerce to operate a marine laboratory.

Section 208 extending the availability of funds to administer the Emergency Steel Loan Guarantee Act of 1999.

Section 209 providing the authority and amounts to administer a certain fishing capacity reduction program.

Section 210 establishing the position of Coordinator for International Intellectual Property Enforcement.

Section 211 designating funds for certain projects.

Section 212 extending authorization for the environmental cleanup of the Pribilof Islands.

Section 213 making permanent the conservation and management of marine mammals in the State of Hawaii.

Section 214 establishing the Ernest F. Hollings Scholarship program.

Section 215 regarding a certain land transfer.

Section 216 regarding an ocean activities fund.

Section 217 regarding E-government initiatives.

Section 218 authorizing a fishing capacity reduction program.

Section 219 authorizing a fishing capacity reduction program.

Section 220 regarding a community development quota program.

Section 221 designating funding for a fishing capacity reduction program.

TITLE III—THE JUDICIARY

The conferees adopt by reference the Senate report language regarding budgetary constraints and reminding the Judiciary that it should comply with section 605 of this Act. The conferees also adopt by reference the House report language concerning fast track programs.

SUPREME COURT OF THE UNITED STATES

SALARIES AND EXPENSES

The conference agreement includes $58,122,000 for the salaries and expenses of the Supreme Court, as proposed by the House and the Senate. The conferees adopt by reference House report language regarding public access to Supreme Court proceedings. The conferees also adopt by reference House and Senate report language regarding personnel and inflationary increases.

CARE OF THE BUILDING AND GROUNDS

The conference agreement includes $9,979,000 for the Supreme Court "Care of the Building and Grounds" account, as proposed by the House, instead of $10,579,000 as proposed by the Senate. The conference agreement is $600,000 below the request because of the planned delay in renovating the Supreme Court's kitchen. The conference agreement adopts by reference the House report language concerning budget requests to renovate the Court.

UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT

SALARIES AND EXPENSES

The conference agreement includes $21,780,000 for the United States Court of Appeals for the Federal Circuit, instead of $20,624,000 as proposed by the Senate and $22,936,000 as proposed by the House. The conferees adopt by reference Senate report language regarding funding for a Deputy Circuit Executive, a disaster recovery plan, and an independent security assessment.

Consistent with the budget request, the amount provided includes $541,000 transferred from the Court Security appropriation for eight court security officers currently stationed at the Court of Appeals for the Federal Circuit. In addition, the conferees have become aware that the Federal Circuit relies on an annual reimbursement from the Courts of Appeals, District Courts, and Other Judicial Services, Salaries and Expenses account to cover certain costs associated with library operations. To eliminate the need for this reimbursement, the amount provided includes $400,000 for library expenses that have previously been transferred from the Courts of Appeals, District Courts, and Other Judicial Services, Salaries and Expenses account.

UNITED STATES COURT OF INTERNATIONAL TRADE

SALARIES AND EXPENSES

The conference agreement includes $14,888,000 for the U.S. Court of International Trade, as proposed by the House, instead of $14,060,000 as proposed by the Senate.

COURTS OF APPEALS, DISTRICT COURTS, AND OTHER JUDICIAL SERVICES

SALARIES AND EXPENSES

The conference agreement provides $4,177,244,000 for the salaries and expenses of the Courts of Appeals, District Courts, and

Other Judicial Services, as proposed by the House, instead of $4,131,487,000 as proposed by the Senate. The amount provided assumes that Federal Protective Service charges are funded in the Court Security account.

Office of Probation and Pretrial Services.—The conferees adopt by reference the Senate report language on the Office of Probation and Pretrial Services in the Southern District of Florida.

The Edwin L. Nelson Local Initiative Program.—Within 30 days of enactment of this Act, the Administrative Office (AO) will report to the Committees on Appropriations the financial status of this program. This report, at a minimum, will include a list of all courts that have received grants to date, the reasons for the grants, and the amounts provided. Hereafter, the AO shall submit this information on a quarterly basis.

VACCINE INJURY COMPENSATION TRUST FUND

The conference agreement includes $3,298,000 from the Vaccine Injury Compensation Trust Fund instead of $3,471,000 as proposed by the House and $3,159,000 as proposed by the Senate.

DEFENDER SERVICES

The conference agreement includes $676,385,000 for the Federal Judiciary's Defender Services account, instead of $676,469,000 as proposed by the House and $648,116,000 as proposed by the Senate.

The conferees adopt by reference the Senate report language regarding an increase in the hourly rate for panel attorneys in capital cases and an increase in the case compensation maximum for panel attorneys in non-capital cases. The conferees also adopt by reference the Senate report language concerning training programs by the Federal Defender's Office in the Southern District of Florida.

The conference agreement includes section 119 supporting a pilot program with the Bureau of Prisons and the Federal Public Defender's Office in the Southern District of Florida. By October 15, 2005, the Defender's Office should report to the Committees on Appropriations on the cost savings achieved by this pilot program.

FEES OF JURORS AND COMMISSIONERS

The conference agreement includes $61,535,000 for Fees of Jurors and Commissioners, instead of $62,800,000 as proposed by the House and Senate. The conference agreement fully funds the Judiciary's latest estimate of needs for this account.

COURT SECURITY

The conference agreement includes $332,000,000 for the Judiciary's Court Security Account, instead of $379,580,000 as proposed by the House and $274,653,000 as proposed by the Senate.

The conference agreement includes the transfer of the Federal Protective Service (FPS) charge from the Salaries and Expenses account to this account. The conferees understand that the FPS has not provided the Administrative Office (AO) of the U.S. Courts with a detailed justification to substantiate the 34 percent increase in FPS security costs assessed to the judiciary in fiscal year 2005, as

discussed in the Senate report. The conferees are unable to confirm the need for an increase, and therefore the conference agreement only provides $58,000,000 for FPS security charges, which is the fiscal year 2004 payment plus an inflationary cost increase.

ADMINISTRATIVE OFFICE OF THE UNITED STATES COURTS

SALARIES AND EXPENSES

The conference agreement includes $68,200,000 for the Administrative Office of the United States Courts (AOUSC) instead of $68,635,000 as proposed by the House and $67,249,000 as proposed by the Senate. The conferees adopt by reference the Senate report language concerning cost saving measures, new positions for program oversight, the Edwin L. Nelson Local Initiatives program, and requirements for reprogramming actions under section 605.

FEDERAL JUDICIAL CENTER

SALARIES AND EXPENSES

The conference agreement includes $21,737,000 for salaries and expenses of the Federal Judicial Center as proposed by the House, instead of $21,670,000 as proposed by the Senate.

JUDICIAL RETIREMENT FUNDS

PAYMENT TO JUDICIARY TRUST FUNDS

The conference agreement includes $36,700,000 for payment to various judicial retirement funds, as proposed by the House and Senate.

UNITED STATES SENTENCING COMMISSION

SALARIES AND EXPENSES

The conference agreement includes $13,304,000 for the U.S. Sentencing Commission, as proposed by the House instead of $12,404,000 as proposed by the Senate.

GENERAL PROVISIONS—THE JUDICIARY

Section 301.—The conference agreement includes a provision allowing appropriations to be used for services as authorized by 5 U.S.C. 3109.

Section 302.—The conference agreement includes a provision related to the transfer of funds.

Section 303.—The conference agreement includes a provision allowing up to $11,000 to be used for official representation expenses of the Judicial Conference of the United States.

Section 304.—The conference agreement includes a provision raising the compensation maximums for Criminal Justice Act panel attorneys.

Section 305.—The conference agreement includes a provision requiring the Administrative Office to submit an annual financial plan for the Judiciary.

Section 306.—The conference agreement includes a provision allowing for a salary adjustment for Justices and judges.

Section 307.—The conference agreement includes a provision changing the fee structure for district court filings.

Section 308.—The conference agreement includes a provision changing the Central Violations Bureau processing fees.

TITLE IV—DEPARTMENT OF STATE AND RELATED AGENCY

In total, the conference agreement includes $8,882,787,000 for the Department of State and the Broadcasting Board of Governors. Of the total amount provided, $8,750,187,000 is derived from general purpose discretionary funds and $132,600,000 is scored as mandatory spending. This funding level includes significant program increases to improve diplomatic readiness and security. The conference agreement includes $1,571,022,000 to continue worldwide security activities, including the design and construction of replacement facilities for the most vulnerable overseas posts.

DEPARTMENT OF STATE

The conference agreement for the Department of State is intended to continue the Department's efforts to meet emerging diplomatic requirements, strengthen diplomatic and border security, and institute sweeping management reforms. In the past five fiscal years, the Congress has provided appropriations to significantly increase the Department's operating budget, including funding to support the hiring and training of new employees.

The conference agreement includes a total of $8,283,227,000 for fiscal year 2005 for the Department of State. Of the total amount provided, $8,150,627,000 is derived from general purpose discretionary funds and $132,600,000 is scored as mandatory spending. The conferees expect that this funding level will allow the Department to meet critical embassy security and staffing requirements, modernize its technology and equipment, and continue vigorous management reform initiatives to right-size America's overseas presence.

The conference agreement includes a total of $6,314,122,000 for the discretionary appropriation accounts under Administration of Foreign Affairs; $1,672,000,000 for International Organizations; $64,130,000 for International Commissions; and $100,375,000 for other activities. The conferees' priorities for the Department of State are delineated in the following paragraphs.

ADMINISTRATION OF FOREIGN AFFAIRS

DIPLOMATIC AND CONSULAR PROGRAMS

The conference agreement includes $4,228,702,000 for the Diplomatic and Consular Programs account, instead of $4,278,701,000 as proposed by the House and $4,151,755,000 as proposed by the Senate. The conference agreement includes $658,702,000 to continue funding for worldwide security upgrades, and $319,994,000 for public diplomacy programs. The conference agreement represents an increase of $165,214,000 above the fiscal year 2004 appropriation, excluding emergency appropriations.

Right-sizing.—The conferees urge the Department to move forward expeditiously with its right-sizing plan. Right-sizing refers to

the reconfiguration of overseas U.S. Government personnel to the number necessary to achieve U.S. foreign policy goals. The conferees recognize that, as the property manager for all U.S. Government properties overseas, the Department of State faces considerable pressure to accommodate ever-greater numbers of non-State Department personnel in its overseas facilities. Given the increasing security vulnerabilities of U.S. Government personnel and facilities, the conferees strongly urge the Department to use the most stringent criteria for determining overseas staffing levels. In addition, the conferees expect the staffing decision-making mechanism used for the U.S. mission in Iraq to be the model for future right-sizing efforts.

For any right-sizing framework to be effective, it must have two main components: (1) a process for determining, internally, the appropriate number of State Department personnel stationed overseas, and (2) an interagency process for determining the appropriate number of non-military U.S. government personnel stationed overseas. To this end, the conference agreement designates $3,000,000 for the Department to continue the operations of the Office on Right-Sizing the United States Overseas Presence. The conferees expect that this Office, which shall continue to report directly to the Undersecretary for Management, will lead the Department's effort to develop internal and interagency mechanisms to better coordinate, rationalize, and manage the deployment of U.S. government personnel overseas. The conferees expect the Office of Right-Sizing to report to the Committees on Appropriations each year on June 1 regarding the trends in overseas staffing, and support for Chiefs of Mission (COM) and to undertake a review of certain posts, as described in the Senate report.

As part of the overall right-sizing function, the conferees encourage the Department to review the International Cooperative Administrative Support Services (ICASS) system to ensure that the system contributes to right-sizing efforts.

The conferees commend the Department for its recent steps to strengthen internal processes for determining staffing projections for overseas personnel needs. However, more needs to be done. The conferees are not aware of any right-sizing analysis in the past several years that has resulted in a proposed reduction to a country-wide staffing presence. The conferees are supportive of the concept of regionalization. Regionalization refers to the practice of basing certain administrative functions and personnel in regional centers, or "hubs", thereby creating efficiencies. The conferees note that the Department continues to make less than notable progress towards developing an interagency right-sizing process, but anticipates that the capital security cost sharing plan will create new right-sizing incentives to facilitate meeting the conferees' expectations. Language is included establishing and outlining the requirements of the Department's capital cost sharing plan to encourage other Federal agencies to examine more closely whether the personnel they send overseas are truly mission-critical. The conferees remind the Department that this interagency process should not supercede the authority of COMs to determine the composition of their posts, but rather, to serve as a tool and support mechanism. The post must remain at the center of the right-sizing process.

Border Security Program.—The conference agreement includes $836,480,000 for the Department's Border Security Program, of which $75,000,000 is from appropriated funds, $661,480,000 is funded through the collection of Machine Readable Visa (MRV) fees, and approximately $100,000,000 is to be funded through a proposed Enhanced Border Security Program Fee. The conferees expect this funding to provide for an increase of 60 new consular positions, for a total position base of 2,585 positions by the end of fiscal year 2005. The conferees direct the Department to continue its bimonthly reporting on MRV fee revenues as specified in the conference report accompanying the fiscal year 2003 Supplemental Appropriations Act (Public Law 108–11). Disruption of the border security program due to a MRV fee shortfall must be avoided at all costs. The conferees would therefore entertain a reprogramming of funds out of the Diplomatic and Consular Programs account to cover any unanticipated shortfall in the Department's Border Security Program.

The conference agreement adopts, by reference, language as proposed in the House report concerning efforts to strengthen the visa process to make it an effective anti-terrorism tool. Further, the conference agreement adopts, by reference, language in the Senate report concerning the Interagency Study on the Visa Clearance Process. The conferees require the Department of Justice to work with the Departments of Homeland Security and State on this effort.

Within the amount provided, $175,000 is to support the United States' membership in the Arctic Council and $40,000 is to support the United States' membership in the Bering Straits Commission. The former includes funds for representation expenses and travel for United States delegates.

The conference agreement includes language increasing the fees the Department of State may collect for passports and immigrant visas.

Public Diplomacy.—The conference agreement includes language designating $319,994,000 for the Department's Public Diplomacy program. The conferees continue to believe that separately identifying public diplomacy resources will facilitate monitoring funding levels and trends for these activities. The need to strengthen our public diplomacy has gained urgency as we continue to see alarming public opinion polls and foreign media content relating to the war on terrorism and the war in Iraq that reveal profound anti-American sentiments, and often a rejection of our values. The need for expanded efforts is primarily, but not exclusively, in the Arab and Muslim world. The conferees direct the Department to submit reports outlining the criteria for measuring performance of these expanded efforts, and expect these reports to be submitted to the Committees on Appropriations on a quarterly basis.

The conference agreement adopts language as proposed in the House report regarding the American Corners program. The conference agreement also adopts language regarding efforts to counter disinformation and deliberate misinformation.

The conferees urge the Department to review the recommendations made by the Defense Science Board Task Force on Strategic Communication in their September 2004 report.

The conferees commend the Department on the establishment of an office of policy, plans, and resources within the Office of the Under Secretary for Public Diplomacy and Public Affairs; and the recent efforts and proposed plans to strengthen the authority of the Under Secretary to improve accountability for public diplomacy resources. The conferees continue to urge the Department to improve interagency coordination; increase resources dedicated to program performance measurement and research; expand the English language office; support speaker and fellows programs; expand American studies programs, including American Corners; and increase public diplomacy staff with better language skills. The conferees adopt, by reference, language in the Senate report concerning the Department's Public Diplomacy Strategy, PD Global Forum, and Micro-grants.

The conference agreement includes, by reference, language in the Senate report regarding the refining of a public diplomacy strategy, including the harmonization of mission and strategy with the Broadcasting Board of Governors, and the incorporation of ongoing international assistance and volunteer programs into public diplomacy.

The conference agreement adopts, by reference, language included in the Senate report concerning the 9/11 Commission Report, including a report on how the Department intends to implement its recommendations.

The conferees include $2,500,000 for the Ambassador's Fund for Cultural Preservation. Currently, there is no greater need for achieving understanding than in the Middle East. Therefore, within amounts available, at least $500,000 is for projects in the Middle East.

The conference agreement adopts, by reference, language included in the Senate report concerning Continuing Overseas Language Training and provides $6,000,000 for this purpose.

Cultural Antiquities Task Force.—The conference agreement also includes $1,000,000 for a cultural antiquities task force as described in the Senate report. The task force will coordinate with all relevant Federal law enforcement and cultural agencies to prevent further looting and promote preservation of Iraq's historically and culturally significant works. The conferees expect the Department to create a database as described in the Senate report. The conferees further urge the Department to make changes to visa policies as they pertain to persons found to have looted, damaged, or trafficked historically or culturally significant works. Finally, the conference agreement includes language proposed in the Senate report regarding a report on the creation of the Cultural Antiquities Task Force, funding requirements, and investigation of alleged damage to an Iraqi temple.

North Korea.—The conference agreement adopts, by reference, language contained in the Senate report concerning an international conference on the human rights situation in North Korea. The conferees expect the conference to be administered by Freedom House.

The conferees recognize the importance of the Special Envoy position created by Section 107 of Public Law 108–478 and include $1,000,000 for this purpose. The conferees expect that the Special

Envoy will be compensated at a level available to Ambassadors without portfolio, and that no full-time incumbent State Department official will fill this position.

Anti-Semitism.—The conferees direct the State Department to work with the Organization for Security and Cooperation in Europe to support projects and personnel increases to combat anti-Semitism and intolerance.

Intellectual Property Protection.—The conferees continue to be concerned regarding the adequacy of the Department's infrastructure for fulfilling its responsibility to protect American intellectual property. The conference agreement includes language establishing the Office of International Intellectual Property Enforcement. The conference report adopts, by reference, Senate report language regarding a report to the Committees on Appropriations concerning intellectual property efforts.

Post-conflict Response.—The conferees include language regarding the function of the Office of the Coordinator for Reconstruction and Stabilization, as proposed by the Senate, with the exception of a funding designation. The conferees support the Department's establishment of the Office of the Coordinator for Reconstruction and Stabilization, which shall serve as the central entity to plan and coordinate United States Government civilian activities in pre- and post-conflict environments, and to react to complex contingencies. The conferees understand that this office will improve operational response time in the areas of reconstruction, stabilization, and humanitarian assistance. The conferees direct the Office to coordinate with bureaus within the State Department, other relevant U.S. agencies, and non-governmental organizations. The conference agreement adopts by reference language included in the Senate report regarding a description of this Office's functions and a description of how the Office will coordinate with other bureaus in the Department and other agencies. The conferees expect to be notified of any expansion of the Office as required by section 605 of this Act.

War Crimes.—The conferees reiterate their support for the work of the Special Court for Sierra Leone. The purpose of the Special Court is to prosecute those who bear the greatest responsibility for the appalling violations of international and Sierra Leonean law and crimes against humanity perpetrated during the conflict in Sierra Leone. Charles Taylor, the former president of Liberia, has been indicted by the Special Court of Sierra Leone and faces 17 counts of war crimes, crimes against humanity, and violations of international humanitarian law. Charles Taylor organized and ordered widespread and systematic attacks on the civilian population of Sierra Leone. According to the indictment, his supporters commonly used abductions, hacking off limbs, facial and bodily mutilations, and gang rapes to wage a terror campaign against civilians who supported the Revolutionary United Front in Sierra Leone. The conferees expect the Department to ensure that funding for the Special Court continues until all indictees are brought to justice expeditiously, including Charles Taylor. The conferees encourage the Bureau of African Affairs and the Special Court for Sierra Leone to work cooperatively to bring about this result.

International Religious Freedom.—The conference agreement continues funding for the Office of International Religious Freedom in the Bureau of Democracy, Human Rights and Labor. The conferees urge the Office to develop and implement comprehensive strategies to promote religious liberty, and to assist in the preparation of the Human Rights Reports and the Annual Report on International Religious Freedom. The conferees also expect the Office, in consultation with the U.S. Commission on International Religious Freedom, to work to further incorporate religious freedom themes in the Department's public diplomacy programs. In addition, the conferees expect the Department to continue to integrate the internationally recognized right to freedom of religion into foreign service officer training at all levels.

The conferees urge the Secretary of State to continue to every extent possible to monitor and promote religious freedom and human rights in China, Eritrea, India, Nigeria, Pakistan, Saudi Arabia, Sudan, Turkmenistan, Uzbekistan, and Vietnam. The conferees expect the Secretary of State to use all available forums and formal actions to address violations of religious freedom in these countries. The Secretary of State should continue to consult with the U.S. Commission on International Religious Freedom to promote religious freedom and human rights abroad.

Sudan.—The conferees expect the Department to review current staffing levels at the U.S. Embasy in Khartoum and to address increased requirements at this post. The conferees direct the Department to report to the Committees on Appropriations on the findings of this review and any proposal for staffing increases by no later than 120 days after the enactment of this Act.

Worldwide Security Upgrades.—The conference agreement includes $658,702,000 for worldwide security upgrades as proposed by the Senate, instead of $658,701,000 as proposed by the House. The conference agreement includes $582,482,000 for ongoing security activities, including guard services, physical equipment, armored vehicles, personnel, training, and wireless communications; and State Department participation in TOPOFF III, a national counterterrorism exercise, at the funding level described in the Senate report. Language is included to continue $5,000,000 for the Center for Antiterrorism and Security Training. The conference agreement includes $43,400,000 to continue the perimeter/compound security initiative and $29,198,000 in program increases. The program increases include $4,000,000, for a total of $18,422,000 for the prevention and response to chemical or biological agents in various locations around the world; $14,698,000 to support an additional 71 security professional staff positions, including 6 special agents and 55 professional and administrative support positions; $4,500,000 for a total of $27,714,000, to maintain a five-year replacement cycle for armored vehicles; $3,000,000 to reduce the risk that information systems will be compromised; and $3,000,000 to improve electronic access to, and exchange of, security and law enforcement information.

The conference agreement includes, by reference, language in the House report on the interagency task force to monitor the United Nations headquarters renovation project, intelligence and research, club drugs, trafficking in persons, minority recruitment

and hiring, overseas schools, ICASS, security of classified material, Tibet, and the U.S. presence in China. The conference agreement also includes, by reference, language in the Senate report on financial operations, foreign language proficiency, clean energy technology exports, international child abductions, marine environmental issues, and international trade.

Food and Agriculture Organization.—Within funding provided under this heading, the conferees expect the Department to support the costs of an independent, outside evaluation of the operations and performance of the Food and Agriculture Organization. The conferees expect the Department to report to the Committees on Appropriations in both the House and Senate by no later than March 31, 2005.

As in previous years, the conferees expect that there will be additional savings available to the Department, including vacancies in funded positions. The Department will have the ability to propose that savings be used for needs not funded by the recommendation through the normal reprogramming process. The conferees are concerned about the Department's practice of resubmitting reprogramming requests that have previously been denied by the Committees on Appropriations. Reprogrammings should be resubmitted only if the circumstances surrounding the request or the request itself change substantially enough to warrant a reevaluation by the Committees. The conferees remind the Department that action by the Committees on Appropriations is required before the Department proceeds with any reprogramming action.

The conference agreement includes language in the bill, similar to language in prior years, which: (1) permits not to exceed $4,000,000 to be transferred to the Emergencies in the Diplomatic and Consular Service account for emergency evacuations and terrorist rewards; (2) provides $1,426,000 in fees collected from other Executive Branch agencies and $490,000 from reserves for lease or use of facilities at the International Center Complex, as authorized by law; (3) provides not to exceed $15,000 from reimbursements, surcharges, and fees for use of Blair House facilities in accordance with the State Department Basic Authorities Act of 1956; (4) requires notification of Congress before processing licenses for the export of satellites to China; and (5) makes not to exceed $6,000,000 in fee collections available until expended for various activities.

CAPITAL INVESTMENT FUND

The conference agreement includes $52,149,000 for the Capital Investment Fund, as proposed by the Senate, instead of $100,000,000 as proposed by the House. The conference agreement includes two separate accounts for the Department's information technology (IT) programs. The agreement includes language to create a new account, called the "Centralized Information Technology Modernization Program". The Capital Investment Fund will continue to provide funding only for new investments in IT, and the new account will provide funding for the maintenance of the Department's IT infrastructure, including hardware and software refreshment and upgrades.

The conference agreement adopts, by reference, language included in the Senate report concerning payroll consolidation, public

diplomacy support, centralization, messaging, and centralized management of information. The conference agreement includes $7,563,000 for public key infrastructure requirements to help secure interagency communications.

CENTRALIZED INFORMATION TECHNOLOGY MODERNIZATION PROGRAM

The conference agreement includes $77,851,000 for a new account entitled Centralized Information Technology Modernization Program, instead of $102,951,000 as proposed by the Senate. The House did not provide funding for a new account. The conference agreement includes language establishing this new account to provide funding for the maintenance of the Department's IT infrastructure, including hardware and software refreshment and upgrades.

In addition, the Department is directed to develop a plan to implement a four-year replacement and modernization program for its classified and unclassified desktop computers, servers, network equipment, circuits, and software. The purpose of this plan will be to provide a blueprint for the maintenance of the Department's network infrastructure to meet current and future needs and to ensure that the Department's communications and information systems remain state-of-the-art. The Department is directed to update this plan on an annual basis. The Department shall provide the first such plan to the Committees on Appropriations no later than September 1, 2005, and every year thereafter at the time of submission of the President's budget request to Congress.

OFFICE OF INSPECTOR GENERAL

The conference agreement includes $30,435,000 for the Office of Inspector General (OIG) as proposed by the House, instead of $31,435,000 as proposed by the Senate. The conference agreement includes language, as carried in previous years, waiving the requirement for a five-year post inspection cycle. The conference agreement does not include language in the Senate report on U.S. diplomatic activities in Iraq.

EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS

The conference agreement includes a total of $360,750,000 under this heading, as proposed by the Senate, instead of $345,346,000 as proposed by the House. The following chart displays the conference agreement on the distribution of funds by program or activity under this account, including an estimated $5,400,000 in prior year recoveries and unobligated balances:

	Amount (in thousands)
Academic Programs:	
Fulbright Students, Scholars, Teachers, Humphreys	$160,532
Regional Graduate Fellowships/Junior Faculty Development	25,000
Educational Advising and Student Services	3,500
English Language Programs	8,381
American Overseas Research Centers	3,200
South Pacific Exchanges	500
Benjamin Gilman International Scholarship	2,600
George Mitchell Fellowship Program	500
Tibet Exchanges	600
East Timor Exchanges	500

	Amount (in thousands)
Abraham Lincoln Study Abroad Fellowship Program	250
U.S.-Poland-Israel Exchange	250
Montana Tech Foreign Exchange Program	150
Disability Exchange Clearinghouse	500
Subtotal, Academic Programs	206,463
Professional and Cultural Programs:	
International Visitor Program	62,175
Citizen Exchange Programs/Youth and Excellence	45,536
Congress Bundestag Youth Exchange	3,176
Mike Mansfield Fellowship Program	1,800
Youth Science Leadership Institute of the Americas	100
Special Olympics	1,000
Global Perspectives Project and Public TV Conference	750
Africa Workforce Development Exchanges	400
Arctic Winter Games	200
PSC U.S.-Pakistan Educator Development	250
Institute for Representative Government	500
Council on Women World Leaders	500
Irish Institute	750
Northern Forum	300
Rule of Law Forum	800
Seed Programs	600
SIFE	250
International Writing Program	200
Atlantic Corridor	250
Interparliamentary Exchanges/Conferences	400
Interparliamentary Conference on Human Rights and Religious Freedom	250
University of Miami Hemispheric Program	500
Subtotal, Professional and Cultural Exchanges	120,687
Exchanges Support	39,000
Prior Year Balances Applied	(5,400)
Total, Exchange Programs	360,750

Deviations from distribution of funds under this heading will be subject to the normal reprogramming procedures under section 605 of this Act.

The conferees understand that, due to the absorption of the former Soviet Eastern European exchanges in this account, there are additional needs for funding in the "Exchanges Support" category. The Department is directed to apply, on a priority basis, any balances that may become available for this purpose.

The conference agreement includes, by reference, Senate report language regarding the exchange visitor program, program regulations, the Fulbright Foreign Student Program with Iraq and Afghanistan, and working exchanges.

The conference agreement continues a program begun in fiscal year 2000 to provide one-time funding to international exchange start-ups. The recommendation includes $100,000 for each of the following programs: the Middle East Information Portal; the Afghanistan Young Leaders Program at the University of Nebraska-Omaha; the Flushing Council on Culture and the Arts' Partnership Between Queens and Taipei; the Inuit Circumpolar Conference; and the Auschwitz Jewish Center's Student Scholarship Program.

Of the amounts provided for Seed programs, $300,000 is available for exchange programs related to Operation Smile, Inc.

The conferees support the expansion of the Partnerships for Learning program, which is an overarching theme for exchanges in which resources are shifted from lower to higher priority regions. Presently, and for the near future, the focus of the program is on engagement with the Arab/Muslim world.

Within amounts specified in the chart, the conference agreement includes $14,500,000 for the Future Leaders Exchange Program, $2,700,000 for teacher and school administrator exchanges, Teaching Excellence Awards (including the Partners in Education program), and $4,700,000 for Junior Faculty Development Program exchanges. The conferees support the Youth Exchange Study program.

The conference agreement adopts, by reference, language in the House report on Fulbright exchanges with Tibet; the Leaders in Education Initiative; Traditional Public-Private Partnership grants; artistic and cultural exchanges; minimizing unnecessary barriers to legitimate travel of exchange program participants; enhanced support for engaging Arab and Muslim audiences through exchange programs; allocation of funding for the Near East and South Asia regions; religious freedom; and the allocation of all resources under this account in accordance with worldwide policy priorities.

REPRESENTATION ALLOWANCES

The conference agreement includes $8,640,000 for representation allowances as proposed by both the House and Senate. The conference agreement includes, by reference, language in the House report regarding the submission of a quarterly report on expenditures under this account.

PROTECTION OF FOREIGN MISSIONS AND OFFICIALS

The conference agreement includes $9,894,000 under this heading as proposed by the House, instead of $5,000,000 as proposed by the Senate. The conference agreement includes, by reference, language in the House report regarding the Department's treatment of reimbursement requests and the submission of a report on budgeting for protection expenses in light of heightened security measures. The conferees believe that local jurisdictions incurring such costs must submit a certified billing for such costs in accordance with program regulations. The conferees expect the Department to treat such submissions diligently and provide reimbursement for valid claims to local jurisdictions on a timely basis. The conferees recognize that, in those instances where a local jurisdiction will realize a financial benefit from a visit by a foreign dignitary through increased tax revenues, such circumstances should be taken into account by the Department in assessing the need for reimbursement under this program.

EMBASSY SECURITY, CONSTRUCTION, AND MAINTENANCE

The conference agreement includes a total appropriation of $1,524,000,000 for Embassy Security, Construction, and Mainte-

nance, as proposed by the House, instead of $1,376,758,000 as proposed by the Senate. The conference agreement designates $912,320,000 as available only for priority worldwide security upgrades, acquisition, and construction, the full amount requested for such activities. The conference agreement includes full requested wage and price increases for the Department's Bureau of Overseas Buildings Operations (OBO).

The conference agreement includes $912,320,000 for worldwide security upgrades, including $869,000,000 to continue the capital security program for constructing new secure replacement facilities for the Department's most vulnerable embassies and consulates. Within the funds made available under this category, the conferees expect the Department to undertake new office building projects from among the highest priority facilities listed in the Long Range Overseas Buildings Plan. Projects funded under this account must follow a rigorous right-sizing methodology.

The conferees expect that projects undertaken under this program will address the highest priority facilities from a security standpoint. The conference agreement supports the construction of seven new embassy compounds, two annex buildings, four United States Agency for International Development (USAID) buildings on secure embassy compounds, and acquisition of a number of secure sites for future embassy compounds.

Brussels, Belgium.—The conferees understand that certain non-security requirements exist in the State facilities in Brussels. The conference agreement includes $2,500,000 for these requirements.

The conference agreement includes such sums as necessary for the renovation of and seismic upgrades to the historic Palazzo Corpi building in Istanbul, Turkey, as determined by the Secretary.

The conference agreement adopts, by reference, language included in the Senate report concerning Beirut, Lebanon, and Karachi, Pakistan, building size, and asset management funds.

The conference agreement includes, by reference, language in the House report regarding compound security, security capital projects fully meeting existing security standards, immediate notification on serious security risks, reprogramming, and right-sizing.

The conference agreement includes $15,000,000 to secure and protect soft targets, of which $10,000,000 is for security at overseas schools attended by dependents of U.S. Government employees; $8,000,000 for consular workspace improvements; and $25,000,000 for buyout of uneconomic leases, as described in the Senate report.

The recommendation includes language establishing the Capital Security Cost Sharing Program. Under this program, all agencies that have staff overseas under Chief of Mission authority will pay a fair share of urgent, security-driven capital projects undertaken to replace embassies and consulates at the most vulnerable posts. The goals of this program are two-fold. First, the program will accelerate the replacement of unsafe, unsecured and outdated diplomatic facilities that are used overseas by U.S. Government agencies. This is planned as a 14-year, $17,500,000,000 program to replace 150 vulnerable embassy and consulate facilities with new compounds that fully comply with statutory security requirements. Second, the program will create incentives within all government

departments and agencies to scrutinize and "right-size" their overseas presence to avoid unnecessary costs and security risks.

Each agency with staff overseas under Chief of Mission authority has, built into their fiscal year 2005 budget request, an annual contribution towards construction of new secure diplomatic facilities based on the number of positions overseas and the type of space occupied. These contributions do not take the place of State Department contributions, which are also growing, but create a larger, shared funding pool to accelerate replacement. In fiscal year 2004, the conferees funded the "virtual" costs of the program by including a $120,000,000 increase to State Department appropriations. The recommendation assumes a total program level of $869,020,000 in fiscal year 2005 for Capital Security Construction, including $785,320,000 under this account. The total amount includes a continuing State Department base appropriation of $622,720,000. The additional amount generated by the Capital Security Cost Sharing program is $249,101,862, which consists of $160,186,300 from the State Department included under this account, and $88,915,562 from non-State agencies, based on positions worldwide. The conferees understand that there is an anticipated five-year phase-in period for the program, wherein the total Government-wide amount grows from $869,020,000 in fiscal year 2005, to $1,400,000,000, then remains at that level for the next 9 years. The conferees further understand that the program will include agency involvement in setting priorities, and in other aspects of the development of new embassy compounds. The conferees believe that the establishment of strong interagency coordination and cooperation will be critical to achievement of program goals, and encourage the Department and the Administration to ensure that the management of this program is inclusive, cooperative and transparent.

The conference agreement includes $604,880,000 for operations and maintenance activities, including $76,729,000 in program increases. The conferees include $6,800,000 for headquarters operations. The conferees direct the Department to prioritize requested funding increases, and to specifically identify amounts above current services in a comprehensive spending plan to be submitted no later than 60 days after enactment of this Act.

Assets Management.—The conference agreement designates $100,049,000 in assets management funds planned for obligation in fiscal year 2005, of which $25,000,000 is for buyout of uneconomic leases. Any use of assets management funds in fiscal year 2005 is subject to reprogramming, as stated in the Senate report.

The conferees expect the Department to submit to the Committees any waiver or waivers signed by the Secretary of State in accordance with section 606(a)(2) and section 606(a)(3) of the Secure Embassy Construction and Counterterrorism Act of 1999 (Public Law 106–113) within five days of the Secretary's signature of such a waiver or waivers.

The conference agreement adopts language in the House report concerning reprogramming requirements.

EMERGENCIES IN THE DIPLOMATIC AND CONSULAR SERVICE

The conference agreement includes $1,000,000 under this heading, instead of $7,000,000 as proposed by the House, and instead of $1,000 as proposed by the Senate. The conference agreement anticipates that significant carryover balances from fiscal year 2004 will be available for obligation in fiscal year 2005. Within prior year unobligated balances, the conferees expect that $2,000,000 will be transferred to the Special Court for Sierra Leone, as proposed by the Senate.

REPATRIATION LOANS PROGRAM ACCOUNT

The conference agreement includes $612,000 for the subsidy cost of repatriation loans and $607,000 for administrative costs of the program as proposed by both the House and Senate.

PAYMENT TO THE AMERICAN INSTITUTE IN TAIWAN

The conference agreement includes $19,482,000 under this heading as proposed by both the House and Senate. The conference agreement includes, by reference, language in the House report regarding the submission of a fiscal year 2005 spending plan, except that such plan shall be submitted by February 28, 2005.

PAYMENT TO THE FOREIGN SERVICE RETIREMENT AND DISABILITY FUND

The conference agreement includes $132,600,000 under this heading, as proposed by both the House and the Senate.

INTERNATIONAL ORGANIZATIONS

CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

The conference agreement includes $1,182,000,000 under this heading, instead of $1,194,210,000 as proposed by the House, and $1,020,830,000 as proposed by the Senate.

The conference agreement includes, by reference, language in the House report regarding offset of exchange rate losses, reassessment of U.S. membership in certain international organizations, reform and budget discipline, the Organization for Economic Cooperation and Development, the North Atlantic Treaty Organization, the International Atomic Energy Agency, the Pan American Health Organization, and the costs of a direct loan to the United Nations for the cost of renovating its headquarters in New York. The conference agreement includes, by reference, language in the Senate report regarding the International Coffee Organization, the International Copper Study Group, and the International Rubber Study Group.

The conference agreement includes language requiring the Secretary to transmit the most recent biennial budget for the operations of the UN. The conference agreement includes language, as in fiscal year 2004, providing that funds within the Diplomatic and Consular programs account may be used for a United States Government interagency task force to examine, coordinate, and oversee United States participation in the United Nations headquarters renovation project. The conferees direct the task force to coordinate

its efforts with OBO and to consult with senior OBO officials in formulating its recommendations.

The conferees note the role of the UN in fighting diseases, providing humanitarian assistance, fostering conflict resolution, and providing an international forum for world issues. However, the conferees are concerned by recent developments in a number of areas. The conferees note that the United Nations Oil-for-Food program in Iraq is marred by allegations of corruption and that it aided or abetted a tyrannical regime and undermined the international community's good will. Further, the conferees urge the UN to do more to mitigate or resolve the conflicts and humanitarian crises in Sudan, where war has ravaged the country for decades at the cost of millions of lives. Finally, the United Nations' leadership and legitimacy are tarnished by continued failure to bring to justice those individuals involved in improper and illegal activities.

United Nations Oil-For-Food Program.—The conferees direct the Department to bring all necessary resources to bear on the investigation of fraud and bribery allegations regarding the United Nations Oil-For-Food Program. The conferees expect the Department to provide all requested documentation to the U.S. Congress, and to provide any requested support to the Secretary General's Independent Inquiry Committee. The conferees strongly support the Inquiry and expect the Inquiry Committee's review to be thorough, rigorous, and expeditious. The conferees expect the Department to use the voice and vote of the United States to ensure the Inquiry be conducted in this manner.

CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING ACTIVITIES

The conference agreement includes a total funding level of $490,000,000 for payments for Contributions for International Peacekeeping Activities, instead of $650,000,000 as proposed by the House, and $574,000,000 as proposed by the Senate. The conferees remain concerned that the United States has voted in the United Nations Security Council to establish five new or expanded peacekeeping missions (Haiti, Burundi, Liberia, Cyprus, and Ivory Coast) without presenting the Committees on Appropriations with a viable plan to meet the current and future costs of such commitments. All but the Cyprus mission were approved by the Security Council and are underway and incurring costs. The Secretary of State testified that in such instances the Administration would request supplemental appropriations to cover these costs. The conferees expect that such a supplemental appropriation request will provide for the full UN peacekeeping assessments.

The conference agreement includes language, as proposed by the Senate, regarding the adjustment of the rate at which the United States pays for the cost of United Nations peacekeeping missions.

The conference agreement includes, by reference, language in the House report regarding UN peacekeeping in the Western Sahara; UN peacekeeping reform; benchmarks for mission performance and termination; UN peacekeeping in the Democratic Republic of the Congo; and the Office of Internal Oversight Services. The conference agreement includes, by reference, language in the Senate report regarding peacekeeping reports. The allocation of funds

under this account to specific missions shall be subject to the reprogramming requirements in section 605 of this Act.

The conferees support the work of the Special Court for Sierra Leone, and expect the United Nations Mission in Sierra Leone to provide support, as necessary, to the Court. The conferees urge the Department to work with the Court and other nations to ensure the expeditious prosecution of indicted persons.

INTERNATIONAL COMMISSIONS

INTERNATIONAL BOUNDARY AND WATER COMMISSION, UNITED STATES AND MEXICO

The conference agreement includes a total of $32,554,000 for the International Boundary and Water Commission, United States and Mexico (IBWC). The total amount provided includes $27,244,000 for Salaries and Expenses and $5,310,000 for Construction. The conference agreement includes language authorizing not to exceed $6,000 for representation expenses.

SALARIES AND EXPENSES

The conference agreement for the Salaries and Expenses account includes $27,244,000, instead of $26,800,000 as proposed by the House and $27,689,000 as proposed by the Senate. The conference agreement includes, by reference, language in the House report regarding the use of surplus operations and maintenance funding through reprogramming.

CONSTRUCTION

The conference agreement includes $5,310,000 in new direct appropriations under this heading, instead of $4,475,000 as proposed by the House and $6,146,000 as proposed by the Senate.

The conference agreement includes $1,750,000 for the Rio Grande Canalization Project and $1,000,000 for the Lower Rio Grande Flood Project/Levee Rehabilitation.

The conferees encourage the IBWC to attempt, if possible, to achieve greater secondary treatment of Mexican sewage within current funding levels under this account. Any plan that assumes a significant increase in appropriations under this heading in future years is not feasible given resource restraints and competing priorities.

Any additional obligations under this heading within the total spending level cited above, including any new project starts, shall be subject to the reprogramming process described in section 605 of this Act.

AMERICAN SECTIONS, INTERNATIONAL COMMISSIONS

The conference agreement includes a total of $9,594,000 under this heading, instead of $9,356,000 as proposed by the House, and $10,546,000 as proposed by the Senate. This amount includes $1,248,000 for the International Boundary Commission; $6,298,000 for the International Joint Commission, including $200,000 for efforts concerning the Red River Basin, and $1,019,000 for the fifth and final year of the water regulation plan governing Lake Ontario

and the St. Lawrence River; and $2,049,000 for the Border Environment Cooperation Commission.

INTERNATIONAL FISHERIES COMMISSIONS

The conference agreement includes $21,982,000 under this heading, the same amount as proposed by the Senate, instead of $19,097,000 as proposed by the House. The conference agreement includes $3,000,000 for the Pacific Salmon Commission, $2,100,000 for the Inter-American Tropical Tuna Commission, $1,800,000 for the International Pacific Halibut Commission, $177,000 for the North Pacific Marine Science Organization, and $12,964,000 for the Great Lakes Fishery Commission, of which not less than $845,000 is for lampricide in Lake Champlain. House language regarding Asian Carp is included by reference. The conferees expect the Department to allocate the balance of funds in the conference agreement, and, through the regular reprogramming process, any additional funds that may become available, to priority commissions.

The conferees expect the Department to take immediate action to evaluate and prioritize United States participation in, and funding for, international fisheries commissions. In a climate of limited resources the conferees continue to insist that the Department operate within appropriated amounts, prioritize as necessary among commissions according to policy goals, take steps as necessary to withdraw from lower priority commissions, and refrain from entering into new commitments.

OTHER

PAYMENT TO THE ASIA FOUNDATION

The conference agreement includes $13,000,000 under this heading, the same amount as proposed by the House. No funding was proposed by the Senate.

CENTER FOR MIDDLE EASTERN-WESTERN DIALOGUE

The conference agreement includes $7,000,000 under this heading to be deposited in the International Center for Middle Eastern-Western Dialogue Trust for the perpetual operations of the Center in Istanbul, Turkey. Of the amounts provided $250,000 is for the steering committee, chaired by the Council of American Overseas Research Centers (CAORC), for the operations of the Center.

EISENHOWER EXCHANGE FELLOWSHIP PROGRAM

The conference agreement includes an appropriation for fiscal year 2005 of interest and earnings from the Eisenhower Exchange Fellowship Program Trust Fund, expected to total $500,000. The conference agreement includes, by reference, language in the House report regarding geographical priorities and the selection of fellows.

ISRAELI ARAB SCHOLARSHIP PROGRAM

The conference agreement includes an appropriation for fiscal year 2005 of interest and earnings of the Israeli Arab Scholarship Endowment Fund, expected to total $375,000.

EAST-WEST CENTER

The conference agreement includes $19,500,000 under this heading, as proposed by the Senate, instead of $5,000,000 as proposed by the House.

NATIONAL ENDOWMENT FOR DEMOCRACY

The conference agreement includes $60,000,000 for the National Endowment for Democracy (NED), instead of $40,579,000 as proposed by the House and $50,000,000 as proposed by the Senate.

The conferees strongly encourage both the NED and the four core institutes to focus available funding on the Middle East region, continuing work on electoral processes and political party development. The conferees commend the institutes for their contribution to the recent presidential election in Afghanistan and support similar work in future parliamentary elections.

The conference agreement adopts, by reference, House report language reaffirming NED's duty to ensure that all sponsored activities adhere to core NED principles and requiring a report on NED activities in Venezuela.

The conference agreement includes $1,000,000 for a grant to support the creation of the Fern L. Holland Democracy Institute in Africa, as outlined in the House report. The conferees remain concerned that there is a lack of effectiveness and cohesion among the groups advocating for awareness and action on behalf of the victims of human rights abuses and the persecuted. The conferees provide $500,000 to be made available for programs designed specifically to promote basic human rights of ethnic minorities, including their right to maintain and exercise their culture, religion, and language, free from discrimination.

RELATED AGENCY

BROADCASTING BOARD OF GOVERNORS

INTERNATIONAL BROADCASTING OPERATIONS

The conference agreement includes $591,000,000 to carry out United States International Broadcasting Operations for fiscal year 2005, instead of $601,740,000 as proposed by the House and $552,240,000 as proposed by the Senate. The conference agreement includes $64,969,000 for efforts to provide people of Arab and Muslim countries with accurate information about U.S. policies and values. The conferees provided initial start-up costs for a television program stream specifically tailored for the Iraqi audience in Public Law 108–106. The conferees expect the Broadcasting Board of Governors to provide quarterly status reports detailing the efforts to develop quality news and entertainment programs for the Arab and Muslim world.

The conference agreement adopts, by reference, House language regarding broadcasting to Africa, language service reviews and research, and anti-jamming efforts.

The conferees remain concerned about a potential blurring of the distinction between the international broadcasting conducted by the Broadcasting Board of Governors and that conducted by the

Defense Department. While the conferees continue to strongly support all necessary efforts to provide for national security, close collaboration with the Defense Department may foster misunderstanding among foreign audiences as to the principles and goals of BBG broadcasting. The BBG shall continue to notify the Committees in writing of any projects or programs to be undertaken with the Defense Department within 7 days of the beginning of such activities. The report should include a description of services provided and any financial arrangements between the entities.

Security of Radio Free Europe/Radio Liberty Headquarters.—During fiscal year 2004, the RFE/RL was directed to work with the Department of State's Bureau of Overseas Buildings Operations to develop a comprehensive site and cost assessment for relocation of the RFE/RL headquarters in Prague, the Czech Republic. The conferees are concerned that RFE/RL has informed the Committees on Appropriations that RFE/RL intends to sign a pre-lease contract. The conferees believe it would be premature for BBG and RFE/RL to proceed without a thorough explanation as to how specific relocation costs, as outlined in the report, will be absorbed in future years. The conferees direct BBG and RFE/RL to compile and submit a strategic funding plan for the intended relocation process no later than February 1, 2005. Until the long-term maintenance cost of a new building has been contemplated and endorsed by the BBG, no additional funds shall be provided to secure a site for relocation. The conferees expect funding decisions on the relocation to occur expeditiously given the expressed concern for the security of employees of RFE/RL.

The conferees direct the BBG to report on Al Hurra's coverage, audience, reception, and public response in the Arabic-speaking world. The report shall include the findings of an independent and validated public opinion poll.

The conference agreement includes language designating $27,629,000 for Broadcasting to Cuba.

The conferees continue to support Radio Free Asia's broadcasting efforts in China, Tibet, Burma, Vietnam, North Korea, Laos, and Cambodia and VOA's efforts in North Korea. The conference agreement includes funding to continue daily Uyghur broadcasts.

The conferees expect the BBG to provide a spending plan to the Committees on Appropriations by no later than April 11, 2005.

BROADCASTING CAPITAL IMPROVEMENTS

The conference agreement includes $8,560,000 for broadcasting capital improvements, as proposed by both the House and Senate.

The conferees expect the Board to keep the Committees on Appropriations informed on the status of its efforts to acquire additional transmission capabilities in the Middle East, including Egypt.

GENERAL PROVISIONS—DEPARTMENT OF STATE AND RELATED AGENCY

The conference agreement includes section 401, permitting the use of funds for allowances, differentials and transportation.

The conference agreement includes section 402 dealing with transfer authority.

The conference agreement includes section 403 prohibiting the use of funds by the Department of State or the Broadcasting Board of Governors to provide certain assistance to the Palestinian Broadcasting Corporation.

The conference agreement includes section 404 clarifying the responsibilities of the Senior Policy Operating Group on Trafficking in Persons. The conferees understand that the Operating Group has been actively meeting and performing its designated functions since enactment of Section 406 of division B of Public Law 108–7. The conferees agree that all anti-trafficking policies, grants and grant policies shall be covered by the provisions of Section 406 of division B of Public Law 108–7. The conference agreement also includes language clarifying that the Senior Policy Operating Group and its chairman are the coordinating body (and official) accountable for Federal anti-trafficking policies, grants and grant policies. The language also makes clear that the coordinating responsibilities of the Operating Group are not intended to supercede the decision making authority of the constituent members of the Task Force to Monitor and Combat Trafficking in Persons, to whom Operating Group members continue to report. The Operating Group is, and was intended to serve as, the forum for interagency coordination of anti-trafficking policies, even as final decisions regarding any such policies are necessarily vested with the President and the senior officials who comprise the Task Force. The conferees agree that the Senior Operating Group and its chair have successfully performed the coordinating functions assigned to them.

The conference agreement includes section 405 concerning the Department's counterterrorism rewards program.

The conference agreement includes section 406 regarding the recording of place of birth on certain passport applications.

The conference agreement includes section 407 requiring the provision of certain information to the Committees on Appropriations.

The conference agreement includes section 408 establishing and describing the functions of the Office of the Coordinator for Reconstruction and Stabilization.

The conference agreement includes section 409 requiring the Secretary of State to review staffing at all overseas posts.

The conference agreement includes section 410 waiving certain authorization requirements.

The conference agreement includes section 411 adjusting the United States assessments for the United Nations Peacekeeping Missions.

The conference agreement includes section 412 updating and conforming the Senior Foreign Service pay system.

The conference agreement includes section 413 clarifying the Department's authority to enter into settlements of claims.

TITLE V—RELATED AGENCIES

ANTITRUST MODERNIZATION COMMISSION

SALARIES AND EXPENSES

The conference agreement includes $1,187,000 for the Antitrust Modernization Commission, instead of $1,200,000 as proposed by the House. The Senate did not fund this Commission.

COMMISSION FOR THE PRESERVATION OF AMERICA'S HERITAGE ABROAD

SALARIES AND EXPENSES

The conference agreement includes $499,000 for the Commission for the Preservation of America's Heritage Abroad as proposed by the House, instead of $491,000 as proposed by the Senate. The conference agreement will allow the Commission to fund its administrative expenses through appropriated funds while relying on other sources of funding for actual purchase and restoration of property.

The conference agreement includes, by reference, language in the House report under this heading.

COMMISSION ON CIVIL RIGHTS

SALARIES AND EXPENSES

The conference agreement includes $9,096,000 for the salaries and expenses of the Commission on Civil Rights, as proposed by both the House and Senate.

The conferees recommend language as included in previous years, which provides: (1) $50,000 to employ consultants; (2) a limitation of four full-time positions under schedule C of the Excepted Service, exclusive of one special assistant for each Commissioner; and (3) a prohibition against reimbursing Commissioners for more than 75 billable days, with the exception of the chairperson, who is permitted 125 billable days.

COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM

SALARIES AND EXPENSES

The conference agreement includes $3,000,000 for the Commission on International Religious Freedom, as proposed by the House. The Senate did not provide funding for this Commission. The conference agreement includes language providing authority for the Commission to procure temporary services for a study on the right to freedom of religion in North Korea.

The conference agreement includes, by reference, language in the House report under this heading.

COMMISSION ON SECURITY AND COOPERATION IN EUROPE

SALARIES AND EXPENSES

The conference agreement includes $1,831,000 for the Commission on Security and Cooperation in Europe as proposed by the House, instead of $1,598,000 as proposed by the Senate.

The conference agreement includes, by reference, language in the House report under this heading.

CONGRESSIONAL-EXECUTIVE COMMISSION ON THE PEOPLE'S REPUBLIC OF CHINA

SALARIES AND EXPENSES

The conference agreement includes $1,900,000 for the Congressional-Executive Commission on the People's Republic of China as proposed by the House, instead of $1,781,000 as proposed by the Senate. The amount provided includes $100,000 for the Political Prisoner Database as proposed by the House.

The conference agreement includes, by reference, language in the House report under this heading.

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

SALARIES AND EXPENSES

The conference agreement includes $331,228,000 for the salaries and expenses of the Equal Employment Opportunity Commission (EEOC) for fiscal year 2005, instead of $334,944,000 as proposed by the House and $327,511,000 as proposed by the Senate.

The conference agreement adopts the House report language regarding the Alternative Dispute Resolution program, litigation support and outreach, and the New Freedom Initiative to remove barriers faced by people with disabilities. The conference agreement includes language regarding staffing levels in the field.

The conference agreement includes language prohibiting the Commission from taking further action to implement workforce repositioning, restructuring, or reorganization unless the Committees on Appropriations have been notified in advance of such proposals, in accordance with the reprogramming procedures under section 605 of this Act. In this regard, the conference agreement includes the House report language regarding a spending plan. The conference agreement also adopts the House report language regarding the submission of quarterly status reports on projected and actual spending levels, by function, for repositioning, and the continued submission of quarterly reports on agency spending and staffing levels.

The conferees again encourage the EEOC to use the experience the Fair Employment Practices Agencies (FEPAs) have in mediation as the Commission continues to expand its Alternative Dispute Resolution programs. The conference agreement also includes language similar to that included in previous Appropriations Acts allowing non-monetary awards to private citizens. Finally, the conference agreement provides up to $2,500 for official reception and representation expenses.

FEDERAL COMMUNICATIONS COMMISSION

SALARIES AND EXPENSES

The conference agreement includes $281,098,000 for the salaries and expenses of the Federal Communications Commission (FCC) for fiscal year 2005, instead of $279,851,000 as proposed by the House and $282,346,000 as proposed by the Senate. Of the amounts provided, $280,098,000 is to be derived from offsetting fee collections, resulting in a net direct appropriation of $1,000,000.

The conference agreement includes, by reference, language in the House report regarding travel payments and public notice requirements for broadcast applications. The conference agreement includes, by reference, language included in the Senate report on broadcast television standards.

The conference agreement allows the FCC to spend up to $85,000,000 to administer the spectrum auctions program. The conference agreement incorporates, by reference, House report language regarding the FCC's accounting system.

The conferees are aware that members of the armed services and their families make extensive use of prepaid phone cards to stay in contact. The FCC is considering subjecting these cards to increased regulation. The conferees direct the FCC not to take any action that would directly or indirectly have the effect of raising the rates charged to military personnel or their families for telephone calls placed using prepaid phone cards.

Within amounts provided for on-going life cycle replacement of technical equipment in fiscal year 2005, the conferees encourage the FCC to follow through on its plan to modernize its Radio Frequency Radiation monitoring equipment by purchasing Selective Radiation Meter (SRM) units and anticipates that future budget requests will address replacement of outdated equipment.

FEDERAL TRADE COMMISSION

SALARIES AND EXPENSES

The conference agreement includes $205,430,000 for the Federal Trade Commission (FTC), instead of $203,430,000 as proposed by the House and $207,730,000 as proposed by the Senate. Of the amounts provided, $101,000,000 is derived from Hart-Scott-Rodino premerger filing fees, $21,901,000 is derived from Do-Not-Call fees, and $82,529,000 is derived from discretionary appropriations. The amount provided fully supports the budget request.

The conference agreement adopts by reference the Senate report language concerning the exposure of children to violent entertainment and on the Do-Not-Call program. The conference agreement also adopts by reference the Senate report language requiring a report on illegal pressure tactics applied to American fishermen who oppose mandatory country of origin labeling for seafood.

The conference agreement continues language that was included in the fiscal year 2004 bill regarding enforcement of certain provisions of the Federal Deposit Insurance Act.

HELP COMMISSION

SALARIES AND EXPENSES

The conference agreement includes $1,000,000 for necessary expenses of the Helping to Enhance the Livelihood of People (HELP) Around the Globe Commission.

LEGAL SERVICES CORPORATION

PAYMENT TO THE LEGAL SERVICES CORPORATION

The conference agreement includes $335,282,000 for the payment to the Legal Services Corporation, as proposed by the House, instead of $335,000,000 as proposed by the Senate. The conference agreement includes $1,833,000 to offset funding losses that have resulted from recent census-based reallocations. In addition to the amounts provided through the formula-based field grant program, the conferees direct LSC to distribute the additional $1,833,000 to the ten states that suffered the greatest losses from the census reallocation, in order to restore them to the funding level they would have received under the Senate bill.

ADMINISTRATIVE PROVISION

The conference agreement includes bill language to continue the terms and conditions included under this section in previous Appropriations Acts.

MARINE MAMMAL COMMISSION

SALARIES AND EXPENSES

The conference agreement includes $1,890,000 for the necessary expenses of the Marine Mammal Commission, as proposed by both the House and Senate.

NATIONAL VETERANS BUSINESS DEVELOPMENT CORPORATION

The conference agreement includes $2,000,000 for the National Veterans Business Development Corporation as proposed by the House and the Senate. The conference report includes, by reference, House report language encouraging the Corporation to make its operations self-sustaining.

SECURITIES AND EXCHANGE COMMISSION

SALARIES AND EXPENSES

The conference agreement includes $913,000,000 for the Securities and Exchange Commission, as proposed by the House and Senate.

Staffing.—In fiscal year 2003, the Commission received funding for 840 new positions to protect investors and implement the Sarbanes-Oxley Act. The conferees understand that the Commission has had difficulty hiring accountants and examiners and direct the Commission to continue to work to fill all of the previously funded 840 positions as well as the 106 newly funded positions as quickly as possible and to provide the Committees on Appropria-

tions with quarterly staffing reports. By April 15, 2005, the SEC shall report to the Committees on any proposals, including legislative changes, that may further the SEC's ability to hire to authorized levels and to retain quality employees.

The conference agreement adopts by reference the Senate report language concerning pay parity, enforcement, and information technology. The conference agreement adopts by reference the Senate report language requiring a monthly report to the Senate Appropriations Committee listing the exercise of stock options by corporate officers and directors. The conference agreement includes language requiring a report to the Senate Appropriations Committee justifying the recent rule that directors of mutual funds be independent.

Within 90 days of enactment of this Act, the SEC shall provide a report to the Senate Appropriations Committee analyzing the impact upon individual and institutional investors and competing securities markets of the so-called "trade through" provisions of the proposed SEC Regulation New Market Structure (NMS). In formulating its report, the SEC should examine whether and how the adoption of the "trade through" provisions would affect investors' ability to select the market where their securities trades will be carried out. The report shall also examine the interaction of automated and non-automated orders under Regulation NMS and the impact this would have on individual and institutional investors.

The conferees are pleased that the SEC has recently established an Office of Global Security Risk within the Division of Corporation Finance. The SEC should inform the investment community of the existence and relevance of the new Office through the following actions: (1) announce the establishment of the Office on the SEC website; (2) issue a press release or send a letter to leading U.S. investment community members alerting them to the establishment of the Office; (3) convene a conference to address the various dimensions of global security risk and appropriate ways that the investment community might respond to it; and (4) establish an effective global security risk disclosure process. The conferees expect the SEC to continue to provide quarterly reports on the Office's activities.

SMALL BUSINESS ADMINISTRATION

The conference agreement provides a total of $579,516,000 for the five appropriations accounts of the Small Business Administration (SBA). Detailed guidance for the five SBA appropriation accounts is contained in the following paragraphs.

SALARIES AND EXPENSES

The conference agreement includes $322,335,000 for the salaries and expenses account of the SBA instead of $315,362,000 as proposed by the House and $357,684,000 as proposed by the Senate. Of the amount provided under this heading, $186,772,000 is for operating expenses of the SBA. In addition, a total of $134,903,000 from other SBA accounts may be transferred to and merged with the salaries and expenses account resulting in a total availability of $321,675,000. The additional amount consists of

$126,653,000 from the Business Loans Program account and $8,250,000 from the Disaster Loans Program account for the administrative expenses related to those accounts.

The conference agreement includes the full amount requested for Low Documentation Processing Centers and the conferees expect the SBA to continue to help small businesses adapt to a paperless procurement environment.

The conferees adopt by reference the House report language concerning the loan monitoring system. The conferees adopt by reference the requirement to provide a report on the e-gov program and the agency's efforts to increase efficiency and improve customer service.

Non-Credit Programs.—The conference agreement includes the following for the non-credit programs of the SBA:

National Ombudsman	$500,000
Advocacy Research	1,100,000
Veterans Programs	750,000
7(j) Technical Assistance Programs	1,500,000
Small Business Development Centers	89,000,000
SCORE	5,000,000
Women's Business Centers	12,500,000
Women's Business Council	750,000
Native American Outreach	1,000,000
Drug-free Workplace Program	1,000,000
Microloan Technical Assistance	14,000,000
PRIME Technical Assistance	5,000,000
HUBZones	1,979,000
US Export Assistance	1,484,000
Total, non-credit programs	135,563,000

The SBA shall not reduce these non-credit programs to fund operating costs. The conferees adopt by reference the House and Senate report language regarding Native American Outreach. The conferees adopt by reference the Senate report language regarding the Small Disadvantaged Business Program. The conferees adopt by reference the House and Senate report language regarding Small Business Development Centers (SBDCs), including the House direction to work with the manufacturing sector and continue to support the defense transition program at no less than the fiscal year 2004 level. The conferees adopt by reference the Senate report language concerning HUBZones.

Of the amounts provided for the SBDC program, $500,000 shall be available for the South Carolina Women's Business Center (WBC).

The conference agreement includes language allowing WBCs in sustainability status to continue to receive grants and designates 48 percent of the total WBC funding for centers in sustainability status.

OFFICE OF INSPECTOR GENERAL

The conference agreement includes $13,014,000 for the Office of Inspector General of the Small Business Administration as proposed by the Senate instead of $14,500,000 as proposed by the House. The conference agreement includes language allowing $500,000 to be transferred to this account from the Disaster Loans Program for oversight costs related to that program. The conferees

adopt by reference the Senate report language regarding reorganization.

SURETY BOND GUARANTEES REVOLVING FUND

The conference agreement includes $2,900,000 under this account, instead of $11,400,000 as provided by the Senate and $9,900,000 as provided by the House.

BUSINESS LOANS PROGRAM ACCOUNT

The conference agreement includes $128,108,000 under this account, consisting of $1,455,000 for subsidies for direct business loans and $126,653,000 for administrative expenses related to business loan programs. The amount provided for administrative expenses may be transferred to and merged with the appropriation for SBA salaries and expenses to cover the common overhead expenses associated with business loans. The conferees agree that, in the event of an economic downturn, the policy of zero subsidy for the 7(a) program shall be revisited.

DISASTER LOANS PROGRAM ACCOUNT

The conference agreement includes $113,159,000 for the Disaster Loans Program Account, instead of $195,887,000 as proposed by the House and $178,909,000 as proposed by the Senate. The conference agreement includes no new budget authority for the subsidy costs of disaster loans but includes $113,159,000 for administrative expenses of the disaster loan program.

Within the $113,159,000 provided for administrative expenses, $500,000 is available for the Office of Inspector General, $104,409,000 is available for direct administrative expenses of loan making and servicing, and $8,250,000 is available to be transferred to the Salaries and Expenses account for indirect costs of the program.

The conferees understand that the emergency appropriations provided in response to natural disasters at the end of fiscal year 2004 may exceed the actual need for loans to affected businesses and individuals. The conferees expect that the surplus of subsidy budget authority from emergency appropriations will be sufficient to cover an average annual loan program level. For this reason, the conference agreement does not provide an additional subsidy appropriation for fiscal year 2005. The conferees expect the SBA to continue to request regular discretionary appropriations to cover an average annual disaster loan program level in future budget requests. The conferees request that the SBA provide a monthly status report on disaster loan activity to the Committees on Appropriations.

By April 15, 2005, the SBA should also provide to the Committees on Appropriations a report describing various methodologies for calculating annual estimates of disaster loan volume. The report should explain the current rolling historical average methodology and also present other reasonable options to determine requirements in light of the recent years of low disaster activity. In addition, the report should include information on various meth-

odologies to project loan volume once a disaster declaration has occurred.

ADMINISTRATIVE PROVISION—SMALL BUSINESS ADMINISTRATION

The conference agreement includes bill language allowing transfers between accounts.

STATE JUSTICE INSTITUTE

SALARIES AND EXPENSES

The conference agreement provides $2,613,000 for the State Justice Institute (SJI), instead of $2,227,000 as proposed by the House and $3,000,000 as proposed by the Senate. The conference agreement incorporates by reference the House report language regarding the Office of Justice Programs and sources of non-Federal funding.

UNITED STATES-CHINA ECONOMIC AND SECURITY REVIEW COMMISSION

SALARIES AND EXPENSES

The conference agreement includes $3,000,000 as proposed by the House for the necessary expenses of the United States-China Economic and Security Review Commission, instead of $2,300,000 as proposed by the Senate. This level includes not more than $5,000 for the purpose of official representation. The conference agreement includes language making funding available until expended, as proposed by the Senate. The conference agreement also includes $1,000,000 for the expansion of the Commission's research programs and enhanced outreach efforts, as proposed by the House.

The conference agreement incorporates, by reference, the Senate report language directing the Commission to conduct certain research and provide a report no later than May 1, 2005.

UNITED STATES INSTITUTE OF PEACE

OPERATING EXPENSES

The conference agreement includes $23,000,000 for the United States Institute of Peace. Within the amounts provided, including prior year funding, the Institute may use such funds as necessary for advance architectural work and planning related to a new headquarters facility.

In addition, the conferees direct the Institute to create a task force to study the United Nations' efforts to meet the goals of its charter as signed in June of 1945. This study should address obstacles to achieving such goals, especially the goal of maintaining international peace and security and the promotion of universal respect for and observance of human rights and fundamental freedoms. The conferees are deeply troubled by the inaction of the United Nations on many fronts, especially in regard to the genocide in Darfur, Sudan, and the allegations of corruption regarding the United Nations Oil-For-Food program. The task force should consist of experts from the following public policy forums: American Enterprise Institute, Brookings Institution, Council on Foreign Re-

lations, Center for Strategic and International Studies, Hoover Institution, and Heritage Foundation. The conferees anticipate the task force would not include more than 12 members. The conferees expect the results of the study to be presented to the Committees on Appropriations within 180 days of the enactment of this Act.

UNITED STATES SENATE-CHINA INTERPARLIAMENTARY GROUP

SALARIES AND EXPENSES

The conference agreement includes an appropriation of $100,000 for the salaries and expenses of the United States Senate-China Interparliamentary Group as proposed by the Senate. Funding for the Interparliamentary Group was not included in the House bill.

TITLE VI—GENERAL PROVISIONS

(INCLUDING RESCISSIONS)

The conference agreement includes the following General Provisions:

Sec 601. The conference agreement includes section 601 regarding the use of appropriations for publicity and propaganda purposes.

Sec. 602. The conference agreement includes section 602 regarding the availability of appropriations for obligation beyond the current fiscal year.

Sec. 603. The conference agreement includes section 603 regarding the use of funds for consulting purposes.

Sec. 604. The conference agreement includes section 604 providing that should any provision of the Act be held to be invalid, the remainder of the Act would not be affected.

Sec. 605. The conference agreement includes section 605 regarding the policy by which funding available to the agencies funded under this Act may be reprogrammed for other purposes.

Sec. 606. The conference agreement includes section 606 regarding the construction, repair, or modification of National Oceanic and Atmospheric Administration vessels in overseas shipyards.

Sec. 607. The conference agreement includes section 607 prohibiting funds in the bill from being used to implement, administer, or enforce any guidelines of the Equal Employment Opportunity Commission (EEOC) similar to proposed guidelines covering harassment based on religion published by the EEOC in October 1993.

Sec. 608. The conference agreement includes section 608 regarding the purchase of American made products.

Sec. 609. The conference agreement includes section 609 prohibiting the use of funds for any United Nations peacekeeping mission that involves U.S. Armed Forces under the command or operational control of a foreign national unless the President certifies that the involvement is in the national security interest.

Sec. 610. The conference agreement includes section 610 that requires agencies to provide quarterly reports to the Committees on Appropriations regarding unobligated balances.

Sec. 611. The conference agreement includes section 611 that prohibits use of funds to expand the U.S. diplomatic presence in Vietnam beyond the level in effect July 11, 1995, unless the President makes a certification that several conditions have been met regarding Vietnam's cooperation with the United States on POW/MIA issues.

Sec. 612. The conference agreement includes section 612 requiring agencies and departments funded in this Act to absorb any necessary costs related to downsizing or consolidation within the amounts provided to the agency or department.

Sec. 613. The conference agreement includes section 613 regarding the sale or export of tobacco or tobacco products.

Sec. 614. The conference agreement includes section 614 extending the prohibition on the use of funds to issue a visa to any alien involved in extrajudicial and political killings in Haiti, including exemption and reporting requirements.

Sec. 615. The conference agreement includes section 615 that prohibits a user fee from being charged for background checks conducted pursuant to the Brady Handgun Control Act of 1993, and prohibits implementation of a background check system which does not require or result in destruction of certain information.

Sec. 616. The conference agreement includes section 616 regarding amounts available under the Crime Victims Fund.

Sec. 617. The conference agreement includes section 617 prohibiting the use of Department of Justice funds for programs that discriminate against, denigrate, or otherwise undermine the religious beliefs of students participating in such programs.

Sec. 618. The conference agreement includes section 618 prohibiting the use of funds appropriated or otherwise made available to the Department of State to process visas for citizens of countries that the Secretary of Homeland Security has determined deny or delay accepting the return of deported citizens.

Sec. 619. The conference agreement includes section 619 providing additional amounts for the Small Business Administration.

Sec. 620. The conference agreement includes section 620 regarding the Small Business Administration Disaster Loans Program.

Sec. 621. The conference agreement includes section 621 regarding transfers of funds.

Sec. 622. The conference agreement includes section 622 regarding the implementation of telecommuting programs.

Sec. 623. The conference agreement includes section 623 regarding the negotiation or reevaluation of international agreements.

Sec. 624. The conference agreement includes section 624 regarding firearms tracing studies.

Sec. 625. The conference agreement includes section 625 regarding international child abduction.

Sec. 626. The conference agreement includes section 626 regarding patents.

Sec. 627. The conference agreement includes section 627 regarding the United Nations.

Sec. 628. The conference agreement includes section 628 that requires the Department of Justice, the Department of Homeland Security, and the Department of State to jointly submit a report.

Sec. 629. The conference agreement includes section 629 regarding Capital Security Cost Sharing.

Sec. 630. The conference agreement includes section 630 regarding Capital Security Cost Sharing.

Sec. 631. The conference agreement includes section 631 requiring that the Secretary of State make a determination on recent events and support the investigation and prosecution of war crimes and crimes against humanity in the Darfur Region of Sudan.

Sec. 632. The conference agreement includes section 632 that prohibits the use of funds to support or justify the use of torture.

Sec. 633. The conference agreement includes section 633 that addresses the Drug Enforcement Administration's diversion control program.

Sec. 634. The conference agreement includes section 634 prohibiting the use of funds to change rules governing the Universal Service Fund.

Sec. 635. The conference agreement includes section 635 concerning certain unobligated balances.

Sec. 636. The conference agreement includes section 636 regarding the National Veterans Business Development Corporation.

Sec. 637. The conference agreement includes section 637 regarding Capital Security Cost Sharing.

Sec. 638. The conference agreement includes section 638 regarding Federal Communications Commission properties.

Sec. 639. The conference agreement includes section 639 prohibiting certain uses of funds.

Sec. 640. The conference agreement includes section 640 regarding amounts provided in this Act.

TITLE VII—RESCISSIONS

DEPARTMENT OF JUSTICE

GENERAL ADMINISTRATION

WORKING CAPITAL FUND

(RESCISSION)

The conference agreement includes a rescission of $60,000,000 from unobligated balances in this account. The Senate proposed a $44,000,000 rescission for this account under Title VI.

LEGAL ACTIVITIES

ASSET FORFEITURE FUND

(RESCISSION)

The conference agreement includes a rescission of $61,800,000 from unobligated balances in this account. The Senate proposed a $30,000,000 rescission for this account under Title VI.

JUSTICE ASSISTANCE

(RESCISSION)

The conference agreement includes a rescission of $1,619,000 from this account. These balances result from deobligations of prior year grant funding. Amounts available for the Missing Children's Program, the National White Collar Crime Center and Regional Information Sharing System shall not be rescinded.

STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE

(RESCISSION)

The conference agreement includes a rescission of $29,380,000 from unobligated balances in this account, instead of $20,000,000 as proposed by the House. These balances result from deobligations of prior year grant funding. Amounts available for Tribal Courts and Indian Prison Construction shall not be rescinded.

COMMUNITY ORIENTED POLICING SERVICES

(RESCISSION)

The conference agreement includes a rescission of $99,000,000 from unobligated balances in this account, instead of $61,000,000 as proposed by the House. These balances result from deobligations of prior year grant funding.

JUVENILE JUSTICE

(RESCISSION)

The conference agreement includes a rescission of $3,500,000 from unobligated balances in this account. These balances result from deobligations of prior year grant funding. Amounts available for Tribal Youth and Alcohol Prevention shall not be rescinded.

DEPARTMENT OF COMMERCE

NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY

INDUSTRIAL TECHNOLOGY SERVICES

(RESCISSION)

The conference agreement includes a rescission of $3,900,000 from unobligated balances in this account. These balances are prior year Advanced Technology Program funds.

RELATED AGENCIES

FEDERAL COMMUNICATIONS COMMISSION

SALARIES AND EXPENSES

(RESCISSION)

The conference agreement includes a rescission of $12,000,000 from unobligated balances under this heading. The conferees agree that this rescission represents an amount available from prior year excess fee collections.

TITLE VIII—PATENT AND TRADEMARK FEES

The conference agreement includes language regarding patent and trademark fees.

TITLE IX—OCEANS AND HUMAN HEALTH ACT

The conference agreement includes language regarding the oceans and human health.

CONFERENCE TOTAL—WITH COMPARISONS

The total new budget (obligational) authority for the fiscal year 2005 recommended by the Committee of Conference, with comparisons to the fiscal year 2004 amount, the 2005 budget estimates, and the House and Senate bills for 2005 follow:

[In thousands of dollars]

New budget (obligational) authority, fiscal year 2004	$42,242,023
Budget estimates of new (obligational) authority, fiscal year 2005	43,216,594
House bill, fiscal year 2005	43,483,066
Senate bill, fiscal year 2005	43,467,214
Conference agreement, fiscal year 2005	43,681,207
Conference agreement compared with:	
New budget (obligational) authority, fiscal year 2004	+1,439,184
Budget estimates of new (obligational) authority, fiscal year 2005	+464,613
House bill, fiscal year 2005	+198,141
Senate bill, fiscal year 2005	+213,993

DIVISION C—ENERGY AND WATER DEVELOPMENT APPROPRIATIONS ACT, 2005

TITLE I—DEPARTMENT OF DEFENSE—CIVIL

DEPARTMENT OF THE ARMY

CORPS OF ENGINEERS—CIVIL

The summary tables at the end of this title set forth the conference agreement with respect to the individual appropriations, programs and activities of the Corps of Engineers. Additional items of the conference agreement are discussed below. House report 108–554 is presumed to have effect unless contradicted by this statement of the managers.

CONTINUING CONTRACTS AND REPROGRAMMING

Construction of a single water resource project requires tremendous flexibility. Water resource projects are constructed in physically challenging locations. By their nature, these projects involve large mobilization costs and great uncertainties. The Corps of Engineers has been tasked with providing hundreds of water infrastructure projects in challenging locations throughout the country. Historically, the Corps has done an outstanding job of managing these great water resource projects and has provided the water infrastructure that has greatly contributed to our economic security.

The conferees recognize that one of the greatest tools that the Corps of Engineers has for managing its nationwide water resources infrastructure program is the ability to award multiyear

continuing contracts. When an agency is managing, literally, hundreds of construction projects throughout the country, problems are inevitable. These can range from flood, to drought, to funding shortfalls, to unanticipated hazardous wastes encountered in the construction site, discovery of unanticipated cultural resources. Any one of these items can bring a project to a temporary halt or slow construction. By the same token, projects can be accelerated due to mild winters or below average flows on a river allowing a longer construction season and more work to be done and more funds to be utilized.

Continuing contracts allow the Corps to award large construction elements of a project to take advantage of the economies of scale available to construction contractors. Allowing these large construction elements to be managed over several years without requiring contracts to be fully funded before construction begins affords the Corps the ability to more efficiently manage multiple construction contracts. Multiyear funding, and the ability to reprogram funds, are tools that have allowed the Corps to maximize scarce resources to try to do as much as possible with the resources available to them; they also left the Corps open to charges that it has put contractors in charge of managing its funds.

The conferees have expressed concerns in the past that Corps of Engineers construction projects may have used the continuing contracts clause and the ability to reprogram funds to award some construction contracts that may not have been fiscally prudent, in light of current budget realities. However, many of these construction contracts were awarded when surplus funds were available allowing reprogramming of funds to make up for budget shortfalls. This process has resulted in most surplus funds being expended, leaving the Corps with very little flexibility to cover the financial obligations of the construction contracts. This has resulted in an increased number of reprogrammings necessary to satisfy as many of the Corps' financial obligations as possible.

The conferees believe that the Corps has made great strides in resolving these financial issues by applying more stringent controls on financial obligations allowed on multiyear contracts and will allow the Corps to continue to resolve this situation. However, the conferees caution the Corps that it must regain control of all aspects of program execution and execute the program appropriated to it. The use of continuing contracts and reprogramming of funds is a privilege afforded by this conference—a privilege that can be revoked. The House and Senate Appropriations Committees will continue to monitor this situation and require the Corps to provide quarterly written updates to the Committees on its efforts to better manage continuing contracts and to award contracts better suited to responsible management.

Due to the increased number of reprogrammings that are being undertaken by the Corps, the conferees believe new guidelines are needed to help monitor reprogramming of funds. The conferees recognize that the increase in reprogrammings is not entirely the fault of the Corps of Engineers. However, reprogramming guidelines have not been examined in many years, and the conferees believe that it would be prudent to reexamine this privilege. Therefore, the conferees are providing the following guidelines:

Reprogramming Authorities.—The conferees require the Corps to inform the Committees promptly and fully when a change in program execution and funding is required during the fiscal year. The following guidance is provided for Corps Civil Works programs and activities funded in the Energy and Water Development Appropriations Act.

Definition.—A reprogramming includes the reallocation of funds from one activity to another within an appropriation, or any significant departure from a program, project, or activity described in the agency's budget justifications presented to and approved by Congress. For construction projects, a reprogramming constitutes the reallocation of funds from one construction project or a significant change in the scope of an approved project.

General Criteria for Reprogramming.—Reprogramming is allowed only within an appropriation, with the exception, as now exists, that Flood Control and Coastal Emergency may be augmented when necessary from other Corps Civil Works appropriations. Reprogramming is allowed into only previously appropriated activities or those identified in a bill as "within available funds." Reprogrammings should not be employed to initiate new programs (unless specifically approved by both House and Senate Appropriations Committees) or to change program, project, or activity allocation in the Act or report. In cases where unforeseen events or conditions are deemed to require such changes, proposals shall be submitted in advance to the House and Senate Appropriations Committees and be fully explained and justified.

REPROGRAMMING GUIDANCE

General Investigations.—Reprogramming a cumulative total of up to 25 percent of the appropriated funding level between studies or programs under this heading without approval of either House of Congress, is permitted. However, the Chief of Engineers shall provide a quarterly report to both House and Senate Appropriations Committees of all reprogrammings in excess of $250,000 but less than $500,000 for individual studies or programs. Approval of both House and Senate Appropriations Committees is required for cumulative reprogrammings in excess of $500,000 for individual studies or programs. Restoration of prior year savings and slippage shall not count toward the cumulative total. The conferees do not object to reprogramming up to $50,000 to any continuing study or program that did not receive an appropriation or where the percentage limit is less than $50,000. All funds used to source reprogrammings described above should be surplus to current year needs for that effort.

Construction General.—Reprogramming a cumulative total of up to 15 percent of the appropriated funding level between projects or programs under this heading without approval of either House of Congress, is permitted. However, the Chief of Engineers shall provide a quarterly report to both House and Senate Appropriations Committees of all reprogrammings in excess of $4,000,000 but less than $7,000,000 for individual projects or programs. Approval of both House and Senate Appropriations Committees is required for cumulative reprogrammings in excess of $7,000,000 for individual projects or programs. Restoration of prior year savings and

slippage shall not count toward the cumulative total. The conferees do not object to reprogramming up to $300,000 to any continuing project or program that did not receive an appropriation or where the percentage limit is less than $300,000. All funds used to source reprogrammings described above should be surplus to current year needs for that effort.

Operation and Maintenance.—Unlimited reprogramming authority is granted in order for the Corps to be able to respond to emergencies. The Chief of Engineers must notify the House and Senate Appropriations Committees as soon as practicable of these emergency situations. For all other reprogrammings, a cumulative total of up to 50 percent of the appropriated funding level between projects or programs under this heading without approval of either House of Congress, is permitted. However, the Chief of Engineers shall provide a quarterly report to both House and Senate Appropriations Committees of all reprogrammings in excess of $5,000,000 but less than $10,000,000 for individual projects or programs. Approval of both House and Senate Appropriations Committees is required for cumulative reprogrammings in excess of $10,000,000 for individual projects or programs. Restoration of prior year savings and slippage shall not count toward the cumulative total. The conferees do not object to reprogramming up to $300,000 to any continuing project or program that did not receive an appropriation or where the percentage limit is less than $300,000. All funds used to source reprogrammings described above should be surplus to current year needs for that effort.

Mississippi River and Tributaries.—The Corps should follow the same reprogramming guidelines for the General Investigations, Construction, and Operation and Maintenance portions of the Mississippi River and Tributaries Account as listed above.

GENERAL INVESTIGATIONS

The conference agreement appropriates $144,500,000 for General Investigations.

Floodplain Management Services.—The conferees have provided $6,813,000 for the Floodplain Management Services program, including $776,000 to complete the Geographic Information System for East Baton Rouge, Louisiana; $200,000 for a Blind Brook, City of Rye, New York, hydrological analysis; and $1,000,000 for the Hurricane Preparedness Studies for the State of Hawaii and the U.S. Territories in the Pacific and the Caribbean.

Coastal Field Data Collection.—The conference agreement provides $4,875,000 for the Coastal Field Data Collection program. Funds are provided in the amount of $1,000,000 for the Southern California Beach Process Study, not less than $1,000,000 for continuation of the Coastal Data Information Program, and $1,000,000 for the State of Hawaii, the U.S. Territories in the Pacific and Caribbean, and $1,000,000 for the Pacific Island Ocean Typhoon Experiment [PILOT].

Research and Development.—Within the funds provided for the Corps of Engineers Research and Development Program, $2,000,000 is provided for innovative technology demonstrations for urban flooding and channel restoration. These demonstrations shall be conducted in close coordination and cooperation with the Urban

Water Research Program of the Desert Research Institute of Nevada. In addition, within the funds provided for the Corps of Engineers Research and Development Program $500,000 is provided to undertake and fund a demonstration project utilizing the Rapid Environmental Decision Support Environment software to fill current technology gaps in the GIS-based approaches with respect to post-natural disaster analysis. The conferees have also included $1,000,000 to continue work in the area of Submerged Aquatic Vegetation or "seagrasses" and restoration efforts in the Chesapeake Bay, Maryland and Virginia.

Upper Trinity River Basin, Texas.—The conference report provides additional funding to proceed with Planning, Engineering and Design and continue preparation and coordination of an Environmental Impact Statement associated with the locally-preferred alternative for the Central City River Segment of the Trinity River Vision Master Plan dated April 2003.

Connecticut River Ecosystem Restoration, Vermont and New Hampshire.—The conference has provided $50,000 to initiate feasibility studies for the West and Ashuelot Rivers.

Other Coordination Programs.—The conferees have provided $4,300,000 for the Other Coordination Programs. Within the funds provided, $500,000 is to continue work associated with the Lake Tahoe Federal Interagency Partnership.

Planning Assistance to States.—The amount provided for the Planning Assistances to States Program includes $100,000 for the Arkansas River Corridor Master Plan; $100,0000 to continue the Ingham County, Michigan, Geographic Information System Study; $100,000 to finish the Arkansas River Corridor Master Plan, Oklahoma; $100,000 to initiate geotechnical investigations of a proposed damsite near Mangum, Oklahoma; $250,000 to initiate a groundwater study for Greene County, Missouri; $134,000 to complete the Memphis Riverfront Development, Tennessee, study; $200,000 for Central Oahu, Hawaii; $500,000 for Lake Champlain, Vermont; $500,000 for remote sensing in New Mexico; $150,000 for Lake Rogers, North Carolina; and $150,000 to conduct an evaluation of recreation supply and demand in New Castle County, Delaware. Also included is $250,000 to continue a New Jersey Marine Fish Evaluation Study. The Corps of Engineers is urged to consider using the Fisheries Conservation Trust, formerly known as the Save the Fish Foundation, to carry out this investigation. Within funds provided for this program, the Corps is directed to work with the Chagrin River Land Conservancy to develop strategies for preserving, and acquisition of funding for preservation of the properties known as Wilde Fields and Mayer Preserve in Cuyahoga County, Ohio.

The conferees are aware of the potential benefits of incorporating modular plastic belting technology into fish screen devices. Accordingly, the conferees urge the Corps to consider deployment of this technology in the full range of viable fish screen configurations, including submersible traveling screens. Furthermore, the conferees look forward to reviewing the agency's assessment of the technology as compared to other available fish screen devices.

CONSTRUCTION, GENERAL

The conference agreement appropriates $1,796,089,000 for Construction, General.

Red River Below Denison Dam, Arkansas, Louisiana, Oklahoma, and Texas.—The conferees have provided $750,000 for levee rehabilitation in Arkansas and Louisiana.

American River Watershed (Folsom Dam Mini-Raise), California.—Within funds provided for the American River Watershed (Folsom Dam Mini-Raise), California, project, the Corps is directed to continue design of the Folsom Dam replacement road and permanent bridge to assure their completion at the earliest possible date consistent with the pace of the Mini-Raise project as a whole.

The conferees include language directing the Corps of Engineers to expend its full capability, up to $5,000,000, to advance the permanent bridge to replace Folsom Bridge Dam Road, Folsom, California, as authorized by the Energy and Water Development Appropriations Act, 2004 (P.L. 108–137) with all remaining funds devoted to the Mini-Raise. The conferees are aware of reports that there have been attempts to place obstacles in the way of this work, and insist that it be allowed to proceed, unimpeded.

Florida Keys Water Quality Improvements, Florida.—The conferees have provided $2,250,000 for the implementation of wastewater and stormwater improvements and believe these efforts should be carried out in coordination with the ongoing Everglades restoration work.

Olmsted Locks and Dam, Ohio River, Illinois & Kentucky.—None of the funds provided for the Olmsted Locks and Dam Project are to be used to reimburse the Claims and Judgment Fund.

J. Bennett Johnston Waterway, Louisiana.—The conferees have provided $13,000,000 for construction of navigation channel refinement features, land purchases and development for mitigation of project impacts, and construction of project recreation features and appurtenant features.

Chesapeake Bay Environmental Restoration and Protection Program, Maryland and Virginia.—The conference recommendation includes $1,500,000 for this project. Within the funds provided, $400,000 is provided to continue environmental studies of non-native oysters.

The conferees expect the Corps, in conducting the Environmental Impact Statement [EIS] for introducing non-native oyster species into the Chesapeake Bay, to consider all alternatives, including restoration of native oyster species. The conferees also expect that the EIS will address the research gaps identified in the National Research Council report titled "Non-native Oysters in the Chesapeake Bay" and the Chesapeake Bay Program Scientific and Technical Advisory Committee report on the same subject.

Rural Montana, Montana.—The conferees have provided $2,000,000 for the Rural Montana project. Within the funds provided the Corps is directed to give consideration to projects at Belgrade, Manhattan, Livingston, Butte, Helena, and Drummond, Montana. Other communities that meet the program criteria should be considered as funding allows.

Rural Nevada, Nevada.—The conferees have provided $20,000,000 for the Rural Nevada project. Within the funds provided the Corps is directed to give consideration to projects at Boulder City, Lyon County (Carson River Regional Water System), Gerlach, Incline Village, Lawton-Verdi, Esmeralda County, Churchill County, West Wendover, Searchlight, Yerington, Virgin Valley Water District, Lovelock, Carson City, Hemenway Valley Wastewater treatment and Huffaker Hills Reservoir Water Conservation Nevada. Other communities that meet the program criteria should be considered as funding allows.

Tropicana and Flamingo Washes, Nevada.—The conferees have provided $24,000,000 to continue construction of this flood control project. The conference recommendation includes $3,000,000 for work performed in accordance with Section 211 of Public Law 104–303.

Central New Mexico, New Mexico.—The conference has included $5,000,000 for this project which includes funding to continue the Black Mesa project begun in fiscal year 2004.

Middle Rio Grande Flood Protection, New Mexico.—The conferees have included $300,000 to continue the Belen, Mountainview, and Isleta General Reevaluation Report.

Fire Island Inlet to Montauk Point, New York.—The conferees have included additional funding for the continuation of the reformulation study.

Ohio Environmental Infrastructure, Ohio.—The bill contains $22,000,000 for the Ohio Environmental Infrastructure program authorized by section 594 of the Water Resources Development Act of 1999. The amount provided includes: $15,000 for the Jackson County water line project; $100,000 for the Morgan County, Bishopville, water project; $475,000 for the Morgan County, McConnelsville, storm water project; $1,000,000 for the Muskingum County, Zanesville, wastewater treatment facility; $25,000 for the Vinton County, Arbaugh/Hope water line extension; $350,000 for the Buckeye Lake, water line project; $500,000 for the Hancock County, Village of Janera, wastewater collection system; $1,000,000 for the Village of West Jefferson, water treatment facility; $1,000,000 for the City of Louisville, protection for wastewater treatment plant; $2,000,000 for the Stark County, Zimber Ditch project; $500,000 for the Noble County, sewer system; $500,000 for the Youngstown, Orchard Meadow Combined Sewer Overflow project; $500,000 for the Lake County, Concord Township sanitary sewer line improvement; $100,000 for the Lake County, Perry Township, Shepard Road waterline extension; $900,000 for the Lake County, Village of Perry, Sanitary sewer system; $1,000,000 for the Toledo Combined Sewer Overflow project; $1,000,000 for the Tech Town Dayton Technology Campus water and sewer project; $2,500,000 for the University of Dayton, Brown and Stewart water and sewer project; $640,000 for the Clinton County, Clinton Massie School District sewer project; $1,500,000 for the Springfield Applied Research and Technology Park water and sewer project; $700,000 for the Clark County Southwest Regional Waste Water Treatment Plant expansion; $500,000 for Clark County, Village of Donnelsville sewer system project; $1,350,000 for the Fayette County, Village of Bloomingberg, Waste Water Treatment Plant; $100,000 for the

Pickaway County, Harrison and Madison Township water and sewer project; $150,000 for the Village of Corning water and sewer project; $1,880,000 for the Scioto County, Minford Wastewater Treatment Facility; and $250,000 for the City of Dayton, Northeast Quadrant water and sewer infrastructure.

Columbia River Treaty Fishing Sites, Oregon and Washington.—The conferees have included $700,000 for facilities at White Salmon, WA.

Elk Creek Lake, Oregon.—Funds provided in this Act and funds previously appropriated for the Elk Creek Lake, Oregon, project are available to plan and implement long-term management measures at the project to maintain the project in an uncompleted state, including design and construction of a permanent trap- and-haul facility to replace the existing, interim facility. Funds may not be used for any further work on the Corps of Engineers proposal to remove a section of the dam for fish passage.

Cheyenne River Sioux Tribe, Lower Brule Sioux, South Dakota.—The conference notes that Title IV of the Water Resources Development Act of 1999, as amended, authorizes funding to pay administrative expenses, implementation of terrestrial wildlife plans, activities associated with land transferred or to be transferred, and annual expenses for operating recreational areas. The conferees have included $5,750,000 for this effort. Within the funds provided, the conference directs that not more than $1,000,000 shall be provided for administrative expenses, and that the Corps is to distribute the remaining funds as directed by Title IV to the State of South Dakota, the Cheyenne River Sioux Tribe and the Lower Brule Sioux Tribe.

Rural Utah, Utah.—The conference has provided $1,000,000 for this project and encourages the Corps to proceed with those projects which are eligible and are prepared to move forward.

Columbia River Fish Mitigation, Avian Predation, Columbia/Snake River Basin, Washington, Oregon, and Idaho.—The conferees are aware of the need to investigate the effect of avian predation on the survival of listed salmon and steelhead in the Columbia/Snake River Basin and directs the Secretary to provide up to $750,000, as needed, from the Columbia River Fish Mitigation project for this purpose. The conference expects the Corps of Engineers to coordinate with the Secretary of Commerce and the Secretary of the Interior to develop an implementation plan and initiate actions to reduce avian predation where such actions are determined to be biologically and cost effective.

Aquatic Plant Control Program.—The conferees have included $4,500,000 for the Aquatic Plant Control program's base research and development activities. In an effort to maximize limited funding for eradication and harvesting, the conference strongly recommends that these efforts be undertaken only where a local sponsor agrees to provide 50 percent of the cost of the work. Within the funds provided, $300,000 is for a cost shared effort with the State of South Carolina and $400,000 is for a cost shared effort with the State of Vermont and $100,000 is for the control of aquatic nuisance vegetation in the Potomac and Tributaries, Virginia, Maryland, and District of Columbia. The conference urges the Corps to establish a cost shared program with the State of Hawaii.

Beneficial Uses of Dredged Material.—The conference recommendation includes $6,000,000. Within the funds provided $3,000,000 is for Morehead City Harbor, NC.

Dam Safety and Seepage/Stability Correction Program.—The conference recommendation includes $10,500,000 for the program. Within the funds provided, $3,000,000 is provided for the Corps to complete work on Waterbury Dam in Vermont.

Shoreline Erosion Control and Development and Demonstration.—The conference recommendation includes $7,000,000. Within the funds provided $400,000 is provided for Sacred Falls, Hawaii.

Continuing Authorities Program (CAP).—The conference departs from its usual practice in the presentation of CAP projects chosen for funding. In previous conference reports, CAP funding for individual projects was presented in an unstructured text form. For fiscal year 2005, in order to increase uniformity and simplify use of the report, CAP funding will be shown in a table, with information limited to identification of the CAP authority under which the project is authorized, the name of the project, and the amount of funding provided.

The conferees are aware that many projects selected for funding under the Continuing Authorities Program have not received any funds due to overwhelming demand and limited funding authority within the Continuing Authorities Program. The conference directs that such projects should receive priority consideration for any available such funds, in fiscal 2005, and in the future.

The continuing project authorities listed below, allow the Corps great flexibility to respond to various, limited-scope, water resource problems facing communities throughout the Nation. This program has proven to be remarkably successful in providing a quick response to serious local problems. These problems range from flood control and navigation to bank stabilization and environmental restoration. The conferees have provided funds in excess of the budget request for virtually all of these accounts. As a general rule, once a project has received funds for the initial phases of any of these authorities, the project will continue to be funded as long as it proves to be environmentally sound, technically feasible, and economically justified, as applicable. With this in mind, the conference has chosen to limit explicit direction of these project authorities.

The conferees are aware that there are funding requirements for ongoing, continuing authorities projects that may not be accommodated within the funds provided for each program. It is not the conference's intent that ongoing projects be terminated. If additional funds are needed to keep ongoing work in any program on schedule, the conference urges the Corps to reprogram the necessary funds.

Small Flood Control Projects (Section 205).—Funding for the Zimber Ditch, Stark County, Ohio project is now provided under the Ohio Environmental Infrastructure program. The conference is informed that $700,000 in funding was provided for Butler Lake, Illinois, in fiscal year 2004, most of which has not been expended, and directs that, if true, the Corps of Engineers utilize funding provided to initiate construction on an expedited basis.

Tribal Partnership Program.—The conferees acknowledge the serious impacts of coastal erosion and flooding due to continued cli-

mate change in Alaska. The conference expects the Corps to continue its work in this area and has included a total of $4,000,000, of which $2,000,000 is to combat erosion in Alaska.

A field hearing was held in Anchorage, Alaska on June 29 and 30, 2004, on the impacts of severe erosion and flooding on Alaska Native villages.

There is no Federal or State agency to coordinate and assist these communities in the relocation or in the interim provide preventative measures to slow the effects of the erosion and flooding. The conference finds there is a need for an Alaska erosion baseline study to coordinate and plan the appropriate responses and assistance for Alaska villages in the most need and to provide an overall assessment on the priority of which villages should receive assistance. Therefore, the conference has provided the $2,000,000 for this study.

In addition, the conferees have also included $150,000 for Idaho; $150,000 for Nevada to initiate cultural resource restoration on historic Washoe lands; and $150,000 for New Mexico to further the tribal assistance efforts by the Corps in these States.

MISSISSIPPI RIVER AND TRIBUTARIES

Atchafalaya Basin, Louisiana.—The conference has included $1,253,000 for the continued levee enlargement construction work.

Yazoo Basin, Mississippi, Yazoo Backwater Project (Pumping plant and Nonstructural Features), Mississippi.—The conference has provided $12,000,000 and directive legislative language to maintain the schedule to complete the design, to initiate the pump supply contract, and to continue the real estate activities.

OPERATION AND MAINTENANCE

Mobile Harbor, Alabama.—The conferees have included an additional $1,000,000 to continue the Garrows Bend environmental restoration.

Tennessee—Tombigbee Waterway, Alabama & Mississippi.—The conference has included an additional $650,000 to perform additional maintenance dredging. Of the funds provided, up to $300,000 may be used for aquatic plant control activities.

Anchorage Harbor, Alaska.—The conferees have included an additional $2,000,000 for maintenance dredging of the harbor.

Chena River Lakes, Alaska.—The conferees have included an additional $775,000 for the additional deferred maintenance work of the Chena River Lakes project.

Nome Harbor, Alaska.—The conference has included an additional $1,000,000 for additional maintenance dredging of the harbor.

Cherry Creek, Chatfield, and Trinidad Lakes, Colorado.—The conferees have included an additional $1,549,000 for continued repairs at these three lakes. This action in no way is intended to alter the Corps of Engineers' lease and property accountability policies. It is the conference's understanding that the State of Colorado has agreed to cost share this project on a 50–50 basis. It is also the understanding of the conferees that the Secretary is not to assume, nor share in the future of the operation and maintenance of these recreation facilities. Of the funds provided, the Corps is di-

rected to conduct a reallocation study for Chatfield Reservoir project.

Intracoastal Waterway, Delaware River to Chesapeake Bay, Delaware and Maryland.—The conference recommendation includes $14,400,000 for this project. Within the funds provided, $500,000 is included for maintenance costs of the SR–1 Bridge and $100,000 for plans and specifications for the Summit Bridge approaches.

Apalachiacola, Chattahoochee and Flint Rivers, Georgia, Alabama, and Florida.—The conference has included an additional $5,231,000, which includes annual dredging of the river channel, annual operations and maintenance of the George W. Andrews Lock, spot dredging of shoals, continuation of slough mouth restoration, and routine operations and maintenance of the project.

Dworshak Dam and Reservoir, Idaho.—The conferees have included an additional $500,000 for site improvements and environmental compliance efforts.

Snake River Dredging, Idaho, Oregon, and Washington.—The conferees have recommended $250,000 for dredging completion of the Programmatic Dredged Material Management Plan/Supplemental Environmental Impact Statement and for maintenance dredging on the Snake River.

Ohio River Locks and Dams, Kentucky, Illinois, Indiana, and Ohio. Within the funds provided, the Corps of Engineers is directed to utilize up to $2,500,000 in cooperation with Operation Respond, a non-profit organization, to implement a demonstration project collecting and integrating imagery of a selected segment of the Ohio Basin, gathering data from Federal and non-Federal interests, developing and testing software primarily for the use of emergency responders, and for stabilization measures for the Emery Lane bank failure at Indianapolis, Indiana.

Wolf Creek Dam, Lake Cumberland, Kentucky.—Additional funding includes $500,000 for parking improvements at Lee's Ford Marina, as well as additional funding for powerhouse-related repairs.

Mississippi River Between Missouri River and Minneapolis (MVR Portion), Illinois.—The conference recommendation includes $43,473,000. Within the funds provided, $1,000,000 is for continuation of the rehab of Lock and Dam 11.

Delaware River, Philadelphia to the Sea, New Jersey, Pennsylvania, and Delaware.—The conferees have included an additional $1,450,000 for completion of the Pea Patch Island project.

Council Grove Lake, Kansas.—The conference has included additional funding for the repair and upgrade of public use facilities.

Wilson Lake, Kansas.—The conference has provided additional funding for the Corps to conduct a reallocation study.

Barren River Lake, Kentucky.—The conferees have provided additional funding for the repair and upgrade of public use facilities.

J. Bennett Johnston Waterway, Louisiana.—The conference has included additional funding for bank stabilization repairs, dredging entrances to oxbow lakes, routine operation and maintenance activities, annual dredging requirements, and backlog maintenance.

Fort Peck Dam, Montana.—The conferees have included additional funds to complete the on-going construction work related to the site.

Cochiti Lake, New Mexico.—The conferees have provided additional funds for the continuation of studies that were initiated in fiscal year 2004, which include the proposed operational changes and gate automation and to begin the relocation of the Al Black area.

Garrison Dam and Lake Sakakawea, North Dakota.—The conference has provided additional funds for mosquito control and for deferred maintenance activities. The conference is aware that low lake levels on Lake Sakakawea, North Dakota have made the current marina located at Fort Stevenson unusable and expects the Army Corps to use funds within this account to relocate this marina to Garrison Bay.

Norfolk Harbor, Craney Island, Virginia.—The conference has provided additional funds in order to raise the containment dikes to provide the capacity needed for the Norfolk Harbor Deepening project.

Connecticut River Flood Control Dams, Vermont.—$250,000 has been provided for fish passage facilities at these projects.

Columbia & Lower Willamette River Below Vancouver, Washington and Portland, Oregon.—The conference recommendation includes $250,000 for the Astoria Boat Basin.

Regional Sediment Management Demonstration Program.—The conferees have provided $2,500,000 for this program. Within the funds provided, $500,000 is for the southeast coast of Oahu, Hawaii and $1,000,000 is for the Littoral Drift Restoration Program, Washington.

FORMERLY UTILIZED SITES REMEDIAL ACTION PROGRAM (FUSRAP)

The conferees provide $165,000,000 for the Formerly Utilized Sites Remedial Action Program (FUSRAP). The additional funds are to be used to accelerate cleanup of existing FUSRAP sites and to address potential new sites that may qualify as eligible FUSRAP sites, such as the former Sylvania nuclear fuel site located in Hicksville, New York.

OFFICE OF THE ASSISTANT SECRETARY OF THE ARMY (CIVIL WORKS)

The conferees provide $4,000,000 for the salaries and expenses of the Office of the Assistant Secretary of the Army (Civil Works). This office had previously been funded under the Operation and Maintenance, Army, appropriation.

GENERAL PROVISIONS—CORPS OF ENGINEERS

Sec. 101. The conference report includes language regarding credits and reimbursements.

Sec. 102. The conference report includes language regarding Tuscarawas County, Ohio.

Sec. 103. The conference report includes language about divesting civil works functions.

Sec. 104. The conference report includes language regarding Alamagordo, New Mexico.

Sec. 105. The conference report includes language regarding Stark County, Ohio.

Sec. 106. The conference report includes language regarding the St. Georges Bridge in Delaware.

Sec. 107. The conference report includes language regarding Lake Cumberland, Kentucky.

Sec. 108. The conference report includes language regarding the Lake Tahoe Basin in California and Nevada.

Sec. 109. The conference report includes language regarding the Lake Tahoe Watershed in California and Nevada.

Sec. 110. The conference report includes language regarding the Prado Dam in California.

Sec. 111. The conference report includes language regarding the Black Warrior-Tombigbee Rivers in Alabama.

Sec. 112 and Sec. 113. The conference report includes language regarding the submittal of Chief of Engineers reports.

Sec. 114. The conference report includes language regarding coastal wetlands conservation funding.

Sec. 115. The conference report includes language regarding Lake Sakakawea in North Dakota.

Sec. 116. The conference report includes language regarding Central City in Fort Worth, Texas.

Sec. 117. The conference report includes language regarding Alaska erosion.

Sec. 118. The conference report includes language regarding Cook Inlet, Alaska.

Sec. 119. The conference report includes language regarding Northern Wisconsin.

Sec. 120. The conference report includes language regarding St. Croix Falls, Wisconsin.

Sec. 121. The conference report includes language regarding Burns Harbor, Indiana.

Sec. 122. The conference report includes language regarding Duck River, Alabama.

Sec. 123. The conference report includes language regarding Yakutat, Alaska.

CORPS OF ENGINEERS - GENERAL INVESTIGATIONS
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST		CONFERENCE	
	INVESTIGATIONS	PLANNING	INVESTIGATIONS	PLANNING
ALABAMA				
BREWTON AND EAST BREWTON, AL	145	---	145	---
CAHABA RIVER WATERSHED, AL	50	---	75	---
VILLAGE CREEK, JEFFERSON COUNTY (BIRMINGHAM WATERSHED)	233	---	233	---
ALASKA				
ADAK, AK	---	---	50	---
AKUTAN HARBOR, AK	135	---	135	---
ALASKA REGIONAL PORTS, AK	150	---	200	---
ANCHORAGE HARBOR DEEPENING, AK	50	---	125	---
BARROW COASTAL STORM DAMAGE REDUCTION, AK	1,000	---	700	---
COFFMAN COVE, AK	---	---	100	---
CRAIG HARBOR, AK	50	---	150	---
DELONG MOUNTAIN HARBOR, AK	250	---	625	---
EKLUTNA RIVER WATERSHED, AK	50	---	425	---
HAINES HARBOR, AK	135	---	218	---
HOMER HARBOR MODIFICATION, AK	300	---	450	---
KAKTOVIK, AK	50	---	50	---
KENAI EROSION CONTROL, AK	---	---	500	---
KETCHIKAN HARBOR, AK	50	---	150	---
KLAWACK HARBOR, AK	---	---	50	---
KNIK BRIDGE CROSSING, AK	---	---	100	---
KOTZEBUE SMALL BOAT HARBOR, AK	50	---	50	---
LITTLE DIOMEDE HARBOR, AK	50	---	150	---

CORPS OF ENGINEERS - GENERAL INVESTIGATIONS
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST		CONFERENCE	
	INVESTIGATIONS	PLANNING	INVESTIGATIONS	PLANNING
MATANUSKA RIVER EROSION, AK	---	---	125	---
MCGRATH, AK	50	---	175	---
MEKORYUK HARBOR, AK	50	---	150	---
PORT LIONS HARBOR, AK	100	---	100	---
SAINT GEORGE NAVIGATION IMPROVEMETS, AK	50	---	425	---
SKAGWAY RIVER, AK	50	---	125	---
UNALAKLEET HARBOR, AK	50	---	275	---
UNALASKA HARBOR, AK	150	---	325	---
VALDEZ HARBOR, AK	---	---	150	---
WHITTIER BREAKWATER, AK	50	---	50	---
YAKUTAT, AK	---	---	1,000	---
ARIZONA				
AGUA FRIA, AZ	---	---	25	---
GILA RIVER & TRIBS, AZ	---	---	25	---
NAVAJO NATION, AZ	---	---	25	---
PIMA COUNTY, AZ	713	---	713	---
RILLITO RIVER, PIMA COUNTY, AZ	253	---	253	---
RIO SALADO OESTE , SALT RIVER, AZ	---	---	478	---
SANTA CRUZ RIVER, GRANT RD TO FT LOWELL RD, AZ	100	---	253	93
SANTA CRUZ RIVER, PASEO DE LAS IGLESIAS, AZ	339	---	339	---
VA SHLY-AY AKIMEL SALT RIVER RESTORATION PROJECT, AZ	349	---	---	750

CORPS OF ENGINEERS - GENERAL INVESTIGATIONS
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST		CONFERENCE	
	INVESTIGATIONS	PLANNING	INVESTIGATIONS	PLANNING
ARKANSAS				
ARKANSAS RIVER LEVEES, AR	---	---	---	125
ARKANSAS RIVER NAVIGATION STUDY, AR & OK	500	---	500	---
HOT SPRINGS, AR	---	---	67	---
MAY BRANCH, FORT SMITH, AR	---	---	---	25
NORTH LITTLE ROCK, AR	---	---	---	50
PINE MOUNTAIN DAM, AR	---	---	---	100
WHITE RIVER BASIN COMPREHENSIVE, AR & MO	1,000	---	1,000	---
WHITE RIVER MINIMUM FLOWS, AR AND MO	---	---	---	150
WHITE RIVER NAVIGATION TO NEWPORT, AR	---	---	---	100
CALIFORNIA				
ALISO CREEK MAINSTEM, CA	265	---	265	---
AMERICAN RIVER WATERSHED, CA	---	415	---	---
ARANA GULCH WATERSHED, CA	100	---	100	---
ARROYO SECO WATERSHED RESTORATION, CA	---	---	175	---
BALLONA CREEK ECOSYSTEM RESTORATION, CA	---	---	225	---
BOLINAS LAGOON ECOSYSTEM RESTORATION, CA	---	---	100	50
CALAVERAS COUNTY WATERSHEDS, CA	---	---	---	---
CALIFORNIA COASTAL SEDIMENT MASTER PLAN, CA	32	---	116	---
CITY OF CARPENTERIA, CA	---	---	100	---
CITY OF INGLEWOOD, CA	---	---	400	---
CITY OF NORWALK, CA	---	---	160	---
CITY OF SAN BERNADINO, CA	---	---	75	---

CORPS OF ENGINEERS - GENERAL INVESTIGATIONS
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST		CONFERENCE	
	INVESTIGATIONS	PLANNING	INVESTIGATIONS	PLANNING
COAST OF CALIFORNIA, LOS ANGLES COUNTY, CA	---	---	450	---
COYOTE DAM, CA	200	---	200	---
DESERT HOT SPRINGS, CA	---	---	200	---
ESTUDILLO CANAL, SAN LEANDRO, CA	---	---	29	---
GRAYSON AND MURDERER'S CREEKS, WALNUT CREEK BASIN, CA.	300	---	200	---
HUMBOLDT BAY LONG TERM SHOAL MANAGEMENT, CA	---	---	123	---
LAGUNA CREEK WATERSHED, CA	---	---	29	---
LAGUNA DE SANTA ROSA, CA	200	---	200	---
LAKE ELSINORE ENVIRON RESTOR, CA	---	---	25	---
LA RIVER WATERCOURSE, SAN JOSE CREEK, CA	---	---	50	---
LLAGAS CREEK FLOOD PROTECTION PROJECT, CA	---	---	---	325
LOS ANGELES COUNTY DRAINAGE AREA, CORNFIELDS, CA	32	---	45	---
LA COUNTY DREDGE MATERIAL MGMT, CA	---	---	38	---
LOS ANGELES COUNTY, CA	630	---	630	---
LOS ANGELES RIVER WATERCOURSE, HEADWORKS AREA, CA	---	---	225	---
LOWER CACHE CREEK, YOLO COUNTY, WOODLAND AND VICINITY,	---	300	---	300
LOWER MISSION CREEK (FLOOD CONTROL AND CREEK REHABILIT	---	---	---	200
MALIBU CREEK WATERSHED, CA	325	---	325	---
MARINA DEL REY AND BALLONA CREEK, CA	175	---	175	---
MATILIJA DAM, CA	375	---	388	---
MORRO BAY ESTUARY, CA	---	---	175	---
MUGU LAGOON, CA	140	---	184	---
NAPA RIVER SALT MARSH RESTORATION, CA	---	---	---	250
NAPA VALLEY WATERSHED MANAGEMENT, CA	200	---	200	---
NEWPORT BAY LA-3 SITE DESIGNATION, CA	---	---	100	---
NEWPORT BAY, SAN DIEGO CREEK WATERSHED, CA	---	---	86	---

CORPS OF ENGINEERS - GENERAL INVESTIGATIONS
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST		CONFERENCE	
	INVESTIGATIONS	PLANNING	INVESTIGATIONS	PLANNING
CA STREAMS, LOWER SACRA, CA	---	---	100	---
CEAN BEACH, CA	200	---	200	---
RANGE COUNTY SPECIAL AREA MANAGEMENT PLAN, CA	---	---	195	---
AJARO RIVER BASIN, CA	---	---	50	---
AJARO RIVER AT WATSONVILLE, CA	---	400	---	400
INE FLAT DAM, CA	---	---	---	25
OSO CREEK, CA	200	---	200	---
IVERSIDE COUNTY SPECIAL AREA MANAGEMENT PLAN, CA	---	---	300	---
USSIAN RIVER ECOSYSTEM RESTORATION, CA	200	---	250	---
ACRAMENTO - SAN JOAQUIN DELTA, CA	200	---	200	---
ACRAMENTO AND SAN JOAQUIN COMPREHENSIVE BASIN STUDY	500	---	1,000	---
AN BERNARDINO COUNTY, CA	100	---	100	---
AN CLEMENTE SHORELINE, CA	178	---	178	---
AN DIEGO COUNTY SHORLINE, CA	---	---	125	100
AN DIEGO COUNTY SPECIAL AREA MANAGEMENT PLAN, CA	---	---	150	---
AN FRANCISQUITO CREEK, CA	---	---	100	---
AN JOAQUIN RIVER BASIN, CONSUMMES, CA	---	---	100	---
AN JOAQUIN RB, WEST STANISLAUS COUNTY, ORESTIMBA CREE	200	---	200	---
AN JOAQUIN RIVER BASIN, FRAZIER CREEK, CA	130	---	130	---
AN JOAQUIN RIVER BASIN, TUOLUMNE RIVER, CA	200	---	200	---
AN JUAN CREEK WATERSHEAD	---	---	50	---
AN JUAN CREEK, SOUTH ORANGE COUNTY, CA	---	---	18	---
AN PABLO BAY WATERSHED, CA	300	---	400	---
ANTA ANA RIVER AND TRIBUTARIES, BIG BEAR LAKE, CA	1,000	---	1,000	---
ANTA CLARA RIVER STUDY, CA	---	---	200	---
ANTA CLARA RIVER, WATERSHED MANAGEMENT, CA	---	---	225	---

CORPS OF ENGINEERS - GENERAL INVESTIGATIONS
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST		CONFERENCE	
	INVESTIGATIONS	PLANNING	INVESTIGATIONS	PLANNING
SANTA ROSA CREEK ECOSYSTEM RESTORATION, CA	500	---	525	---
SANTA ROSA CREEK WATERSHED, CA	---	---	60	---
SOLANA BEACH / ENCINITAS SHORELINE PROTECTION STUDY, C	---	---	121	250
SONOMA CREEK AND TRIBUTARIES, CA	274	---	274	---
SOUTH SAN FRANCISCO SHORELINE STUDY, CA	---	---	325	---
SOUTHERN CALIFORNIA WETLANDS RESTORATION, CA	100	---	---	---
STRONG AND CHIOCKEN RANCH SLOUGH,CA	---	---	25	---
SUN VALLEY WATERSHED, CA	---	---	38	---
SUTTER COUNTY, CA	275	---	275	---
TAHOE BASIN, CA	---	---	---	1,000
TIJUANA RIVER ENVIRONMENTAL RESTORATION, CA	---	---	38	---
TIJUANA RIVER VALLEY, CA	---	---	100	---
UPPER GUADALUPE, CA	---	---	---	75
UPPER PENITENCIA CREEK, CA	46	---	273	---
UPPER SANTA ANA, CA	---	---	75	---
VENTURA AND SANTA BARBARA, CA	---	---	50	---
VENTURA HARBOR SAND BYPASS, CA	---	---	211	---
WESTMINSTER, COYOTE AND CARBON CANYON CREEK WATERSHEDS	122	---	122	---
WESTMINSTER, EAST GARDEN GROVE, CA	416	---	416	---
WHITE RIVER AND DEER CREEK, CA	100	---	50	---
WHITEWATER RIVER BASIN, CA	---	---	---	75
WILDCAT AND SAN PABLO CREEKS, CA	100	---	100	---
YUBA RIVER BASIN, CA	---	100	---	350

COLORADO

CORPS OF ENGINEERS - GENERAL INVESTIGATIONS
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST		CONFERENCE	
	INVESTIGATIONS	PLANNING	INVESTIGATIONS	PLANNING
ADAMS COUNTY, CO	225	---	225	---
BOULDER CREEK, CO	100	---	---	---
CACHE LA POUDRE, CO	185	---	185	---
CHATFIELD, CHERRY CREEK AND BEAR CREEK RESERVOIRS, CO.	200	---	200	---
FOUNTAIN CREEK AND TRIBUTARIES, CO	273	---	273	---
ZUNI AND SUN VALLEY REACHES, PLATTE RIVER, CO	---	---	---	38
COMMONWEALTH OF NORTHERN MARIANA ISLANDS				
ROTA HARBOR MODIFICATIONS, CNMI	50	---	50	---
TINIAN HARBOR MODIFICATIONS, CNMI	50	---	50	---
DELAWARE				
CHESAPEAKE & DELAWARE CANAL, ENV RESTORATION, DE & MD.	100	---	---	---
FLORIDA				
BISCAYNE BAY FEASIBILITY STUDY, FL	---	---	75	---
DAYTONA BEACH SHORES, VOLUSIA COUNTY, FL	---	---	225	---
EGMONT KEY SHORELINE STABILIZATION, FL	---	---	500	---
FLAGLER COUNTY, FL	---	---	75	---
HILLSBOROUGH RIVER, FL	200	---	200	---
LAKE WORTH INLET, PALM BEACH COUNTY, FL	100	---	100	---
LITTE TALBOT ISLAND, FL	---	---	---	25
MILE POINT, FL	500	---	500	---

CORPS OF ENGINEERS - GENERAL INVESTIGATIONS
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST		CONFERENCE	
	INVESTIGATIONS	PLANNING	INVESTIGATIONS	PLANNING
PORT EVERGLADES HARBOR, FL	---	---	63	25
SARASOTA COUNTY, LIDO KEY, FL	---	---	---	150
ST. JOHNS COUNTY, FL	---	---	25	---
ST. LUCIE COUNTY, FL	---	---	75	---
ST PETERSBURG HARBOR, FL	---	---	---	200
WALTON COUNTY, FL	100	---	100	---
WITHLACOOCHEE RIVER, FL	100	---	250	---
GEORGIA				
AUGUSTA, GA	---	---	75	---
ALLATOONA LAKE, GA	150	---	450	---
ARABIA MOUNTAIN, GA	100	---	100	---
INDIAN, SUGAR, ENTRENCHMENT AND FEDERAL PRISON CREEKS,	100	---	100	---
LONG ISLAND, MARSH AND JOHNS CREEKS, GA	122	---	122	---
SAVANNAH HARBOR ECOSYSTEM RESTORATION, GA	250	---	250	---
SAVANNAH HARBOR EXPANSION, GA	---	200	---	500
SAVANNAH RIVER BASIN COMPREHENSIVE, GA & SC	250	---	250	---
TYBEE ISLAND NORTH BEACH SHORE PROTECTION PROJECT, GA.	---	---	110	---
UTOY, SANDY AND PROCTOR CREEKS, GA	50	---	50	---
GUAM				
HAGATNA RIVER FLOOD CONTROL, GUAM	100	---	150	---

CORPS OF ENGINEERS - GENERAL INVESTIGATIONS
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST		CONFERENCE	
	INVESTIGATIONS	PLANNING	INVESTIGATIONS	PLANNING
HAWAII				
ALA WAI CANAL, OAHU, HI	150	---	150	---
BARBERS POINT HARBOR MODIFICATION, OAHU, HI	50	---	50	---
KAHUKU, HI	100	---	100	---
KAWAIHAE DEEP DRAFT HARBOR MODIFICATIONS, HAWAII, HI	150	---	150	---
KIHEI AREA EROSION, HI	50	---	50	---
NAWILIWILI HARBOR MODIFICATION, KAUAI, HI	50	---	50	---
WAIKIKI BEACH, HONOLULU, HI	---	---	---	300
WAILUPE STREAM FLOOD CONTROL STUDY, HI	---	---	---	300
IDAHO				
BOISE RIVER, ID	---	---	155	---
LITTLE WOOD RIVER, ID	---	---	---	50
ILLINOIS				
ALEXANDER & PULASKI COUNTIES, IL	---	---	50	---
DES PLAINES RIVER, IL (PHASE II)	800	---	1,300	---
GREAT LAKES FISHERY AND ECOSYS RESTOR, IL	---	---	18	---
ILLINOIS RIVER AT BEARDSTOWN, IL	32	---	32	---
ILLINOIS RIVER BASIN RESTORATION, IL	400	---	500	---
ILLINOIS RIVER ECOSYSTEM RESTORATION, IL	200	---	200	---
ILLINOIS SHORELINE EROSION, IL	60	---	60	---
KEITH CREEK, ROCKFORD, IL	32	---	32	---

CORPS OF ENGINEERS - GENERAL INVESTIGATIONS
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST		CONFERENCE	
	INVESTIGATIONS	PLANNING	INVESTIGATIONS	PLANNING
PEORIA RIVERFRONT DEVELOPMENT, IL	---	100	---	100
ROCK RIVER, IL & WI	200	---	200	---
UPPER MISSISSIPPI & ILINOIS RIVERS NAVIGATION STUDY, I	---	---	355	13,500
UPPER MISS RVR COMPREHENSIVE PLAN, IL, IA, MO, MN & WI	944	---	1,172	---
WOOD RIVER LEVEE, IL	---	185	---	185
INDIANA				
INDIANA HARBOR, IN	500	---	500	---
JOHN T MYERS LOCKS AND DAM, IN & KY	---	700	---	350
IOWA				
CLEAR LAKE WATERSHED, IA	---	---	193	---
DAVENPORT, IA	---	156	---	100
DES MOINES AND RACCOON RIVERS, IA	150	---	150	25
LOWER DES MOINES RIVER, IA	---	---	25	---
KANSAS				
BRUSH CREEK BASIN, KS & MO	75	---	138	---
GRAND (NEOSHO) RIVER BASIN WATERSHED, KS & OK	---	---	75	---
MANHATTAN, KS	110	---	155	---
TOPEKA, KS	70	---	109	---
UPPER TURKEY CREEK, KS	300	---	300	---
WALNUT AND WHITEWATER RIVER WATERSHEDS, KS	219	---	235	---

CORPS OF ENGINEERS - GENERAL INVESTIGATIONS
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST		CONFERENCE	
	INVESTIGATIONS	PLANNING	INVESTIGATIONS	PLANNING
KENTUCKY				
DEWEY LAKE, KY	---	---	50	---
GREENUP LOCKS AND DAM, OHIO RIVER, KY & OH	---	310	---	450
LICKING RIVER, KY	---	---	50	---
METROPOLITAN LOUISVILLE, JEFFERSON COUNTY, KY	100	---	50	50
METROPOLITAN LOUISVILLE, MILL CREEK BASIN, KY	90	---	45	---
METROPOLITAN LOUISVILLE, SOUTHWEST, KY	244	---	122	122
OHIO RIVER MAIN STEM SYSTEMS STUDY, KY, IL, IN, PA, WV	1,080	---	1,580	---
LOUISIANA				
AMITE RIVER AND TRIBUTARIES ECOSYSTEM RESTORATION, LA.	250	---	250	---
AMITE RIVER AND TRIBUTARIES, BAYOU MANCHAC, LA	100	---	100	---
ATCHAFALAYA RIVER AND BAYOUS CHENE, BOEUF AND BLACK, L	350	---	850	---
BAYOU SORREL LOCK, LA	---	550	---	550
BOSSIER PARISH, LA	---	---	193	---
CALCASIEU LOCK, LA	200	---	250	---
CALCASIEU RIVER BASIN, LA	350	---	350	---
CALCASIEU RIVER PASS SHIP CHANNEL ENLARGEMENT, LA	50	---	125	---
CROSS LAKE WATER SUPPLY IMPROVEMENTS, LA	---	---	200	---
HURRICANE PROTECTION, LA	---	---	100	---
LOUISIANA COASTAL AREA ECOSYSTEM RESTORATION, LA	8,000	---	8,500	---
MISSISSIPPI RIVER GULF OUTLET ECOSYSTEM RESTORATION, L	225	---	---	---
PLAQUEMINES PARISH URBAN FLOOD CONTROL, LA	300	---	350	---

CORPS OF ENGINEERS - GENERAL INVESTIGATIONS
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST		CONFERENCE	
	INVESTIGATIONS	PLANNING	INVESTIGATIONS	PLANNING
PORT OF IBERIA, LA	350	---	575	---
RED RIVER NAVIGATION, SOUTHWEST ARKANSAS, AR AND LA	---	---	25	---
ST BERNARD PARISH URBAN FLOOD CONTROL, LA	300	---	350	---
ST CHARLES PARISH URBAN FLOOD CONTROL, LA	300	---	650	---
ST. JOHN THE BAPTIST, LA	---	---	175	---
WEST BATON ROUGE, LA	---	---	---	50
WEST SHORE, LAKE PONTCHARTRAIN, LA	---	---	---	150
MAINE				
SEARSPORT HARBOR, ME	---	---	63	---
MARYLAND				
ANACOSTIA RIVER AND TRIBUTARIES, MD & DC	---	---	160	---
ANACOSTIA RIVER AND TRIBUTARIES, PG COUNTY LEVEE, MD &	100	---	100	---
BALTIMORE METRO WATER, MD	---	---	---	50
CHES BAY SHORELINE-SEDI BUDG, MODEL & REG SEDI MGT, MD	220	---	220	---
CHESAPEAKE BAY SHORELINE EROSION, MD, PA & VA	221	---	361	---
EASTERN SHORE, MID CHESAPEAKE BAY ISLAND, MD	324	---	912	---
JENNINGS RANDOLF LAKE, MD	---	---	25	---
LOWER POTOMAC ESTUARY WATERSHED, ST MARY'S WATERSHED,	103	---	103	---
MIDDLE POTOMAC RIVER BASIN, MD	---	---	200	---
MASSACHUSETTS				

CORPS OF ENGINEERS - GENERAL INVESTIGATIONS
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST		CONFERENCE	
	INVESTIGATIONS	PLANNING	INVESTIGATIONS	PLANNING
BLACKSTONE RIVER WATERSHED RESTORATION, MA & RI.....	100	---	100	---
BOSTON HARBOR (45-FOOT CHANNEL), MA.....	650	---	650	---
COASTAL MASSACHUSETTE, MA.....	---	---	25	---
SOMERSET AND SEARSBURG DAMS, MA.....	---	---	---	25
MICHIGAN				
BELLE ISLE SHORELINE, MI.....	---	---	50	---
DETROIT RIVER MASTERPLAN, MI.....	---	---	175	---
GREAT LAKES NAV SYST STUDY, MI, IL, IN, MN, NY, OH, PA	800	---	1,650	---
JOHN GLENN GREAT LAKES BASIN (STRATEGIC PLAN), MI, IL,	---	---	50	---
JOHN GLENN GREAT LAKES BASIN (BIOHYDROLOGICAL), MI, IL	---	---	50	---
JOHN GLENN GREAT LAKES BASIN (RECREATION BOATING), MI,	---	---	50	---
ROUGE RIVER SUPP PLAN, MI.....	---	---	25	---
ST. CLAIR RIVER & LAKE ST. CLAIR, MI.....	---	---	75	---
MINNESOTA				
MINNEHAHA CREEK WATERSHED, UMR LAKE ITASCA TO L&D 2, M	300	---	300	---
MINNESOTA RIVER BASIN, MN & SD.....	43	---	43	---
RED RIVER OF THE NORTH BASIN, MN, ND, SD & MANITOBA, C	751	---	751	---
ROSEAU, MN (RED RIVER OF THE NORTH BASIN).....	149	---	149	---
SOUTH WASHINGTON CTY WATERSHED, UMR LAKE ITASCA TO L&D	300	---	300	---
WILD RICE RIVER, MN (RED RIVER OF THE NORTH BASIN)....	400	---	400	---

CORPS OF ENGINEERS - GENERAL INVESTIGATIONS
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST		CONFERENCE	
	INVESTIGATIONS	PLANNING	INVESTIGATIONS	PLANNING
MISSISSIPPI				
GULFPORT AND HARRISON, MS	---	---	50	---
HANCOCK COUNTY SEAWALL RESTORATION, MS	200	---	200	---
NORTHEAST MISSISSIPPI REGIONAL WATER SUPPLY DISTRICT,	---	---	150	---
PEARL RIVER WATERSHED, MS	400	---	400	---
MISSOURI				
CHESTERFIELD, MO	---	---	---	50
KANSAS CITYS, MO & KS	325	---	375	---
MISSOURI RIVER LEVEE SYSTEM, UNITS L455 & R460-471, MO	60	---	180	---
RIVER DES PERES, MO	---	---	---	25
SPRINGFIELD, MO	500	---	500	---
ST LOUIS FLOOD PROTECTION, MO	---	450	---	450
ST. LOUIS HARBOR, MO	---	---	---	25
ST LOUIS MISSISSIPPI RIVERFRONT, MO & IL	338	---	338	---
SWOPE PARK INDUSTRIAL AREA, KANSAS CITY, MO	---	---	---	200
WEARS CREEK, JEFFERSON CITY, MO	50	---	50	---
MONTANA				
YELLOWSTONE RIVER CORRIDOR, MT	158	---	158	---

CORPS OF ENGINEERS - GENERAL INVESTIGATIONS
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST		CONFERENCE	
	INVESTIGATIONS	PLANNING	INVESTIGATIONS	PLANNING
NEBRASKA				
LOWER PLATTE RIVER AND TRIBUTARIES, NE	257	---	257	---
NEVADA				
LOWER LAS VEGAS N LAS VEGAS, NV	---	---	350	---
TAHOE REGIONAL PLANNING, NV	---	---	600	---
TRUCKEE MEADOWS, NV	---	1,000	---	2,500
NEW HAMPSHIRE				
MERRIMACK RIVER WATERSHED STUDY, NH & MA	200	---	250	---
NEW JERSEY				
DELAWARE RIVER BASIN COMPREHENSIVE, NJ, PA & DE	---	---	150	---
GOFFLE BROOK, BOROUGH OF HAWTHORNE, NJ	25	---	25	---
GREAT EGG HARBOR INLET TO TOWNSEND INLET, NJ	---	135	---	132
HUDSON - RARITAN ESTUARY, HACKENSACK MEADOWLANDS, NJ	100	---	350	---
HUDSON - RARITAN ESTUARY, LOWER PASSAIC RIVER, NJ	50	---	250	---
LOWER SADDLE RIVER	---	---	25	---
MANASQUAN INLET TO BARNEGAT INLET, NJ	---	---	---	175
MID DELAWARE RIVER BASIN COMPREHENSIVE, NJ & PA	---	---	25	15
NEW JERSEY INTRACOASTAL WATERWAY, ENVIRONMENTAL RESTOR	---	---	---	75
NEW JERSEY SHORE PROTECTION, HEREFORD TO CAPE MAY INLE	460	---	460	---

CORPS OF ENGINEERS - GENERAL INVESTIGATIONS
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST		CONFERENCE	
	INVESTIGATIONS	PLANNING	INVESTIGATIONS	PLANNING
NEW JERSEY SHORELINE ALTERNATIVE LONG-TERM NOURISHMENT	256	---	256	---
PASSAIC RIVER ENVIRO RESTOR	---	---	25	---
PASSAIC RIVER, HARRISON, NJ	---	200	---	475
PECKMAN RIVER BASIN, NJ	100	---	250	---
RAHWAY RIVER BASIN, NJ	100	---	175	---
RARITAN BAY AND SANDY HOOK BAY, HIGHLANDS, NJ	150	---	200	---
RARITAN BAY AND SANDY HOOK BAY, KEYPORT, NJ	150	---	200	---
RARITAN BAY AND SANDY HOOK BAY, LEONARDO, NJ	198	---	224	---
RARITAN BAY AND SANDY HOOK BAY, UNION BEACH, NJ	---	---	---	75
RARITAN BAY & SANDY HOOK PORT MONMOUTH, NJ	---	---	---	25
SHREWSBURY RIVER AND TRIBUTARIES, NJ	100	---	100	---
SOUTH RIVER, RARITAN RIVER BASIN, NJ	---	50	---	150
STONY BROOK, MILLSTONE RIVER BASIN, NJ	100	---	100	---
UPPER ROCKAWAY RIVER, NJ	---	---	38	---
WOODBRIDGE RIVER BASIN, NJ	100	---	200	---
NEW MEXICO				
EAST MESA LAS CRUCES, NM	106	---	106	---
ESPANOLA VALLEY, RIO GRANDE AND TRIBUTARIES, NM	50	---	125	---
MIDDLE RIO GRANDE BOSQUE, NM	175	---	225	---
RIO GRANDE BASIN, NM, CO & TX	125	---	125	---
SANTA FE, NM	175	---	250	---
SW VALLEY FLOOD REDUCTION, NM	---	---	---	350

CORPS OF ENGINEERS - GENERAL INVESTIGATIONS
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST		CONFERENCE	
	INVESTIGATIONS	PLANNING	INVESTIGATIONS	PLANNING
NEW YORK				
BRONX RIVER BASIN, NY	50	---	150	---
BUFFALO RIVER ENVIRONMENTAL DREDGING, NY	130	---	130	---
EAST RIVER SEAWALLS, NY	---	---	275	---
EIGHTEEN MILE CREEK, NY	---	---	88	---
FREEPORT CREEK, NY	---	---	13	---
FLUSHING BAY AND CREEK, NY	---	---	125	38
GATEWAY POINT, NY	---	---	25	---
HUDSON RIVER HABITAT RESTOR, NY	---	---	13	13
HUDSON - RARITAN ESTUARY, GOWANUS CANAL, NY	150	---	300	---
HUDSON - RARITAN ESTUARY, NY & NJ	450	---	475	---
JAMAICA BAY, NY	---	---	25	---
LAKE MONTAUK HARBOR, NY	300	---	300	---
MONTAUK POINT, NY	---	---	---	100
NY HARBOR ANCHORAGES, NY	---	---	25	50
NORTH SHORE OF LONG ISLAND, ASHAROKEN, NY	175	---	190	---
NORTH SHORE OF LONG ISLAND, BAYVILLE, NY	200	---	200	---
SAW MILL RIVER, NY	---	---	25	---
ONONDAGA LAKE, NY	400	---	800	---
SOUTH SHORE OF STATEN ISLAND, NY	---	---	155	---
SUSQUEHANNA RIVER BASIN, NY	---	---	50	---
TOWANDA CREEK, NY	---	---	25	---
UPPER DELAWARE RIVER WATERSHED, NY	---	---	25	---
UPPER SUSQUEHANNA RIVER BASIN, CATATONK CREEK WATERSHE	49	---	49	---

CORPS OF ENGINEERS - GENERAL INVESTIGATIONS
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST		CONFERENCE	
	INVESTIGATIONS	PLANNING	INVESTIGATIONS	PLANNING
NORTH CAROLINA				
BOGUE BANKS, NC	---	---	75	---
CURRITUCK SOUND, NC	210	---	210	---
DARE COUNTY BEACHES, HATTERAS AND ORACOKE ISLANDS, NC	250	---	250	---
NEUSE RIVER BASIN, NC	120	---	120	---
SURF CITY AND NORTH TOPSAIL BEACH, NC	214	---	214	---
TAR RIVER AND PAMLICO SOUND, NC	66	---	66	---
OHIO				
ASHTABULA RIVER ENVIRONMENTAL DREDGING, OH	---	564	---	564
CINCINNATI CENTRAL RIVERFRONT, OH	---	---	50	---
COLUMBUS METROPOLITAN AREA, OH	50	---	50	---
CUYAHOGA RIVER BULKHEAD STUDY, CLEVELAND, OH	---	---	100	---
DUCK CREEK, OH	---	---	25	---
HOCKING RIVER BASIN ENVIRONMENTAL RESTORATION, MONDAY	---	---	---	350
MAHONING RIVER ENVIRONMENTAL DREDGING, OH & PA	450	---	675	---
MUSKINGUM BASIN SYSTEM STUDY, OH	---	---	50	100
OHIO RIVERFRONT, CINCINNATI, OH	---	---	---	2,000
WESTERN LAKE ERIE BASIN, OH, IN & MI	210	---	210	---
OKLAHOMA				
GRAND LAKE, OK	---	---	300	---
MIAMI AND VICINITY, OK	177	---	177	---

CORPS OF ENGINEERS - GENERAL INVESTIGATIONS
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST		CONFERENCE	
	INVESTIGATIONS	PLANNING	INVESTIGATIONS	PLANNING
MOUNTAIN FORK RIVER WATERSHED, OK & AR	---	---	25	---
OOLOGAH LAKE WATERSHED, OK & KS	200	---	200	---
SPAVINAW CREEK WATERSHED, OK & AR	---	---	25	---
WASHITA RIVER BASIN, OK	---	---	132	---
WISTER LAKE, OH	---	---	25	---
OREGON				
AMAZON CREEK, OR	264	---	264	---
LOWER COLUMBIA RIVER ECOSYSTEM RESTORATION, OR & WA	136	---	136	---
WALLA WALLA RIVER WATERSHED, OR & WA	500	---	750	---
WILLAMETTE RIVER BASIN REVIEW, OR	61	---	61	---
WILLAMETTE RIVER ENVIRONMENTAL DREDGING, OR	228	---	228	---
WILLAMETTE RIVER FLOODPLAIN RESTORATION, OR	411	---	411	---
PENNSYLVANIA				
CHRISTINA RIVER, PA & DE	---	---	---	100
EMS., DASH., MONTGOMERY LOCKS, PA	---	---	50	---
SCHUYLKILL RIVER BASIN ESTUARINE, PA	50	---	50	---
SCHUYLKILL RIVER BASIN, WISSAHICKON CREEK BASIN, PA	100	---	100	---
SUSQUEHANNA AND DELAWARE RIVER BASIN (SOUTHERN ANTHRAC	---	---	250	---
TOWN OF BLOOMSBURG LOCAL FLOOD PROTECTION PROJECT, PA.	---	---	---	125
UNAMI CREEK, PA	10	---	10	---
UPPER OHIO NAVIGATION STUDY, PA	500	---	500	---

CORPS OF ENGINEERS - GENERAL INVESTIGATIONS
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST		CONFERENCE	
	INVESTIGATIONS	PLANNING	INVESTIGATIONS	PLANNING
PUERTO RICO				
RIO YAGUEZ IN MAYAGUEZ, PR	35	---	35	---
SOUTH CAROLINA				
ATLANTIC INTRACOASTAL WATERWAY, SC	---	---	200	---
BROAD RIVER BASIN, SC	16	---	16	---
EDISTO ISLAND, SC	---	---	75	---
PAWLEYS ISLAND, SC	---	---	---	187
REEDY RIVER, SC	194	---	194	---
SANTEE DELTA ENVIRONMENTAL RESTORATION, SC	23	---	23	---
WACCAMAW RIVER, SC	50	---	50	---
SOUTH DAKOTA				
JAMES RIVER, SD & ND	200	---	500	---
WATERTOWN & VICINITY, SD	---	---	---	237
TENNESSEE				
DAVIDSON COUNTY, TN	214	---	675	---
TEXAS				
ABILENE, TX (BRAZOS RIVER BASIN)	---	---	125	---

CORPS OF ENGINEERS - GENERAL INVESTIGATIONS
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST		CONFERENCE	
	INVESTIGATIONS	PLANNING	INVESTIGATIONS	PLANNING
BRAZOS ISLAND HARBOR, BROWNSVILLE CHANNEL, TX	500	---	---	---
BUFFALO BAYOU & TRIBS (MAIN), TX	---	---	---	50
BUFFALO BAYOU AND TRIBUTARIES, WHITE OAK BAYOU, TX	350	---	350	---
CEDAR BAYOU, TX	---	135	---	135
COLONIAS - LOWER RIO GRANDE BASIN, TX	---	---	---	175
CORPUS CHRISTI SHIP CHANNEL, TX	---	800	---	800
FREEPORT HARBOR, TX	300	---	500	---
FREEPORT HURRICANE PROTECTION LEVEE, TX	150	---	75	---
GIWW MODIFICATIONS, TX	350	---	175	---
GIWW, BRAZOS RIVER TO PORT O'CONNOR, TX	250	---	150	---
GIWW HIGH ISLAND TO BRAZOS RIVER, TX	---	---	---	50
GIWW HIGH ISLAND TO BRAZOS RIVER REALIGNMENTS, TX	275	---	138	---
GIWW MATAGORDA BAY, TX	---	---	---	50
GIWW, PORT O'CONNOR TO CORPUS CHRISTI BAY, TX	250	---	150	---
GIWW, VICINITY OF PORT ISABEL, TX	---	---	666	---
GREENS BAYOU, HOUSTON, TX	---	340	---	340
GUADALUPE AND SAN ANTONIO RIVER BASINS, TX	250	---	500	---
HARRIS GULLY, TX	250	---	525	---
LEON CREEK, TX	200	---	200	---
LOWER COLORADO RIVER BASIN, TX	1,200	---	1,450	---
LOWER GUADALUPE AND SAN ANTONIO RIVERS, TX	250	---	125	---
LOWER SABINE RIVER, TX	200	---	200	---
LOWER SAN ANTONIO RIVER BASIN (TRI-COUNTY), TX	200	---	300	---
MATAGORDA SHIP CHANNEL, TX	300	---	200	---
MIDDLE BRAZOS RIVER, TX	150	---	150	---
NORTHWEST EL PASO, TX	305	---	305	---

CORPS OF ENGINEERS - GENERAL INVESTIGATIONS
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST		CONFERENCE	
	INVESTIGATIONS	PLANNING	INVESTIGATIONS	PLANNING
NUECES RIVER AND TRIBUTARIES, TX	500	---	500	---
RAYMONDVILLE DRAIN, TX	---	300	---	350
RESACAS AT BROWNSVILLE, TX	250	---	250	---
RIVERSIDE OXBOW, UPPER TRINITY RIVER BASIN, FT WORTH,	---	---	---	150
RIO GRANDE BASIN, TX	---	---	50	---
SABINE - NECHES WATERWAY, TX	350	---	375	---
SABINE PASS TO GALVESTON BAY, TX	325	---	325	---
SALADO CREEK, TX	180	---	180	---
SOUTH MAIN CHANNEL, TX	---	---	169	25
SPARKS ARROYO COLONIA, EL PASO COUNTY, TX	256	---	256	---
SULPHUR RIVER ENVIRONMENTAL RESTORATION, TX	---	---	50	---
TEXAS CITY CHANNEL (50-FOOT PROJECT), TX	---	1,180	---	1,180
UPPER TRINITY RIVER BASIN, TX	600	---	950	---
VERMONT				
CONNECTICUT RIVER ECOSYSTEM RESTORATION, VT	---	---	50	---
VIRGINIA				
ATLANTIC INTRACOASTAL WATERWAY, BRIDGES AT DEEP CREEK,	---	---	---	256
DISMAL SWAMP AND DISMAL SWAMP CANAL, VA	100	---	100	---
ELIZABETH RIVER BASIN, ENV RESTORATION, VA (PHASE II).	232	---	232	---
ELIZABETH RIVER HAMPTON RD., VA	---	---	---	38
FOURMILE RUN, VA	350	---	375	---
GAITHRIGHT DAM, VA	---	---	50	---

CORPS OF ENGINEERS - GENERAL INVESTIGATIONS
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST		CONFERENCE	
	INVESTIGATIONS	PLANNING	INVESTIGATIONS	PLANNING
MES RIVER CHANNEL, VA	---	---	---	50
HN H KERR DAM AND RESERVOIR, VA & NC (SECTION 216)	290	---	290	---
NNHAVEN RIVER BASIN, VA	483	---	483	---
RFOLK HARBOR AND CHANNELS, CRANEY ISLAND, VA	---	---	239	---
ILPOT LAKE, VA	---	---	50	---
WELL RIVER WATERSHED, VA	200	---	200	---
CINITY AND WILOUGHBY SPIT, VA	---	---	---	50
VIRGIN ISLANDS				
OWN BAY CHANNEL, ST. THOMAS, VI	---	---	---	141
WASHINGTON				
NTRALIA, WA	---	---	---	50
EHALIS RIVER BASIN, WA	340	---	340	---
LIOTT BAY SEAWALL, WA	240	---	270	---
KE WASHINGTON SHIP CANAL, WA	450	---	450	---
GET SOUND NEARSHORE MARINE HABITAT RESTORATION, WA	450	---	525	---
AGIT RIVER, WA	450	---	525	---
ILLAGUAMISH, WA	---	---	50	---
ITE RIVER FLOOD CONTROL AND ECOSYSTEM RESTORATION, W	450	---	450	---
WEST VIRGINIA				
LAND CREEK AT LOGAN, WV	---	---	---	59

CORPS OF ENGINEERS - GENERAL INVESTIGATIONS
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST		CONFERENCE	
	INVESTIGATIONS	PLANNING	INVESTIGATIONS	PLANNING
LITTLE KANAWHA RIVER, WV	125	---	210	---
NEW RIVER BASIN, WV, NC & VA	160	---	265	---
WISCONSIN				
BARABOO RIVER, WI	270	---	270	---
FOX RIVER, WI	200	---	200	---
ST, CROIX RIVER BASIN, MN & WI	---	---	200	---
MISCELLANEOUS				
COASTAL FIELD DATA COLLECTION	1,875	---	4,875	---
ENVIRONMENTAL DATA STUDIES	94	---	94	---
FLOOD DAMAGE DATA	248	---	248	---
FLOOD PLAIN MANAGEMENT SERVICES	5,625	---	6,813	---
GREAT LAKES REMEDIAL ACTION PLANS	---	---	250	---
HYDROLOGIC STUDIES	300	---	300	---
INTERNATIONAL WATER STUDIES	300	---	300	---
NATIONAL SHORELINE	375	---	375	---
OTHER COORDINATION PROGRAMS	3,899	---	4,300	---
PLANNING ASSISTANCE TO STATES	4,650	---	8,000	---
PRECIPITATION STUDIES (NATIONAL WEATHER SERVICE)	225	---	225	---
REMOTE SENSING/GEOGRAPHIC INFORMATION SYSTEM SUPPORT	152	---	152	---
RESEARCH AND DEVELOPMENT	20,800	---	25,000	---
SCIENTIFIC AND TECHNICAL INFORMATION CENTERS	78	---	78	---
STREAM GAGING (U.S. GEOLOGICAL SURVEY)	600	---	600	---

CORPS OF ENGINEERS - GENERAL INVESTIGATIONS
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST		CONFERENCE	
	INVESTIGATIONS	PLANNING	INVESTIGATIONS	PLANNING
TRANSPORTATION SYSTEMS	375	---	375	---
TRI-SERVICE CADD/GIS TECHNOLOGY CENTER	402	---	402	---
REDUCTION FOR ANTICIPATED SAVINGS AND SLIPPAGE	-22,464	---	-35,545	---
TOTAL, GENERAL INVESTIGATIONS	81,930	8,570	109,877	34,623

CONSTRUCTION GENERAL
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE
ALABAMA		
DUCK RIVER, AL	---	100
MOBILE HARBOR, AL	---	50
WALTER F GEORGE POWERHOUSE AND DAM, AL & GA (MAJOR REH	1,700	1,700
WALTER F GEORGE POWERPLANT, AL & GA (MAJOR REHAB)	6,000	6,000
ALASKA		
CHIGNIK HARBOR, AK	2,000	2,000
DILLINGHAM EMERGENCY BANK, AK	---	2,000
FALSE PASS, AK	---	5,000
NOME HARBOR IMPROVEMENTS, AK	20,000	20,000
SAND POINT HARBOR, AK	1,000	4,000
SEWARD, AK	---	3,000
SITKA, AK	---	1,000
ST PAUL HARBOR, AK	13,000	13,000
WRANGELL, AK	---	5,000
ARIZONA		
NOGALES WASH, AZ	---	1,250
RIO DE FLAG, AZ	---	2,500
RIO SALADO, PHOENIX AND TEMPE REACHES, AZ	13,000	14,000
TRES RIOS, AZ	---	3,500
TUCSON DRAINAGE AREA (TUCSON ARROYO), AZ	---	2,250
ARKANSAS		
MCCLELLAN - KERR ARKANSAS RIVER NAVIGATION SYSTEM, AR.	---	2,250
MONTGOMERY POINT LOCK AND DAM, AR	9,090	9,090
OZARK - JETA TAYLOR POWERHOUSE, AR (MAJOR REHAB)	5,000	5,000
RED RIVER BELOW DENISON DAM, AR, LA & TX	---	750
RED RIVER EMERGENCY BANK STABIL, AR & LA	---	1,500
CALIFORNIA		
AMERICAN RIVER WATERSHED (FOLSOM DAM MINI-RAISE), CA	---	8,000
AMERICAN RIVER WATERSHED (FOLSOM DAM MODIFICATIONS), C	6,175	6,675
AMERICAN RIVER WATERSHED, CA	5,000	5,000
CAMBRIA SEAWATER DESALINIZATION INFRASTRUCTURE, CA	---	425
CITY OF SANTA CLARITA (PERCHLORATE), CA	---	175
CORTE MADERA CREEK FLOOD CONTROL, CA	---	275
COYOTE AND BERRYESSA CREEK, CA	---	338
FARMINGTON GROUNDWATER RECHARGE DEMONSTRATION PROJECT,	---	1,000
GUADALUPE RIVER, CA	6,000	6,000
HAMILTON AIRFIELD WETLANDS RESTORATION, CA	5,100	6,000
HARBOR / SOUTH BAY WATER RECYCLING PROJECT, LOS ANGELE	---	3,000
IMPERIAL BEACH/SILVER STRAND, CA	---	150
KAWEAH RIVER, CA	5,624	5,624
LLAGAS CREEK, CA	---	125
LOS ANGELES COUNTY DRAINAGE AREA (STORMWATER MANAGEMEN	---	125
LOS ANGELES HARBOR MAIN CHANNEL DEEPENING, CA	23,000	23,000
LOWER WALNUT CREEK, CA	---	250
MARYSVILLE/YUBA CITY LEVEE RECONSTRUCTION, CA	3,686	3,686
MERCED COUNTY STREAMS, CA	---	350
MID-VALLEY AREA LEVEE RECONSTRUCTION, CA	2,300	2,300
MURRIETA CREEK, CA	---	1,500
NAPA RIVER, CA	7,000	16,000
NORTH VALLEY REGIONAL WATER INFRASTRUCTURE (CITY OF LA	---	2,000
OAKLAND HARBOR (50 FOOT PROJECT), CA	20,000	27,500
PETALUMA RIVER, CA	3,404	3,000
SACRAMENTO AREA, CA	---	1,750
SACRAMENTO RIVER BANK PROTECTION PROJECT, CA	1,000	1,750
SACRAMENTO RIVER DEEP WATER SHIP CHANNEL, CA	---	375
SANTA ANA RIVER MAINSTEM, CA	13,200	17,850

CONSTRUCTION GENERAL
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE
SAN LORENZO RIVER, CA	---	1,010
SAN FRANCISCO BAY TO STOCKTON, CA	---	250
SAN RAMON VALLEY RECYCLED WATER PROJECT, CA	---	375
SOUTH PERRIS, CA (WATER SUPPLY DESALINATION)	---	625
SOUTH SACRAMENTO COUNTY STREAMS, CA	1,000	2,250
STOCKTON METROPOLITAN FLOOD CONTROL REIMBURSEMENT, CA	---	2,500
SUCCESS DAM, TULE RIVER, CA (DAM SAFETY)	4,000	4,000
TULE RIVER, CA	3,500	3,500
UPPER NEWPORT BAY ECOSYSTEM RESTORATION, CA	---	1,000
UPPER SACRAMENTO AREA LEVEE RECONSTRUCTION, CA	2,400	2,400
YUBA RIVER BASIN, CA	---	375
CONNECTICUT		
SOUTHPORT HARBOR FEDERAL NAVIGATION PROJECT, CT	---	125
STAMFORD MILL RIVER RESTORATION, CT	---	50
DELAWARE		
DELAWARE BAY COASTLINE, BETHANY TO SOUTH BETHANY, DE	---	425
DELAWARE BAY COASTLINE TO PT. MAHON, DE	---	250
DELAWARE COAST, CAPE HENLOPEN TO FENWICK ISLAND, DE	2,500	2,500
DELAWARE COAST PROTECTION, DE	---	158
DELAWARE COAST, REHOBOTH BEACH TO DEWEY BEACH, DE	3,675	3,925
DELAWARE BAY COASTLINE, ROOSEVELT INLET TO LEWES BEACH	---	352
DISTRICT OF COLUMBIA		
WASHINGTON, DC & VICINITY	500	---
FLORIDA		
BREVARD COUNTY SHORE PROTECTION, FL	---	550
BROWARD COUNTY SHORE PROTECTION, FL	---	1,250
CANAVERAL HARBOR, FL	3,016	3,016
CENTRAL AND SOUTHERN FLORIDA, FL	85,600	75,000
DADE COUNTY, FL	---	125
DUVAL COUNTY FEDERAL SHORE PROTECTION PROJECT, FL	---	375
EVERGLADES AND SOUTH FLORIDA ECOSYSTEM RESTORATION, FL	27,000	26,000
FLORIDA KEYS WATER QUALITY IMPROVEMENTS, FL	---	2,250
FORT PIERCE BEACH, FL	---	750
HERBERT HOOVER DIKE, FL (MAJOR REHAB)	1,896	1,896
JACKSONVILLE HARBOR, FL	900	2,200
JIM WOODRUFF LOCK AND DAM POWERHOUSE, FL & GA (MAJOR R	2,502	2,502
KISSIMMEE RIVER, FL	18,000	18,000
LAKE WORTH INLET SAND TRANSFER PLANT, FL	---	145
LEE COUNTY (SHORE PROTECTION, ALL ELEMENTS), FL	---	750
MANATEE HARBOR, FL	---	1,000
MARTIN COUNTY, FL	---	1,250
MIAMI HARBOR CHANNEL, FL	---	750
NASSAU COUNTY SHORE PROTECTION, FL	---	375
PALM BEACH COUNTY, FL	---	600
PANAMA CITY BEACH RENOURISHMENT, FL	---	50
PINELLAS COUNTY BEACH RESTORATION, FL	---	10,000
PONCE DE LEON INLET, SOUTH JETTY, FL	---	250
PORT EVERGLADES HARBOR, FL	---	400
SARASOTA COUNTY, CITY OF VENICE, FL	---	500
ST. JOHNS COUNTY, FL	---	250
TAMPA HARBOR, ALAFIA RIVER, FL	---	10,000
TAMPA HARBOR, BIG BEND, FL	500	7,500
TAMPA HARBOR, SUTTON CHANNEL, FL	---	500
GEORGIA		
BRUNSWICK HARBOR, GA	9,267	9,634
BUFORD POWERHOUSE, GA (MAJOR REHAB)	7,345	7,345

CONSTRUCTION GENERAL
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE
HARTWELL LAKE POWERHOUSE, GA & SC (MAJOR REHAB)	733	733
RICHARD B RUSSELL DAM AND LAKE, GA & SC	4,600	4,600
THURMOND LAKE POWERHOUSE, GA & SC (MAJOR REHAB)	4,000	4,000
TYBEE ISLAND SHORE PROTECTION (LRR), GA	---	102
HAWAII		
HAWAII WATER MANAGEMENT, HI	---	500
IAO STREAM FLOOD CONTROL, MAUI, HI (DEF CORR)	500	500
KAUMALAPAU HARBOR, LANAI, HI	---	3,000
KIKIAOLA SMALL BOAT HARBOR, KAUAI, HI	2,500	2,500
MAALAEA HARBOR, MAUI, HI	---	100
IDAHO		
RURAL IDAHO ENVIRONMENTAL INFRASTRUCTURE PROGRAM, ID	---	3,750
ILLINOIS		
CHAIN OF ROCKS CANAL, MISSISSIPPI RIVER, IL (DEF CORR)	3,900	3,900
CHICAGO SANITARY SHIP CHANNEL, IL	---	2,000
CHICAGO SHORELINE, IL	17,300	21,500
COOK COUNTY ENVIRONMENTAL INFRASTRUCTURE, IL	---	325
DES PLAINES RIVER, IL (PHASE I)	---	300
EAST ST. LOUIS, IL	---	520
EAST ST. LOUIS AND VICINITY, IL	---	50
GREAT LAKES FISHERY AND ECOSYSTEM RESTORATION, IL, IN,	---	650
ILLINOIS RIVER BASIN RESTOR, IL	---	200
LOCK AND DAM 24, MISSISSIPPI RIVER, IL & MO (MAJOR REH	8,800	8,800
MADISON AND ST CLAIR COUNTIES ENVIRONMENTAL INFRASTRU	---	1,625
MCCOOK AND THORNTON RESERVOIRS, IL	25,300	29,150
MELVIN PRICE LOCK AND DAM, IL & MO	960	960
NUTWOOD LEVEE, IL	---	100
OLMSTED LOCKS AND DAM, OHIO RIVER, IL & KY	75,000	69,000
UPPER MISS RVR SYSTEM ENV MGMT PROGRAM, IL, IA, MN, MO	28,000	17,500
WOOD RIVER DRAINAGE AND LEVEE DISTRICT, IL	---	300
INDIANA		
CALUMET REGION ENVIRONMENTAL INFRASTRUCTURE, IN	---	3,000
GRAND CALUMET RIVER REMEDIAL ACTION PLAN, IN	---	250
INDIANA HARBOR (CONFINED DISPOSAL FACILITY), IN	5,000	5,850
INDIANA SHORELINE, IN	---	500
INDIANAPOLIS, ENVIRONMENTAL INFRASTRUCTURE PLANNING (C	---	1,000
INDIANAPOLIS, WHITE RIVER (NORTH), IN	819	819
JOHN T MYERS LOCK AND DAM, IN & KY	---	1,000
LITTLE CALUMET RIVER BASIN (CADY MARSH DITCH), IN	---	5,000
LITTLE CALUMET RIVER, IN	5,000	5,500
MISSISSINEWA LAKE, IN (MAJOR REHAB)	8,477	8,477
OHIO RIVER GREENWAY PUBLIC ACCESS, IN	1,600	1,800
IOWA		
DES MOINES RECREATIONAL RIVER AND GREENBELT, IA	---	3,500
LOCK AND DAM 11, MS RIVER, IA	---	1,500
LOCK AND DAM 19, MISSISSIPPI RIVER, IA (MAJOR REHAB)	4,800	4,800
MISSOURI R FISH AND WILDLIFE RECOVERY, IA,KS,MO,MT,NE,	69,000	19,000
MISSOURI RIVER LEVEE SYSTEM, IA, NE, KS & MO	1,250	1,250
PERRY CREEK, IA	1,000	1,000
KANSAS		
ARKANSAS CITY, KS	1,000	1,000
TURKEY CREEK BASIN, KS	---	250
TUTTLE CREEK LAKE, KS (DAM SAFETY)	20,000	17,500

CONSTRUCTION GENERAL
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE
KENTUCKY		
DEWEY LAKE, KY	---	150
KENTUCKY LOCK AND DAM, TENNESSEE RIVER, KY	25,000	32,500
LOUISVILLE WATERFRONT, KY	---	100
MCALPINE LOCKS AND DAM, OHIO RIVER, KY & IN	58 000	68,500
METROPOLITAN LOUISVILLE, BEARGRASS CREEK, KY	3,275	3,275
METROPOLITAN LOUISVILLE, POND CREEK, KY	2,543	2,543
SOUTHERN AND EASTERN KENTUCKY, KY	---	1,750
LOUISIANA		
ASCENSION PARISH ENVIRONMENTAL INFRASTRUCTURE, LA	---	400
COMITE RIVER, LA	1,500	1,500
EAST BATON ROUGE PARISH, LA	---	1,000
EAST BATON ROUGE PARISH ENVIRONMENTAL INFRASTRUCTURE	---	500
GRAND ISLE AND VICINITY, LA	---	75
IBERIA PARISH ENVRIO INFRA, LA	---	50
INNER HARBOR NAVIGATION CANAL LOCK, LA	10,000	14,000
J BENNETT JOHNSTON WATERWAY, LA	4,000	13,000
LAKE PONTCHARTRAIN AND VICINITY, LA (HURRICANE PROTECT	3,937	5,719
LAROSE TO GOLDEN MEADOW, LA (HURRICANE PROTECTION)	583	583
LIVINGSTON PARISH ENVIRONMENTAL INFRASTRUCTURE, LA	---	550
MISSISSIPPI RIVER GULF OUTLET, LA	---	400
MISSISSIPPI RIVER SHIP CHANNEL, LA	---	98
NEW ORLEANS TO VENICE, LA (HURRICANE PROTECTION)	2,965	2,965
OUACHITA RIVER LEVEES, LA	---	900
SOUTHEAST LOUISIANA, LA	30,000	36,500
WEST BANK AND VICINITY, NEW ORLEANS, LA	37,000	30,000
MARYLAND		
ASIAN OYSTER INTRODUCTION ENVIRONMENTAL IMPACT STATEME	---	200
ASSATEAGUE ISLAND, MD	---	750
ATLANTIC COAST OF MARYLAND, MD	---	500
BALTIMORE METROPOLITAN WATER RESOURCES, GWYNNS FALLS	---	500
CHESAPEAKE BAY ENV. RESTORATION & PROTECTION PROGRAM	---	1,500
CHESAPEAKE BAY OYSTER RECOVERY, MD & VA	1,000	3,000
CUMBERLAND, MD	---	2,750
JENNINGS RANDOLPH LAKE, MD & WV (DAM SAFETY)	640	640
POPLAR ISLAND, MD	15,130	15,130
MASSACHUSETTS		
MUDDY RIVER, BOSTON & BROOKLINE, MA	---	500
MICHIGAN		
GENNESSEE COUNTY ENVIRO INFRA, MI	---	13
GEORGE W. KUHN DRAIN RETENTION FACILITY, OAKLAND COUNT	---	75
NEGAUNEE, MI (ENVIRONMENTAL INFRASTRUCTURE)	---	200
SAULT STE. MARIE REPLACEMENT LOCK, MI	---	2,600
TWELVE TOWNS DRAIN, MI	---	75
MINNESOTA		
BRECKENRIDGE, MN	---	250
CROOKSTON, MN	---	600
LOWER ST. ANTHONY FALLS, MN	---	50
MILLE LACS REGIONAL SEWAGE TREATMENT PLANT, MN	---	525
NORTHEASTERN MINNESOTA, MN	---	750
UPPER MISSISSIPPI PLACE, MN	---	125
MISSISSIPPI		
DESOTO COUNTY WASTEWATER, MS	---	2,500

CONSTRUCTION GENERAL
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE
GULFPORT HARBOR, MS	---	400
MISSISSIPPI ENVIRONMENTAL INFRASTRUCTURE PROGRAM, MS	---	3,750
PASCAGOULA HARBOR, MS	1,981	2,491
MISSOURI		
BLUE RIVER BASIN, KANSAS CITY, MO	500	750
BLUE RIVER CHANNEL, KANSAS CITY, MO	1,525	2,263
BOIS BRULE LEVEE AND DRAINAGE DISTRICT, MO	---	1,500
CAPE GIRARDEAU (FLOODWALL), MO	---	750
CHESTERFIELD, MO	---	300
MERAMEC RIVER BASIN, VALLEY PARK LEVEE, MO	2,060	2,060
MISS RIVER BTWN THE OHIO AND MO RIVERS (REG WORKS), MO	2,000	2,000
MO AND MID-MS RIVERS ENHANCE, MO	---	1,500
ST GENEVIEVE, MO	---	225
ST. LOUIS, MO (COMBINED SEWER OVERFLOWS PROJECT)	---	1,000
TABLE ROCK LAKE, MO & AR (DAM SAFETY)	3,896	3,896
MONTANA		
FORT PECT CABIN SALES, MT	---	250
FORT PECK FISH HATCHERY, MT	---	7,270
RURAL MONTANA	---	2,000
NEBRASKA		
ANTELOPE CREEK, NE	---	500
MISSOURI NATIONAL RECREATIONAL RIVER, NE & SD	1,000	648
SAND CREEK WATERSHED, SAUNDERS COUNTY, NE	---	1,000
WESTERN SARPY AND CLEAR CREEK, NE	---	1,000
NEVADA		
RURAL NEVADA, NV	---	20,000
TROPICANA AND FLAMINGO WASHES, NV	8,475	24,000
NEW HAMPSHIRE		
LEBANON, NH (CSOS)	---	500
NASHUA, NH (CSOS)	---	300
SEABROOK HARBOR, NH	---	250
OTTER BROOK DAM, NH (DAM SAFETY)	3,000	3,000
NEW JERSEY		
BARNEGAT TO LITTLE EGG HARBOR INLET, NJ	---	750
BRIGANTINE INLET TO GREAT EGG INLET (ABSECON ISLAND)	---	1,050
BRIGANTINE INLET TO GREAT EGG INLET, BRIGANTINE ISLAND	2,000	2,000
CAPE MAY INLET TO LOWER TOWNSHIP, NJ	---	182
DELAWARE BAY COASTLINE, DE & NJ, REEDS BEACH TO PIERCE	---	475
DELAWARE BAY COASTLINE, VILLAS AND VICINITY, NJ	---	50
DELAWARE RIVER MAIN CHANNEL, NJ, PA & DE	---	1,650
GREAT EGG HARBOR INLET TO PECK BEACH, NJ	---	100
HACKENSACK-MEADOWLANDS, NJ	---	600
JOSEPH G. MINISH PASSAIC RIVER WATERFRONT PARK & HISTO	---	2,750
LOWER CAPE MAY MEADOWS, CAPE MAY POINT, NJ	5,164	5,164
PASSAIC RIVER FLOOD MGMT, NJ	---	250
PASSAIC RIVER PRESERVATION OF NATURAL STORAGE AREAS, N	3,000	3,175
RAMAPO AND MAHWAH RIVERS, NJ	---	225
RAMAPO RIVER AT OAKLAND, NJ	3,500	3,250
RARITAN BAY AND SANDY HOOK BAY, NJ	---	175
RARITAN BAY AND SANDY HOOK BAY, PORT MONMOUTH, NJ	---	250
RARITAN RIVER BASIN, GREEN BROOK SUB-BASIN, NJ	9,100	9,100
SANDY HOOK TO BARNEGAT INLET, NJ	---	500
TOWNSENDS INLET TO CAPE MAY INLET, NJ	12,600	12,600

CONSTRUCTION GENERAL
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE
NEW MEXICO		
ACEQUIAS IRRIGATION SYSTEM, NM	1,200	1,450
ALAMOGORDO, NM	4,500	5,250
CENTRAL NEW MEXICO ENVIRONMENTAL INFRASTRUCTURE PROGRA	---	5,000
MIDDLE RIO GRANDE FLOOD, BERNALILLO TO BELEN	---	300
NEW MEXICO ENVIRONMENTAL INFRASTRUCTURE PROGRAM, NM	---	1,500
RIO GRANDE FLOODWAY, SAN ACACIA TO BOSQUE DEL APACHE,	---	600
NEW YORK		
ATLANTIC COAST OF LONG ISLAND, LONG BEACH ISLAND, NEW	---	150
ATLANTIC COAST OF NEW YORK CITY, EAST ROCKAWAY INLET T	---	250
ATLANTIC COAST OF NEW YORK CITY, ROCKAWAY INLET TO NOR	---	250
EAST ROCKAWAY INLET TO ROCKAWAY AND JAMAICA, NY	---	50
FIRE ISLAND INLET TO MONTAUK POINT, NY	6,600	8,000
NEW YORK AND NEW JERSEY HARBOR, NY & NJ	103,000	95,000
NEW YORK CITY WATERSHED, NY	---	2,000
NEW YORK STATE CANAL SYSTEM, NY	---	500
ONONDAGA LAKE, NY	---	2,500
ORCHARD BEACH, NY	---	125
NORTH CAROLINA		
BRUNSWICK COUNTY BEACHES, NC	---	200
DARE COUNTY BEACHES, NC (BODIE ISLAND)	---	625
STANLY COUNTY WASTEWATER INFRASTRUCTURE, NC	---	500
WEST ONSLOW BEACH, NC	---	175
WILMINGTON HARBOR, NC	25,000	22,000
NORTH DAKOTA		
BUFORD - TRENTON IRRIGATION DISTRICT LAND ACQUISITION,	200	1,500
GARRISON DAM AND POWER PLANT, ND (MAJOR REHAB)	9,740	9,740
GRAFTON, PARK RIVER, ND	---	250
GRAND FORKS, ND - EAST GRAND FORKS, MN	31,190	34,095
MISSOURI RIVER RESTORATION, ND	---	50
OHIO		
HOLES CREEK WEST CARROLLTON, OH	---	50
MILL CREEK, OH	---	50
OHIO ENVIRONMENTAL INFRASTRUCTURE, OH	---	22,000
LOWER GIRARD LAKE DAM, OH	---	500
METROPOLITAN REGION OF CINCINNATI, DUCK CREEK, OH	760	760
OTTOWA RIVER HARBOR, OH	---	25
WEST COLUMBUS, OH	---	50
OKLAHOMA		
CANTON LAKE (DAM SAFETY), OK	---	150
LAWTON WASTEWATER INFRASTRUCTURE REHABILITATION PROJEC	---	600
TAR CREEK, OH	---	1,500
TENKILLER FERRY LAKE, OK (DAM SAFETY)	4,400	4,400
OREGON		
BONNEVILLE POWERHOUSE PHASE II, OR & WA (MAJOR REHAB)	4,900	4,900
COLUMBIA RIVER CHANNEL IMPROVEMENTS, OR & WA	---	9,000
COLUMBIA RIVER TREATY FISHING ACCESS SITES, OR & WA	4,200	4,550
ELK CREEK LAKE, OR	300	300
LOWER COLUMBIA RIVER ECOSYSTEM RESTORATION, OR & WA	2,000	2,000
WILLAMETTE RIVER TEMPERATURE CONTROL, OR	6,200	6,200
PENNSYLVANIA		

CONSTRUCTION GENERAL
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE
CONEMAUGH RIVER, PA	---	100
LACKAWANNA RIVER, OLYPHANT, PA	2,600	2,600
LOCKS AND DAMS 2, 3 AND 4, MONONGAHELA RIVER, PA	31,000	35,500
NORTHEAST PENNSYLVANIA INFRASTRUCTURE PROGRAM, PA	---	1,600
PRESQUE ISLE, PA	---	310
SCHUYKILL RIVER PARK, PA	---	1,044
SOUTH CENTRAL PENNSYLVANIA ENVIRONMENTAL INFRASTRUCTUR	---	9,000
SOUTHEASTERN PENNSYLVANIA WATERWAYS INFRASTUCTURE IMPR	---	300
3 RIVERS WET WEATHER DEMONSTRATION PROGRAM, ALLEGHENY,	---	625
WYOMING VALLEY, PA (LEVEE RAISING)	7,300	7,300
PUERTO RICO		
ARECIBO RIVER, PR	1,200	1,200
PORTUGUES AND BUCANA RIVERS, PR	15,786	13,000
RIO GUANAJIBO, PR	2,396	---
RIO PUERTO NUEVO, PR	17,000	14,500
SOUTH CAROLINA		
CHARLESTON HARBOR, SC (DEEPENING & WIDENING)	1,500	1,500
FOLLY BEACH, SC	---	350
HARTWELL LK, CLEMSON UPPER & LOWER DIVERSION, SC	3,800	3,800
LAKES MARION & MOULTRIE, SC	---	3,000
SOUTH DAKOTA		
BIG SIOUX RIVER, SIOUX FALLS, SD	6,000	6,000
CHEYENNE RIVER SIOUX TRIBE, LOWER BRULE SIOUX, SD	1,000	5,750
MISSOURI RIVER RESTORATION, SD	---	500
PIERRE, SD	4,038	4,038
TENNESSEE		
CHICKAMAUGA LOCK, TN	---	17,000
CUMBERLAND COUNTY WATER SUPPLY, TN	---	2,000
TEXAS		
BRAYS BAYOU, HOUSTON, TX	10,000	10,000
BRAZOS ISLAND HARBOR, TX	9,500	---
CLEAR CREEK, TX	---	1,200
DALLAS FLOODWAY EXTENSION, TX	---	12,500
EL PASO, TX	1,232	1,232
HOUSTON - GALVESTON NAVIGATION CHANNELS, TX	18,000	22,000
HUNTING BAYOU, HOUSTON, TX	---	625
JOHNSON CREEK, UPPER TRINITY BASIN, ARLINGTON, TX	2,200	2,200
MOUTH OF THE COLORADO, TX	---	50
NORTH PADRE ISLAND , PACKERY CHANNEL, TX	---	3,250
RED RIVER CHLORIDE CONTROL PROJECT, WICHITA RIVER BASI	---	1,500
SALT CREEK, GRAHAM, TX	---	250
SAN ANTONIO CHANNEL IMPROVEMENTS, TX	---	1,625
SIMS BAYOU, HOUSTON, TX	16,000	16,000
WHITNEY LAKE POWERHOUSE, TX (MAJOR REHAB)	1,750	1,750
UTAH		
RURAL UTAH, UT	---	1,000
VERMONT		
LAKE CHAMPLAIN WATERSHED, VT & NY	---	500
VERMONT DAMS REMEDIATION, VT	---	25

CONSTRUCTION GENERAL
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE
VIRGINIA		
AIWW GREAT BRIDGE, VA	---	850
CLINCH RIVER WATER PROJECT, VA	---	250
EMBREY DAM, RAPPAHANNOCK RIVER, VA	---	1,250
JAMES RIVER, VA	---	50
JOHN H KERR DAM AND RESERVOIR, VA & NC (MAJOR REHAB)	8,200	8,200
LAKE MERRIWEATHER, LITTLE CALFPASTURE RIVER (GOSHEN DA	---	650
LYNCHBURG, VA	---	25
NORFOLK HARBOR AND CHANNELS, VA (DEEPENING)	1,000	3,000
OCCOQUAN RIVER, VA	---	50
RICHMOND COMBINED SEWER, VA	---	125
ROANOKE RIVER UPPER BASIN, VA	---	5,000
VIRGINIA BEACH, VA	---	500
WASHINGTON		
CHIEF JOSEPH DAM GAS ABATEMENT, WA	7,000	7,000
COLUMBIA RIVER FISH MITIGATION, WA, OR & ID	98,000	85,000
DUWAMISH AND GREEN RIVER BASIN, WA	---	1,250
HOWARD HANSON DAM ECOSYSTEM RESTORATION, WA	8,000	8,500
LOWER SNAKE RIVER FISH & WILDLIFE COMPENSATION, WA, OR	2,000	2,000
MT ST HELENS SEDIMENT CONTROL, WA	200	350
MUD MOUNTAIN DAM, WA (DAM SAFETY)	8,000	8,000
PUGET SOUND AND ADJACENT WATERS RESTORATION, WA	---	500
SHOALWATER BAY SHORELINE EROSION, WA	---	650
THE DALLES, WA	---	125
WISCONSIN		
NORTHERN WISCONSIN ENVIRONMENTAL ASSISTANCE PROGRAM	---	10,000
WEST VIRGINIA		
BLUESTONE LAKE, WV (DAM SAFETY)	11,400	18,000
CENTRAL WEST VIRGINIA ENVIRONMENTAL INFRASTRUCTURE, WV	---	1,500
GREENBRIER RIVER BASIN, WV	---	3,000
LEVISA AND TUG FORKS AND UPPER CUMBERLAND RIVER, WV, V	6,000	32,750
LOWER MUD RIVER, WV	---	125
MARMET LOCK, KANAWHA RIVER, WV	50,000	75,000
ROBERT C BYRD LOCKS AND DAM, OHIO RIVER, WV & OH	600	900
SOUTHERN WEST VIRGINIA ENVIRONMENTAL INFRASTRUCTURE	---	500
WEST VIRGINIA AND PENNSYLVANIA FLOOD CONTROL PROGRAM	---	500
WINFIELD LOCKS AND DAM, KANAWHA RIVER, WV	3,000	3,000
MISCELLANEOUS		
ABANDON MINE RESTORATION	---	1,000
AQUATIC ECOSYSTEM RESTORATION (SECTION 206)	10,000	25,000
AQUATIC PLANT CONTROL PROGRAM	2,500	4,500
BENEFICIAL USES OF DREDGED MATERIAL (SEC 204,207,933)	2,000	6,000
DAM SAFETY AND SEEPAGE/STABILITY CORRECTION PROGRAM	9,000	10,500
DREDGED MATERIAL DISPOSAL FACILITIES PROGRAM	8,834	8,834
EMERGENCY STREAMBANK & SHORELINE PROTECTION (SEC 14)	7,000	12,000
EMPLOYEES' COMPENSATION	20,000	20,000
ESTUARY RESTORATION PROGRAM	---	1,000
FLOOD CONTROL PROJECTS (SECTION 205)	14,000	27,000
INLAND WATERWAYS USERS BOARD - BOARD EXPENSE	45	45
INLAND WATERWAYS USERS BOARD - CORPS EXPENSE	185	185
NAVIGATION MITIGATION PROJECT (SECTION 111)	500	1,000
NAVIGATION PROJECTS (SECTION 107)	3,000	9,000
PROJECT MODIFICATIONS FOR IMPROVEMENT OF THE ENVIRONME	13,500	25,000
SHORELINE EROSION CONTROL DEVELOPMENT AND DEMONSTRATIO	5,000	7,000
SHORELINE PROTECTION PROJECTS (SECTION 103)	2,500	3,000
SNAGGING AND CLEARING PROJECT (SECTION 208)	400	450
TRIBAL PARTNERSHIP	---	4,000

CONSTRUCTION GENERAL
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE
REDUCTION FOR ANTICIPATED SAVINGS AND SLIPPAGE.....	-127,649	-202,141
TOTAL, CONSTRUCTION GENERAL.....	1,421,500	1,796,089

CONTINUING AUTHORITY PROGRAMS
(DOLLARS IN THOUSANDS)

	CONFERENCE
SMALL BEACH EROSION CONTROL PROJECTS (SECTION 103)	
POINT HOPE, AK	100
UNALAKLEET, AK	125
NANTASKET BEACH, HULL, MA	150
ST. MARY'S STABILIZATION PROGRAM, MD	500
BARNEGAT LIGHTHOUSE, NJ	125
CRESCENT BEACH, STATEN ISLAND, NY	250
CLEVELAND LAKEFRONT, OH	100
CHESAPEAKE BAY SHORELINE, HAMPTON, VA	300
SMALL NAVIGATION PROJECTS (SECTION 107)	
DOUGLAS, AK	75
SAVOONGA, AK	75
COLD BAY, AK	50
POINT MALLARD PARK, DECATUR, AL	200
BLYTHEVILLE HARBOR, AR	600
OYSTER POINT HARBOR BREAKWATER, CA	125
SAN DIEGO HARBOR DEEPENING, SAN DIEGO COUNTY, CA	750
WHITING, IN	300
BASS HARBOR, TREMONT, ME	80
BUCKS HARBOR, MACHIASPORT, ME	38
NORTHWESTERN MICHIGAN COLLEGE MARITIME ACADEMY HARBOR, TRAVERSE CITY, MI	50
ROUGE RIVER NAVIGATION IMPROVEMENT, MI	55
DULUTH (MCQUADE ROAD) HARBOR, MN	100
TWO HARBORS, MN	100
YAZOO DIVERSION CANAL, MS	150
BUFFALO INNER HARBOR, SOUTH BASIN NAVIGATION IMPROVEME	150
CLEVELAND LAKEFRONT STATE PARK, OH	50
CHARLESTOWN BREACHWAY AND NINIGRET POND, RI	45
LAKESHORE STATE PARK, MILWAUKE, WI	150
MITIGATION OF SHORE DAMAGE DUE TO FEDERAL NAVIGATION PROJECTS (SECTION 111)	
SACO RIVER AND EILLIS BEACH, SACO, ME	100
MATTITUCK INLET, NY	100

CONTINUING AUTHORITY PROGRAMS
(DOLLARS IN THOUSANDS)

	CONFERENCE
PROJECT MODIFICATIONS FOR IMPROVEMENT OF THE ENVIRONMENT (SECTION 1135)	
BAYOU MACON, AR	40
CANNON BRAKE/LOWER VALLIER, AR	75
SULPHER RIVER, AR	75
TUJUNGA WASH ECOSYSTEM, REST, CA	100
CHICAGO SANITARY AND SHIP CANAL DISPERSAL BARRIER, IL	125
BAYOU MACON, LA	190
FRAZIER/WHITEHORSE OXBOW, LA	100
LOWER ROUGE RIVER, DEARBORN, MI	75
ROUGE RIVER OXBOW RESTORATION, DEARBORN, MI	80
MCCARRON RANCH, NV	150
LINCOLN PARK WEST, JERSEY CITY, NJ	45
KANSAS CITY RIVERFRONT, KANSAS CITY, JACKSON COUNTY, MO	75
ALBUQUERQUE BIOPARK, NM	75
LAS CRUCES DAM, ENVIRONMENTAL RESTORATION, DOPNA ANA COUNTY, NM	80
PECOS RIVER, CHAVE3 COUNTY, NM	80
ROUTE 66, ABUQUERQUE, NM	75
SANTA ANA RIPARIAN, NM	100
UPPER TIOGA RIVER WATERSHED, PA	80
DITCH 28, MISSISSIPPI COUNTY, AR	90
HORSESHOE LAKE, AR	20
GREENVILLE MARSH, LUCAS COUNTY, IA	334
SPUNKY BOTTOMS ECOSYSTEM RESTORATION, BROWN COUNTY, IL	150
SAND CREEK, KS	350
DUCK CREEK, STODDARD COUNTY, MO	50
KANSAS CITY RIVERFRONT, KANSAS CITY, MO	122
DELAWARE BAY OYSTER RESTORATION, NJ	300
PINE MOUNT CREEK, NJ	350
ONTARIO BEACH, ROCHESTER, NY	80
BIG LAKE AQUATIC ECOSYSTEM RESTORATION, OK	135
WALLA WALLA RIVER, OR & WA	200
ALLIN'S COVE, BARRINGTON, RI	279
LOWER OBION RIVER AND VICINITY, TN	130
STREAMBANK AND SHORELINE PROTECTION FOR PUBLIC FACILITIES (SECTION 14)	
DEERING, AK	70
KWETHLUK, AK	50
SEWARD, AK	70
SHISHMAREF, AK	50
BEAVER CREEK, ACKLEY IA	40
IOWA RIVER, SAC & FOX SETTLEMENT, TAMA COUNTY, IA	50
INDIANA UNIVERSITY AT SOUTH BEND, IN	400
SOUTHERN UNIVERSITY, BATON ROUGE, LA	75

CONTINUING AUTHORITY PROGRAMS
(DOLLARS IN THOUSANDS)

	CONFERENCE
EUBANKS CREEK, JACKSON, MS	40
ELIZABETH RIVER VALLEYVIEW ROAD, HILLSIDE, NJ	60
I-40 GALLUP, NM	50
SOUTH BRANCH RAHWAY RIVER, WOODBRIDGE, NY	50
ST. JOHNS LANDFILL DIKE STABILIZATION, OR	60
KENOSHA HARBOR RETAINING WALL, KENOSHA, WI	50
WINDSOR POND RESERVOIR, DALTON, MA	100
HOLMES BAY, WHITING, ME	505
DETROIT RIVER SHORELINE, MI	215
COUNTY ROAD 228 BRIDGE, HUBBLE CREEK, MO	152
MT. PLEASANT AVENUE, HANOVER TOWNSHIP, NJ	200
NORTHPORT, HUNTINGTON, NY	350
OAKLAND, TN	65
BOGGY CREEK, AUSTIN, TX	100
SMALL FLOOD CONTROL PROJECTS (SECTION 205)	
FORT YUKON, AK	200
SKAGWAY, AK	225
SALCHA, AK	225
GRUBBS, AR	125
COSGROVE CREEK, CA	500
SANTA VENETIA FLOOD CONTROL, CA	150
CALAVERAS COUNTY WATERSHED, CA	250
SALMON RIVER, CT	125
ELSMORE, DE	100
EAST BOYER RIVER, DENISON, IA	150
MAD CREEK, MUSCATINE, IA	75
WOLF CREEK, IA	75
BRAITHWAITE PARK, LA	200
LOCKPORT TO LAROSE, LA	150
RED CHUTE BAYOU, LEVEE, LA	150
PATTERSON BAYOU, BLUE CANE, MS	150
MONTEVIDEO, MN	75
LIVINGSTON, MT	125
SPANISH SPRINGS, WASHOE COUNTY, NV	275
HATCH, NM	150
HOBBS, NM	100
LITTLE PUERCO WASH, GALLUP, NM	100
VADO, DEL CERRO, BERINO, MEQUITE, DONA ANA COUNTY, NM	100
EAST TULSA COUNTY, HALKEY CREEK WATERSHED, OK	80
JAMESTOWN ISLAND SEAWALL, VA	150
FREEMONT SOUTH LEVEE, NE	185
FREEMONT NORTHWEST, NE	67
FARGO RIDGEWOOD, ND	470
WYNNE, AR	50
TEHAMA FLOOD REDUCTION PROJECT, CA	500
YUCCA VALLEY, WEST BURNT MOUNTAIN BASIN, CA	300
CITY OF ALBANY, GA	250

CONTINUING AUTHORITY PROGRAMS
(DOLLARS IN THOUSANDS)

	CONFERENCE
INDIAN AND DRY RUN CREEKS (AND CEDAR RIVER, CEDAR RAPI	205
DEER CREEK RESERVOIR, FORD HEIGHTS, IL	500
EAST PEORIA, IL	400
KANKAKEE RIVER, LAKE & NEWTON COUNTIES, IN	100
COWSKIN CREEK, WICHITA, KS	150
HINKSTON CREEK FLOOD CONTROL, KY	120
CASS RIVER, SPAULDING TOWNSHIP, MI	1,365
DETROIT BEACH, FRENCHTOWN TOWNSHIP, MI	90
FESTUS AND CRYSTAL CITY, MO	432
JAMES RIVER, NEEDMORE BRANCH, HIDDEN VALLEY, GREENE CO	225
LILBOURN, MO	76
GREENS MILL RUN, GREENVILLE, NC	60
WAHPETON, ND	320
JACKSON BROOK, NJ	300
POPLAR BROOK, MONMOUTH COUNTY, NJ	200
UPPER PASSAIC RIVER, LONG HILL TOWNSHIP, NJ	250
CHENANGO LAKE, NY	125
FULMER CREEK, NY	321
MOYER CREEK, NY	312
SOUTH SHORE OF STATEN ISLAND, NY	204
BUCKEYE LAKE, OH	250
LITTLE MILL CREEK, SOUTHHAMPTON, PA	125
MILL CREEK, SOUTHHAMPTON, PA	90
FRENCH BROAD WATERSHED, TN	500
TOWN CREEK, LENOIR CITY, TN	200
LITTLE LIMESTONE CREEK, JONESBOROUGH, TN	300
BEAVER CREEK, BRISTOL, VA & TN	500
CHRISTIANSTED GUT FLOOD CONTROL, ST. CROIX, VI	350

AQUATIC ECOSYSTEM RESTORATION PROJECTS
(SECTION 206)

BLACK LAKE, AK	125
CHESTER CREEK, AK	175
EKLUTNA, AK	75
NORTHWAY, AK	125
BROWNSVILLE BRANCH, AR	60
NORTH FORK GUNNISON RIVER RESTORATION, CO	100
DUCK CREEK, DAVENPORT, IA	50
INDIAN CREEK ECOSYSTEM RESTORATION CALDWELL, ID	175
EMIQUON FLOODPLAIN RESTORATION, IL	125
QUINCY BAY, IL	135
UNIVERSITY LAKES, EAST BATON ROUGE PARISH, LA	125
GREENBURY POINT, MD	125
DETROIT RIVER, TRENTON, MI	125
MINNEHAHA CREEK - PAINTERS CREEK SUBWATERSHED, MN	50
CONFLUENCE POINT STATE PARK , MO	50
WATKINS CREEK, ST LOUIS COUNTY, MO	50
BOTTOMLESS LAKES, NM	125

CONTINUING AUTHORITY PROGRAMS
(DOLLARS IN THOUSANDS)

	CONFERENCE
JEMEZ RIPARIAN, NM	100
LAS CRUCES, NM	100
STREAMBANK RESTORATION, CONCORD, NC	100
GRAND NEOSHO ECOSYSTEM, OK	80
ARROWHEAD CREEK, OR	125
LITTLE PARK RUN, PA	100
NARROWS RIVER, NARRAGANSETT, RI	150
HUNTING ISLAND, SC	150
CARPENTER CREEK ESTUARY, WA	150
SEAHURST PARK SEAWALL REMOVAL AND RESTORATION, WA	150
LAKE BELLE VIEW, WI	360
LITTLE MAQUOKETA RIVER, DUBUQUE COUNTY, IA	50
ENGLISH CREEK AQUATIC RESTORATION, CA	100
ST. HELENA NAPA RIVER RESTORATION, CA	600
SWEETWATER ECOSYSTEM RESTORATION, CA	180
THOMPSON CREEK, CA	300
UPPER YORK CREEK DAM REMOVAL AND RESTORATION, CA	400
MILL RIVER, STAMFORD, CT	250
C-1 REDIVERSION, BREVARD CO, FL	300
DAVIS LAKE RESTORATION PROJECT, FL	200
LAKE HELL'N BLAZES ECOSYSTEM RESTORATION, FL	245
LAKE SAWGRASS ECOSYSTEM RESTORATION, FL	245
STEVENSON CREEK, FL	300
TSALA APOPKA LITTORAL SHELF RESTORATION PROJECT, FL	200
BIG PAINT CREEK RESTORATION, WAUKON, IA	100
CLEAR CREEK AND IOWA RIVERAQUATIC ECOSYSTEM RESTORATIO	200
CLEAR LAKE, IA (VENTURA MARSH)	175
CHARITON RIVER / RATHBUN LAKE WATERSHED, IA	250
STORM LAKE WATER QUALITY PROJECT, IA	10
KANKAKEE, IL	150
LAKE MAUVAISTERRE, JACKSONVILLE, IL	50
ORLAND TRACT, IL	210
SQUAW CREEK BASIN, IL	220
CHAPMAN LAKES, KOSCIUSKO CO, IN	100
EFROYMSON, NEWTON COUNTY, IN	100
LONG LAKE, IN	200
WOLF LAKE, IN	1,000
MILFORD POND ECOSYSTEM RESTORATION, MILFORD, MA	182
NASHAWANNUCK POND, EASTHAMPTON, MA	183
NEPONSET RIVER, BOSTON, MA	63
PAINT BRANCH FISH PASSAGE AND STREAM RESTORATION, MD	200
WESTERN CARY STREAM RESTORATION, CARY, NC	193
ASSUNPINK CREEK, TRENTON, NJ	100
CHENANGO LAKE, NY	125
SOUNDVIEW PARK, BRONX, NY	400
EUGENE DELTA PONDS ECOSYSTEM RESTORATION, OR	250
FERN RIDGE LAKE, OR	200
KELLOGG CREEK, OR	200
CORDORUS CREEK WATERSHED, PA	722

CONTINUING AUTHORITY PROGRAMS
(DOLLARS IN THOUSANDS)

	CONFERENCE
NINIGRET AND CROSS MILLS PONDS ECOSYSTEM RESTORATION,.	200
PISTOL CREEK, MARYSVILLE, TN.....	400
LAKE ANNA, VA.....	200
POWELL RIVER, ELY & PUCKETTS CREEK, VA.....	250
PORT OF SUNNYSIDE YAKIMA RIVER ECOSYSTEM RESTORATION,.	233
LAKE KOSHKONONG, WI.....	160

FLOOD CONTROL - MISSISSIPPI RIVER AND TRIBUTARIES
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE
GENERAL INVESTIGATIONS		
ALEXANDRIA TO THE GULF, LA	435	435
ATCHAFALAYA BASIN FLOODWAY SYSTEM LAND STUDY, LA	100	---
BAYOU METO BASIN, AR	---	1,224
DONALDSONVILLE TO THE GULF, LA	800	825
SPRING BAYOU, LA	500	500
COLDWATER RIVER BASIN BELOW ARKABUTLA LAKE, MS	203	352
FLETCHER CREEK, TN	93	93
GERMANTOWN, TN	27	27
MILLINGTON AND VICINITY, TN	100	100
MORGANZA TO THE GULF, LA	1,500	2,750
TENSAS RIVER BASIN, LA	---	100
SOUTHEASTERN ARKANSAS, AR	---	50
COLLECTION AND STUDY OF BASIC DATA	700	700
SUBTOTAL, GENERAL INVESTIGATIONS	4,458	7,156
CONSTRUCTION		
CHANNEL IMPROVEMENT, AR, IL, KY, LA, MS, MO & TN	36,882	40,441
FRANCIS BLAND FLOODWAY DITCH (EIGHT MILE CREEK), AR	1,357	2,325
GRAND PRAIRIE, AR	---	500
MISSISSIPPI RIVER LEVEES, AR, IL, KY, LA, MS, MO & TN	38,960	41,980
ST FRANCIS BASIN, AR & MO	3,000	5,305
ATCHAFALAYA BASIN, FLOODWAY SYSTEM, LA	7,200	8,600
ATCHAFALAYA BASIN, LA	22,495	23,748
HORN LAKE CREEK AND TRIBUTARIES, MS & TN	---	102
MISSISSIPPI DELTA REGION, LA	1,800	2,400
YAZOO BASIN:	(5,850)	(25,913)
BIG SUNFLOWER RIVER, MS	2,000	2,500
DELTA HEADWATERS, MS	---	18,750
MAINSTEM, MS	---	13
REFORMATION, MS	---	225
UPPER YAZOO PROJECTS, MS	3,850	4,425
ST JOHNS BAYOU AND NEW MADRID FLOODWAY, MO	8,300	8,300
NONCONNAH CREEK, TN & MS	2,153	3,153
WEST TENNESSEE AND TRIBUTARIES, TN	---	100
WOLF RIVER, TN	---	750
YAZOO BACKWATER PUMPS, MS	---	12,000
SUBTOTAL, CONSTRUCTION	127,997	175,617
MAINTENANCE		
CHANNEL IMPROVEMENT, AR, IL, KY, LA, MS, MO & TN	69,275	69,275
HELENA HARBOR, PHILLIPS COUNTY, AR	385	385
INSPECTION OF COMPLETED WORKS, AR	318	318
LOWER ARKANSAS RIVER, NORTH BANK, AR	146	146
LOWER ARKANSAS RIVER, SOUTH BANK, AR	122	122
MISSISSIPPI RIVER LEVEES, AR, IL, KY, LA, MS, MO & TN	7,665	9,500
ST FRANCIS BASIN, AR & MO	6,080	7,250
TENSAS BASIN, BOEUF AND TENSAS RIVERS, AR & LA	2,160	2,160
WHITE RIVER BACKWATER, AR	1,316	1,316
INSPECTION OF COMPLETED WORKS, IL	174	174
INSPECTION OF COMPLETED WORKS, KY	61	61
ATCHAFALAYA BASIN, FLOODWAY SYSTEM, LA	2,775	3,275
ATCHAFALAYA BASIN, LA	13,000	13,000
BATON ROUGE HARBOR, DEVIL SWAMP, LA	14	57
BAYOU COCODRIE AND TRIBUTARIES, LA	65	65
BONNET CARRE, LA	2,310	2,310
INSPECTION OF COMPLETED WORKS, LA	585	585
LOWER RED RIVER, SOUTH BANK LEVEES, LA	105	105
MISSISSIPPI DELTA REGION, LA	588	588
OLD RIVER, LA	7,350	7,350

FLOOD CONTROL - MISSISSIPPI RIVER AND TRIBUTARIES
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE
TENSAS BASIN, RED RIVER BACKWATER, LA	3,083	3,342
GREENVILLE HARBOR, MS	29	52
INSPECTION OF COMPLETED WORKS, MS	168	168
VICKSBURG HARBOR, MS	32	182
YAZOO BASIN:	(27,492)	(31,922)
ARKABUTLA LAKE, MS	5,710	6,355
BIG SUNFLOWER RIVER, MS	139	1,070
ENID LAKE, MS	4,954	5,477
GREENWOOD, MS	585	668
GRENADA LAKE, MS	5,553	6,250
MAIN STEM, MS	1,013	2,007
SARDIS LAKE, MS	7,046	7,523
TRIBUTARIES, MS	923	923
WILL M WHITTINGTON AUXILLIARY CHANNEL, MS	400	400
YAZOO BACKWATER AREA, MS	440	520
YAZOO CITY, MS	729	729
INSPECTION OF COMPLETED WORKS, MO	116	116
WAPPAPELLO LAKE, MO	4,046	5,000
INSPECTION OF COMPLETED WORKS, TN	78	78
MEMPHIS HARBOR, MCKELLAR LAKE, TN	1,205	1,205
MAPPING	1,112	1,112
SUBTOTAL, MAINTENANCE	151,855	161,219
REDUCTION FOR ANTICIPATED SAVINGS AND SLIPPAGE	-14,310	-19,492
TOTAL, FLOOD CONTROL, MISSISSIPPI RIVER AND TRIBUTARIES	270,000	324,500

OPERATION AND MAINTENANCE
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE
ALABAMA		
ALABAMA - COOSA COMPREHENSIVE WATER STUDY, AL	500	500
ALABAMA - COOSA RIVER, AL	549	4,000
BAYOU LA BATRE, AL	---	100
BLACK WARRIOR AND TOMBIGBEE RIVERS, AL	18,377	19,539
GULF INTRACOASTAL WATERWAY, AL	5,000	5,000
INSPECTION OF COMPLETED WORKS, AL	50	50
MILLERS FERRY LOCK AND DAM, WILLIAM "BILL" DANNELLY LA	4,543	2,272
MOBILE HARBOR, AL	20,000	21,000
ROBERT F HENRY LOCK AND DAM, AL	4,590	4,464
SCHEDULING RESERVOIR OPERATIONS, AL	100	100
TENNESSEE - TOMBIGBEE WATERWAY WILDLIFE MITIGATION, AL	2,000	2,000
TENNESSEE - TOMBIGBEE WATERWAY, AL & MS	22,354	23,004
WALTER F GEORGE LOCK AND DAM, AL & GA	5,989	5,989
ALASKA		
ANCHORAGE HARBOR, AK	3,154	5,154
CHENA RIVER LAKES, AK	1,886	2,661
DILLINGHAM HARBOR, AK	603	603
HOMER HARBOR, AK	445	445
INSPECTION OF COMPLETED WORKS, AK	43	43
NINILCHIK HARBOR, AK	278	278
NOME HARBOR, AK	2,815	3,815
PROJECT CONDITION SURVEYS, AK	554	554
ARIZONA		
ALAMO LAKE, AZ	1,528	1,528
INSPECTION OF COMPLETED WORKS, AZ	90	90
PAINTED ROCK DAM, AZ	1,571	1,571
SCHEDULING RESERVOIR OPERATIONS, AZ	35	35
WHITLOW RANCH DAM, AZ	221	221
ARKANSAS		
BEAVER LAKE, AR	5,060	5,060
BLAKELY MT DAM, LAKE OUACHITA, AR	7,192	7,192
BLUE MOUNTAIN LAKE, AR	1,189	1,189
BULL SHOALS LAKE, AR	4,401	4,701
DARDANELLE LOCK AND DAM, AR	5,337	5,337
DEGRAY LAKE, AR	6,164	6,164
DEQUEEN LAKE, AR	1,001	1,001
DIERKS LAKE, AR	1,030	1,030
GILLHAM LAKE, AR	931	931
GREERS FERRY LAKE, AR	5,016	5,016
HELENA HARBOR, AR	---	175
INSPECTION OF COMPLETED WORKS, AR	191	191
MCCLELLAN - KERR ARKANSAS RIVER NAVIGATION SYSTEM, AR	35,489	35,489
MILLWOOD LAKE, AR	1,418	1,418
NARROWS DAM, LAKE GREESON, AR	5,613	5,613
NIMROD LAKE, AR	1,793	1,793
NORFORK LAKE, AR	3,152	3,152
OSCEOLA HARBOR, AR	20	305
OUACHITA AND BLACK RIVERS, AR & LA	1,974	7,000
OZARK - JETA TAYLOR LOCK AND DAM, AR	4,866	4,866
PROJECT CONDITION SURVEYS, AR	6	6
WHITE RIVER, AR	---	500
YELLOW BEND PORT, AR	14	75
CALIFORNIA		
BLACK BUTTE LAKE, CA	1,882	1,882
BUCHANAN DAM, HV EASTMAN LAKE, CA	1,958	1,958
CHANNEL ISLANDS HARBOR, CA	4,985	4,985

OPERATION AND MAINTENANCE
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE
COYOTE VALLEY DAM, LAKE MENDOCINO, CA	4,348	4,348
CRESCENT CITY, CA	---	500
DRY CREEK (WARM SPRINGS) LAKE AND CHANNEL, CA	4,779	5,500
FARMINGTON DAM, CA	526	526
HIDDEN DAM, HENSLEY LAKE, CA	1,828	1,328
HUMBOLDT HARBOR AND BAY, CA	2,864	2,364
INSPECTION OF COMPLETED WORKS, CA	1,271	1,271
ISABELLA LAKE, CA	2,080	2,080
LOS ANGELES - LONG BEACH HARBOR MODEL, CA	175	175
LOS ANGELES COUNTY DRAINAGE AREA, CA	5,376	5,376
MERCED COUNTY STREAMS, CA	292	292
MOJAVE RIVER DAM, CA	328	328
MORRO BAY HARBOR, CA	---	289
MOSS LANDING HARBOR, CA	---	250
NEW HOGAN LAKE, CA	2,044	2,044
NEW MELONES LAKE, DOWNSTREAM CHANNEL, CA	1,335	1,335
OAKLAND HARBOR, CA	7,098	7,098
OCEANSIDE HARBOR, CA	1,110	1,110
PILLAR POINT HARBOR, CA	---	125
PINE FLAT LAKE, CA	2,941	2,941
PINOLE SHOAL MANAGEMENT, CA	---	500
PORT HUENEME, VENTURA COUNTY, CA	---	250
PORT SAN LUIS, SAN LUIS OBISPO COUNTY, CA	---	500
PROJECT CONDITION SURVEYS, CA	2,173	2,173
REDWOOD CITY HARBOR, CA	---	500
RICHMOND HARBOR, CA	7,572	7,572
SACRAMENTO RIVER (30 FOOT PROJECT), CA	2,745	2,745
SACRAMENTO RIVER AND TRIBUTARIES (DEBRIS CONTROL), CA	1,246	1,246
SACRAMENTO RIVER SHALLOW DRAFT CHANNEL, CA	145	145
SAN FRANCISCO BAY LONG TERM MANAGEMENT STRATEGY (LTMS)	---	1,000
SAN FRANCISCO BAY, DELTA MODEL STRUCTURE, CA	1,277	1,189
SAN FRANCISCO HARBOR AND BAY, CA (DRIFT REMOVAL)	2,674	2,987
SAN FRANCISCO HARBOR, CA	2,255	2,255
SAN JOAQUIN RIVER, PORT OF STOCKTON, CA	---	3,000
SAN PABLO BAY & MARE ISLAND STRAIT, CA	---	1,000
SANTA ANA RIVER BASIN, CA	4,023	4,023
SANTA BARBARA HARBOR, CA	---	1,045
SCHEDULING RESERVOIR OPERATIONS, CA	1,285	1,285
SUCCESS LAKE, CA	2,007	2,007
SUISUN BAY CHANNEL, CA	4,559	4,559
TERMINUS DAM, LAKE KAWEAH, CA	2,268	2,268
VENTURA HARBOR, CA	2,910	2,910
YUBA RIVER, CA	126	126
COLORADO		
BEAR CREEK LAKE, CO	292	292
CHATFIELD LAKE, CO	1,109	1,609
CHERRY CREEK LAKE, CO	911	1,910
INSPECTION OF COMPLETED WORKS, CO	102	102
JOHN MARTIN RESERVOIR, CO	2,573	2,573
SCHEDULING RESERVOIR OPERATIONS, CO	308	308
TRINIDAD LAKE, CO	1,110	1,160
COMMONWEALTH OF NORTHERN MARIANA ISLANDS		
ROTA HARBOR, CNMI	200	200
CONNECTICUT		
BLACK ROCK LAKE, CT	414	414
COLEBROOK RIVER LAKE, CT	541	541
CONNECTICUT RIVER BELOW HARTFORD, CT	---	750
HANCOCK BROOK LAKE, CT	288	288
HOP BROOK LAKE, CT	985	985
INSPECTION OF COMPLETED WORKS, CT	36	36

OPERATION AND MAINTENANCE
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE
MANSFIELD HOLLOW LAKE, CT	585	585
NORTHFIELD BROOK LAKE, CT	416	416
NORWALK HARBOR, CT	---	750
PROJECT CONDITION SURVEYS, CT	1,486	1,486
SOUTHPORT HARBOR, CT	---	500
STAMFORD HURRICANE BARRIER, CT	456	456
THOMASTON DAM, CT	616	616
TREATMENT OF DREDGED MATERIAL, LONG ISLAND SOUND, CT	1,500	1,500
WEST THOMPSON LAKE, CT	575	575
DELAWARE		
INDIAN RIVER INLET AND BAY, DE	500	500
INTRACOASTAL WATERWAY, DELAWARE R TO CHESAPEAKE BAY, D	13,800	14,400
PROJECT CONDITION SURVEYS, DE	80	80
WILMINGTON HARBOR, DE	3,570	3,570
DISTRICT OF COLUMBIA		
POTOMAC AND ANACOSTIA RIVERS, DC (DRIFT REMOVAL)	1,122	1,122
PROJECT CONDITION SURVEYS, DC	36	36
FLORIDA		
ATLANTIC INTRACOASTAL WATERWAY, FL	---	750
CANAVERAL HARBOR, FL	7,500	7,500
CENTRAL AND SOUTHERN FLORIDA, FL	10,559	10,559
ESCAMBIA AND CONECUH RIVERS, FL	1,000	1,000
FERNANDINA HARBOR, FL	1,980	1,980
GULF INTRACOASTAL WATERWAY, FL	---	500
INSPECTION OF COMPLETED WORKS, FL	300	300
INTRACOASTAL WATERWAY, JACKSONVILLE TO MIAMI, FL	---	2,000
JACKSONVILLE HARBOR, FL	6,945	6,945
JIM WOODRUFF LOCK AND DAM, LAKE SEMINOLE, FL, AL & GA	5,380	5,940
MIAMI RIVER, FL	---	2,000
OKEECHOBEE WATERWAY, FL	3,055	3,055
PALM BEACH HARBOR, FL	1,985	1,985
PANAMA CITY HARBOR, FL	906	906
PENSACOLA HARBOR, FL	1,500	1,500
PORT EVERGLADES HARBOR, FL	2,000	2,000
PROJECT CONDITION SURVEYS, FL	975	975
REMOVAL OF AQUATIC GROWTH, FL	3,500	3,500
TAMPA HARBOR, FL	4,286	4,286
GEORGIA		
ALLATOONA LAKE, GA	5,986	5,986
APALACHICOLA, CHATTAHOOCHEE AND FLINT RIVERS, GA, AL &	117	5,231
BRUNSWICK HARBOR, GA	3,993	3,993
BUFORD DAM AND LAKE SIDNEY LANIER, GA	9,697	9,697
CARTERS DAM AND LAKE, GA	12,955	12,955
HARTWELL LAKE, GA & SC	12,238	12,238
INSPECTION OF COMPLETED WORKS, GA	41	41
J STROM THURMOND LAKE, GA & SC	11,106	11,106
PROJECT CONDITION SURVEYS, GA	71	71
RICHARD B RUSSELL DAM AND LAKE, GA & SC	8,128	8,128
SAVANNAH HARBOR, GA	11,687	11,687
SAVANNAH RIVER BELOW AUGUSTA, GA	134	134
WEST POINT DAM AND LAKE, GA & AL	5,676	5,676
HAWAII		
BARBERS POINT HARBOR, HI	248	248
INSPECTION OF COMPLETED WORKS, HI	180	180
LAUPAHOEHOE SMALL BOAT HARBOR, HAWAII, HI	100	100
POHIKI BAY, HAWAII, HI	100	100

OPERATION AND MAINTENANCE
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE
PORT ALLEN HARBOR, KAUAI, HI	1,770	1,770
PROJECT CONDITION SURVEYS, HI	550	550
IDAHO		
ALBENI FALLS DAM, ID	2,412	2,412
DWORSHAK DAM AND RESERVOIR, ID	2,399	2,899
INSPECTION OF COMPLETED WORKS, ID	74	74
LUCKY PEAK LAKE, ID	3,234	3,234
SCHEDULING RESERVOIR OPERATIONS, ID	406	406
SNAKE RIVER DREDGING, ID, WA & OR	---	250
ILLINOIS		
CALUMET HARBOR AND RIVER, IL & IN	2,124	2,124
CARLYLE LAKE, IL	4,366	4,366
CHICAGO HARBOR, IL	2,599	2,599
CHICAGO RIVER, IL	385	385
FARM CREEK RESERVOIRS, IL	192	225
ILLINOIS WATERWAY (MVR PORTION), IL & IN	33,273	33,458
ILLINOIS WATERWAY (MVS PORTION), IL & IN	1,814	1,982
INSPECTION OF COMPLETED WORKS, IL	605	605
KASKASKIA RIVER NAVIGATION, IL	392	2,000
LAKE MICHIGAN DIVERSION, IL	547	547
LAKE SHELBYVILLE, IL	5,309	5,309
MISS RIVER BTWN MO RIVER AND MINNEAPOLIS (MVR PORTION)	42,473	43,473
MISS RIVER BTWN MO RIVER AND MINNEAPOLIS (MVS PORTION)	17,907	18,847
PROJECT CONDITION SURVEYS, IL	33	33
REND LAKE, IL	4,435	4,435
SURVEILLANCE OF NORTHERN BOUNDARY WATERS, IL	120	120
WAUKEGAN HARBOR, IL	2,680	2,680
INDIANA		
BROOKVILLE LAKE, IN	670	670
BURNS WATERWAY HARBOR, IN	3,764	4,064
CAGLES MILL LAKE, IN	652	652
CECIL M HARDEN LAKE, IN	713	713
INDIANA HARBOR, IN	371	871
INSPECTION OF COMPLETED WORKS, IN	370	370
J EDWARD ROUSH LAKE, IN	707	707
MICHIGAN CITY HARBOR, IN	316	316
MISSISSINEWA LAKE, IN	810	810
MONROE LAKE, IN	775	775
PATOKA LAKE, IN	687	687
PROJECT CONDITION SURVEYS, IN	59	59
SALAMONIE LAKE, IN	634	634
SURVEILLANCE OF NORTHERN BOUNDARY WATERS, IN	117	117
IOWA		
CORALVILLE LAKE, IA	2,806	2,806
INSPECTION OF COMPLETED WORKS, IA	191	191
MISSOURI RIVER - KENSLERS BEND, NE TO SIOUX CITY, IA	157	157
MISSOURI RIVER - SIOUX CITY TO RULO, IA & NE	11,015	11,015
RATHBUN LAKE, IA	2,907	2,907
RED ROCK DAM AND LAKE RED ROCK, IA	3,350	3,350
SAYLORVILLE LAKE, IA	3,860	4,030
KANSAS		
CLINTON LAKE, KS	2,074	2,074
COUNCIL GROVE LAKE, KS	1,259	1,630
EL DORADO LAKE, KS	480	480
ELK CITY LAKE, KS	389	389
FALL RIVER LAKE, KS	1,516	1,516

OPERATION AND MAINTENANCE
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE
HILLSDALE LAKE, KS	899	899
INSPECTION OF COMPLETED WORKS, KS	172	172
JOHN REDMOND DAM AND RESERVOIR, KS	1,260	1,260
KANOPOLIS LAKE, KS	1,645	1,645
MARION LAKE, KS	1,887	1,887
MELVERN LAKE, KS	2,227	2,227
MILFORD LAKE, KS	2,122	2,122
PEARSON - SKUBITZ BIG HILL LAKE, KS	932	932
PERRY LAKE, KS	2,869	2,869
POMONA LAKE, KS	1,984	1,984
SCHEDULING RESERVOIR OPERATIONS, KS	68	68
TORONTO LAKE, KS	389	389
TUTTLE CREEK LAKE, KS	2,169	2,169
WILSON LAKE, KS	2,816	2,891
KENTUCKY		
BARKLEY DAM AND LAKE BARKLEY, KY & TN	8,982	8,982
BARREN RIVER LAKE, KY	2,054	2,404
BIG SANDY HARBOR, KY	35	618
BUCKHORN LAKE, KY	1,282	1,282
CARR CREEK LAKE, KY	1,270	1,270
CAVE RUN LAKE, KY	812	812
DEWEY LAKE, KY	1,498	1,498
ELVIS STAHR (HICKMAN) HARBOR, KY	19	255
FISHTRAP LAKE, KY	1,558	1,558
GRAYSON LAKE, KY	1,249	1,249
GREEN AND BARREN RIVERS, KY	1,180	1,180
GREEN RIVER LAKE, KY	1,596	1,596
INSPECTION OF COMPLETED WORKS, KY	97	97
KENTUCKY RIVER, KY	21	21
LAUREL RIVER LAKE, KY	1,389	1,389
MARTINS FORK LAKE, KY	686	686
MIDDLESBORO CUMBERLAND RIVER BASIN, KY	122	122
NOLIN LAKE, KY	1,892	1,892
OHIO RIVER LOCKS AND DAMS, KY, IL, IN & OH	32,687	35,000
OHIO RIVER OPEN CHANNEL WORK, KY, IL, IN & OH	4,560	4,560
PAINTSVILLE LAKE, KY	1,026	1,026
PROJECT CONDITION SURVEYS, KY	6	6
ROUGH RIVER LAKE, KY	2,421	2,421
TAYLORSVILLE LAKE, KY	895	895
WOLF CREEK DAM, LAKE CUMBERLAND, KY	8,804	9,804
YATESVILLE LAKE, KY	1,069	1,069
LOUISIANA		
ATCHAFALAYA RIVER AND BAYOUS CHENE, BOEUF AND BLACK, L	13,813	15,407
BARATARIA BAY WATERWAY, LA	---	250
BAYOU BODCAU RESERVOIR, LA	776	776
BAYOU PIERRE, LA	28	28
BAYOU SEGNETTE, LA	---	375
BAYOU FECHE, LA	---	75
CADDO LAKE, LA	182	182
CALCASIEU RIVER AND PASS, LA	13,285	13,285
FRESHWATER BAYOU, LA	1,678	1,678
GRAND ISLE AND VICINITY, LA	---	250
GULF INTRACOASTAL WATERWAY, LA	17,476	17,476
HOUMA NAVIGATION CANAL, LA	3,070	3,070
INSPECTION OF COMPLETED WORKS, LA	747	747
J BENNETT JOHNSTON WATERWAY, LA	10,600	13,050
LAKE PROVIDENCE HARBOR, LA	38	38
MADISON PARISH PORT, LA	20	20
MERMENTAU RIVER, LA	4,410	4,410
MISSISSIPPI RIVER OUTLETS AT VENICE, LA	424	424
MISSISSIPPI RIVER, BATON ROUGE TO THE GULF OF MEXICO	59,125	59,125
MISSISSIPPI RIVER, GULF OUTLET, LA	13,004	13,004

OPERATION AND MAINTENANCE
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE
REMOVAL OF AQUATIC GROWTH, LA	1,800	1,800
WALLACE LAKE, LA	290	290
EMPIRE TO THE GULF, LA	---	100
WATERWAY FROM INTRACAOSTAL WATERWAY TO BAYOU DULAC, LA	---	100
MAINE		
DISPOSAL AREA MONITORING, ME	1,390	1,390
INSPECTION OF COMPLETED WORKS, ME	11	11
KENNEBUNK RIVER, KENNEBUNK AND KENNEBUNKPORT, ME	---	625
PROJECT CONDITION SURVEYS, ME	646	646
SCARBOROUGH RIVER, ME	---	250
SURVEILLANCE OF NORTHERN BOUNDARY WATERS, ME	17	17
MARYLAND		
BALTIMORE HARBOR AND CHANNELS (50 FOOT), MD	15,796	15,796
BALTIMORE HARBOR, MD (DRIFT REMOVAL)	510	510
BALTIMORE HARBOR, MD (PREVENTION OF OBSTRUCTIVE DEPOSI	700	700
CUMBERLAND, MD & RIDGELY, WV	---	250
CHESAPEAKE CITY, MD (DREDGING)	---	125
HERRING BAY & ROCKHOLD CREEK, MD	---	90
HERRING CREEK & TALL TIMBERS, MD	---	125
JENNINGS RANDOLPH LAKE, MD & WV	2,662	2,662
NANTYCOKE RIVER, MD	---	100
KNAPPS NARROWS, MD	---	150
OCEAN CITY HARBOR INLET, MD	---	435
PROJECT CONDITION SURVEYS, MD	372	372
QUEENSTOWN HARBOR, MD	---	43
SCHEDULING RESERVOIR OPERATIONS, MD	95	95
ST JEROME CREEK, MD	---	43
TILGHMAN HARBOR, MD	---	100
UPPERTHROUGHFARE SOMERSET COUNTY, MD	---	125
WICOMICO RIVER, MD	720	720
MASSACHUSETTS		
AUNT LYDIA'S COVE, MA	350	350
BARRE FALLS DAM, MA	680	680
BIRCH HILL DAM, MA	585	585
BOSTON HARBOR, MA	7,500	7,500
BUFFUMVILLE LAKE, MA	601	601
CAPE COD CANAL, MA	10,225	11,240
CHARLES RIVER NATURAL VALLEY STORAGE AREA, MA	310	310
CONANT BROOK LAKE, MA	211	211
EAST BRIMFIELD LAKE, MA	461	461
GREEN HARBOR, MA	387	387
HODGES VILLAGE DAM, MA	646	646
INSPECTION OF COMPLETED WORKS, MA	114	114
KNIGHTVILLE DAM, MA	559	559
LITTLEVILLE LAKE, MA	498	498
NEW BEDFORD FAIRHAVEN AND ACUSHNET HURRICANE BARRIER,	750	750
PROJECT CONDITION SURVEYS, MA	1,511	1,511
SALEM HARBOR, MA	---	500
SESUIT HARBOR, MA	---	65
TULLY LAKE, MA	564	564
WEST HILL DAM, MA	736	736
WESTVILLE LAKE, MA	569	569
WEYMOUTH-FORE & TOWN RIVERS, MA	---	500
MICHIGAN		
BAYPORT HARBOR, MI	---	250
CASEVILLE HARBOR, MI	---	128
CHANNELS IN LAKE ST CLAIR, MI	97	97
CHARLEVOIX HARBOR, MI	159	159

OPERATION AND MAINTENANCE
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE
CLINTON RIVER, MI	---	400
DETROIT RIVER, MI	4,357	4,357
GRAND HAVEN HARBOR, MI	637	637
GRAND MARAIS HARBOR, MI	181	181
HARBOR BEACH HARBOR, MI	38	38
HOLLAND HARBOR, MI	1,214	1,214
INSPECTION OF COMPLETED WORKS, MI	144	144
KEWEENAW WATERWAY, MI	399	399
LELAND HARBOR, MI	---	75
LITTLE LAKE HARBOR, MI	17	17
LUDINGTON HARBOR, MI	538	538
MANISTEE HARBOR, MI	521	521
MARQUETTE HARBOR, MI	10	10
MENOMINEE HARBOR, MI & WI	154	154
MONROE HARBOR, MI	184	184
MUSKEGON HARBOR, MI	47	47
ONTONAGON HARBOR, MI	569	569
PT. LOOKOUT HARBOR, MI	---	60
PROJECT CONDITION SURVEYS, MI	152	40
ROUGE RIVER, MI	1,241	1,241
SAGINAW RIVER, MI	2,708	2,854
ST CLAIR RIVER, MI	947	947
ST JOSEPH HARBOR, MI	605	605
ST MARYS RIVER, MI	16,705	16,705
SURVEILLANCE OF NORTHERN BOUNDARY WATERS, MI	2,410	2,410
MINNESOTA		
BIGSTONE LAKE WHETSTONE RIVER, MN & SD	228	228
DULUTH - SUPERIOR HARBOR, MN & WI	4,917	4,917
INSPECTION OF COMPLETED WORKS, MN	123	123
LAC QUI PARLE LAKES, MINNESOTA RIVER, MN	565	565
MINNESOTA RIVER, MN	178	178
MISS RIVER BTWN MO RIVER AND MINNEAPOLIS (MVP PORTION)	51,030	51,030
ORWELL LAKE, MN	361	361
PROJECT CONDITION SURVEYS, MN	72	72
RED LAKE RESERVOIR, MN	98	98
RESERVOIRS AT HEADWATERS OF MISSISSIPPI RIVER, MN	6,026	6,026
SURVEILLANCE OF NORTHERN BOUNDARY WATERS, MN	282	282
WARROAD HARBOR, MN	---	150
MISSISSIPPI		
BILOXI HARBOR, MS	1,250	1,250
CLAIBORNE COUNTY PORT, MS	7	57
EAST FORK, TOMBIGBEE RIVER, MS	170	170
GULFPORT HARBOR, MS	2,500	3,500
INSPECTION OF COMPLETED WORKS, MS	57	124
MOUTH OF YAZOO RIVER, MS	24	74
OKATIBBEE LAKE, MS	1,320	1,420
PASCAGOULA HARBOR, MS	3,900	4,450
PEARL RIVER, MS	---	30
PROJECT CONDITION SURVEYS, MS	355	355
ROSEDALE HARBOR, MS	20	260
YAZOO RIVER, MS	140	140
MISSOURI		
CARUTHERSVILLE HARBOR, MO	12	350
CLARENCE CANNON DAM AND MARK TWAIN LAKE, MO	5,821	6,321
CLEARWATER LAKE, MO	1,974	2,424
HARRY S TRUMAN DAM AND RESERVOIR, MO	8,369	8,369
INSPECTION OF COMPLETED WORKS, MO	781	781
LITTLE BLUE RIVER LAKES, MO	841	841
LONG BRANCH LAKE, MO	926	926
MISS RIVER BTWN THE OHIO AND MO RIVERS (REG WORKS), MO	21,236	21,736

OPERATION AND MAINTENANCE
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE
NEW MADRID HARBOR, MO	16	188
POMME DE TERRE LAKE, MO	2,252	2,252
PROJECT CONDITION SURVEYS, MO	6	6
SCHEDULING RESERVOIR OPERATIONS, MO	319	319
SMITHVILLE LAKE, MO	1,175	1,175
SOUTHEAST MISSOURI PORT, MO	---	188
STOCKTON LAKE, MO	3,760	3,760
TABLE ROCK LAKE, MO	5,972	5,972
UNION LAKE, MO	10	10
MONTANA		
FT PECK DAM AND LAKE, MT	5,280	5,730
INSPECTION OF COMPLETED WORKS, MT	19	19
LIBBY DAM, LAKE KOOCANUSA, MT	3,837	3,837
SCHEDULING RESERVOIR OPERATIONS, MT	87	87
NEBRASKA		
GAVINS POINT DAM, LEWIS AND CLARK LAKE, NE & SD	6,842	6,842
HARLAN COUNTY LAKE, NE	2,005	2,005
INSPECTION OF COMPLETED WORKS, NE	102	102
MISSOURI R MASTER WTR CONTROL MANUAL, NE, IA, KS, MO	350	350
PAPILLION CREEK AND TRIBUTARIES LAKES, NE	619	619
SALT CREEK AND TRIBUTARIES, NE	644	644
NEVADA		
INSPECTION OF COMPLETED WORKS, NV	44	44
MARTIS CREEK LAKE, NV & CA	612	612
PINE AND MATHEWS CANYONS LAKES, NV	261	261
NEW HAMPSHIRE		
COCHECO RIVER, NH	---	1,000
BLACKWATER DAM, NH	617	617
EDWARD MACDOWELL LAKE, NH	527	527
FRANKLIN FALLS DAM, NH	722	722
HOPKINTON - EVERETT LAKES, NH	1,175	1,175
INSPECTION OF COMPLETED WORKS, NH	12	12
OTTER BROOK LAKE, NH	648	648
PROJECT CONDITION SURVEYS, NH	343	343
SURRY MOUNTAIN LAKE, NH	639	639
NEW JERSEY		
ABSECON INLET, NJ	---	28
BARNEGAT INLET, NJ	---	795
COLD SPRING INLET, NJ	245	245
DELAWARE RIVER AT CAMDEN, NJ	20	20
DELAWARE RIVER, PHILADELPHIA TO THE SEA, NJ, PA & DE	20,100	21,550
DELAWARE RIVER, PHILADELPHIA, PA TO TRENTON, NJ	3,415	3,415
INSPECTION OF COMPLETED WORKS, NJ	40	40
MANASQUAN RIVER, NJ	190	190
NEW JERSEY INTRACOASTAL WATERWAY, NJ	---	1,000
NEWARK BAY, HACKENSACK AND PASSAIC RIVERS, NJ	120	120
PASSAIC RIVER FLOOD WARNING SYSTEMS, NJ	425	425
PROJECT CONDITION SURVEYS, NJ	1,670	1,670
RARITAN RIVER, NJ	---	250
SALEM RIVER , NJ	---	125
SHARK RIVER, NJ	100	100
NEW MEXICO		
ABIQUIU DAM, NM	1,920	2,310
ALBUQUERQUE LEVEES, NM	---	175

OPERATION AND MAINTENANCE
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE
COCHITI LAKE, NM	2,881	4,081
CONCHAS LAKE, NM	1,733	2,183
GALISTEO DAM, NM	432	532
INSPECTION OF COMPLETED WORKS, NM	192	192
JEMEZ CANYON DAM, NM	721	2,121
RIO GRANDE BOSQUE REHABILITATION, NM	5,000	5,000
SANTA ROSA DAM AND LAKE, NM	1,289	1,389
SCHEDULING RESERVOIR OPERATIONS, NM	172	511
TWO RIVERS DAM, NM	525	725
UPPER RIO GRANDE WATER OPERATIONS MODEL, NM	---	1,000
NEW YORK		
ALMOND LAKE, NY	530	530
ARKPORT DAM, NY	283	283
BLACK ROCK CHANNEL AND TONAWANDA HARBOR, NY	1,681	1,681
BROWNS CREEK, NY	750	750
BUFFALO HARBOR, NY	309	309
BUTTERMILK CHANNEL, NY	1,030	1,030
DUNKIRK HARBOR, NY	345	345
EAST RIVER, NY	370	370
EAST ROCKAWAY INLET, NY	2,100	2,100
EAST SIDNEY LAKE, NY	466	466
FIRE ISLAND INLET TO JONES INLET, NY	180	180
FLUSHING BAY AND CREEK, NY	---	375
GREAT SODUS BAY HARBOR, NY	---	150
GREAT SOUTH BAY, PATCHOGUE RIVER, NY	---	100
HUDSON RIVER, NY (MAINT)	2,005	2,005
HUDSON RIVER, NY (O&C)	1,950	1,950
INSPECTION OF COMPLETED WORKS, NY	594	594
JAMAICA BAY, NY	2,200	2,200
LAKE MONTAUK HARBOR, NY	750	750
LITTLE SODUS BAY HARBOR, NY	---	300
MORICHES INLET, NY	50	50
MT MORRIS LAKE, NY	2,129	2,129
NEW YORK AND NEW JERSEY CHANNELS, NY	5,700	5,700
NEW YORK HARBOR, NY	4,235	4,235
NEW YORK HARBOR, NY & NJ (DRIFT REMOVAL)	5,414	5,414
OSWEGO HARBOR, NY	500	500
PROJECT CONDITION SURVEYS, NY	1,075	1,075
ROCHESTER HARBOR, NY	60	60
SAUGERTIES HARBOR, NY	500	500
SHINNECOCK INLET, NY	100	100
SOUTHERN NEW YORK FLOOD CONTROL PROJECTS, NY	788	788
SURVEILLANCE OF NORTHERN BOUNDARY WATERS, NY	596	596
WHITNEY POINT LAKE, NY	577	577
WILSON HARBOR, NY	---	175
NORTH CAROLINA		
ATLANTIC INTERCOASTAL WATERWAY, NC	---	2,000
B EVERETT JORDAN DAM AND LAKE, NC	1,915	1,915
CAPE FEAR RIVER ABOVE WILMINGTON, NC	123	123
FALLS LAKE, NC	1,793	1,793
INSPECTION OF COMPLETED WORKS, NC	35	35
LOCKWOODS FOLLY RIVER, NC	---	500
MANTEO (SHALLOWBAG) BAY, NC	6,970	6,970
MOREHEAD CITY HARBOR, NC	4,112	4,112
NEW RIVER INLE, NC	---	250
NEW TOPSAIL INLET & CONNECTING CHANNELS, NC	---	200
PROJECT CONDITION SURVEYS, NC	227	227
W KERR SCOTT DAM AND RESERVOIR, NC	2,524	2,524
WILMINGTON HARBOR, NC	8,157	8,157

OPERATION AND MAINTENANCE
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE
NORTH DAKOTA		
BOWMAN - HALEY LAKE, ND	242	242
GARRISON DAM, LAKE SAKAKAWEA, ND	13,597	14,322
HOMME LAKE, ND	196	196
INSPECTION OF COMPLETED WORKS, ND	79	79
LAKE ASHTABULA AND BALDHILL DAM, ND	1,216	1,216
PIPESTEM LAKE, ND	534	534
SCHEDULING RESERVOIR OPERATIONS, ND	116	116
SOURIS RIVER, ND	387	387
SURVEILLANCE OF NORTHERN BOUNDARY WATERS, ND	30	30
OHIO		
ALUM CREEK LAKE, OH	715	715
ASHTABULA HARBOR, OH	1,940	1,940
BERLIN LAKE, OH	1,830	1,830
CAESAR CREEK LAKE, OH	1,187	1,187
CLARENCE J BROWN DAM, OH	758	1,000
CLEVELAND HARBOR, OH	4,653	4,653
CONNEAUT HARBOR, OH	420	420
DEER CREEK LAKE, OH	727	1,000
DELAWARE LAKE, OH	719	719
DILLON LAKE, OH	653	653
FAIRPORT HARBOR, OH	954	954
HURON HARBOR, OH	1,104	1,104
INSPECTION OF COMPLETED WORKS, OH	175	175
LORAIN HARBOR, OH	1,615	1,615
MASSILLON LOCAL PROTECTION PROJECT, OH	25	25
MICHAEL J KIRWAN DAM AND RESERVOIR, OH	795	795
MOSQUITO CREEK LAKE, OH	985	985
MUSKINGUM RIVER LAKES, OH	5,776	7,026
NORTH BRANCH KOKOSING RIVER LAKE, OH	169	169
PAINT CREEK LAKE, OH	747	747
PORT CLINTON HARBOR, OH	5	185
PROJECT CONDITION SURVEYS, OH	98	98
ROSEVILLE LOCAL PROTECTION PROJECT, OH	30	30
SANDUSKY HARBOR, OH	950	950
SURVEILLANCE OF NORTHERN BOUNDARY WATERS, OH	170	170
TOLEDO HARBOR, OH	3,569	3,569
TOM JENKINS DAM, OH	269	269
WEST FORK OF MILL CREEK LAKE, OH	397	397
WILLIAM H HARSHA LAKE, OH	848	848
OKLAHOMA		
ARCADIA LAKE, OK	280	280
BIRCH LAKE, OK	459	459
BROKEN BOW LAKE, OK	1,294	1,294
CANDY LAKE, OK	20	20
CANTON LAKE, OK	3,111	3,111
COPAN LAKE, OK	734	734
EUFAULA LAKE, OK	5,435	5,435
FORT GIBSON LAKE, OK	6,190	6,190
FORT SUPPLY LAKE, OK	733	733
GREAT SALT PLAINS LAKE, OK	129	129
HEYBURN LAKE, OK	557	557
HUGO LAKE, OK	2,997	2,997
HULAH LAKE, OK	337	337
INSPECTION OF COMPLETED WORKS, OK	131	131
KAW LAKE, OK	1,835	1,835
KEYSTONE LAKE, OK	4,233	4,233
OOLOGAH LAKE, OK	2,094	2,094
OPTIMA LAKE, OK	41	41
PENSACOLA RESERVOIR, LAKE OF THE CHEROKEES, OK	18	18
PINE CREEK LAKE, OK	848	848

OPERATION AND MAINTENANCE
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE
ROBERT S KERR LOCK AND DAM AND RESERVOIRS, OK	4,734	4,734
SARDIS LAKE, OK	604	604
SCHEDULING RESERVOIR OPERATIONS, OK	616	616
SKIATOOK LAKE, OK	1,196	1,196
TENKILLER FERRY LAKE, OK	3,217	3,217
WAURIKA LAKE, OK	946	946
WEBBERS FALLS LOCK AND DAM, OK	6,706	6,706
WISTER LAKE, OK	1,885	1,885
OREGON		
APPLEGATE LAKE, OR	669	669
BLUE RIVER LAKE, OR	256	256
CHETCO RIVER, OR	---	259
BONNEVILLE LOCK AND DAM, OR & WA	8,807	8,807
COLUMBIA & LWR WILLAMETTE R BLW VANCOUVER, WA & PORTLA	19,768	20,018
COLUMBIA RIVER AT THE MOUTH, OR & WA	17,791	17,791
COLUMBIA RIVER BETWEEN VANCOUVER, WA AND THE DALLES, O	614	614
COOS BAY, OR	5,796	6,165
COQUILLE RIVER, OR	---	132
COTTAGE GROVE LAKE, OR	793	793
COUGAR LAKE, OR	1,037	1,037
DEPOE BAY, OR	---	150
DEPOT SLOUGH, OR	---	150
DETROIT LAKE, OR	627	627
DORENA LAKE, OR	599	599
FALL CREEK LAKE, OR	521	521
FERN RIDGE LAKE, OR	993	993
GREEN PETER - FOSTER LAKES, OR	1,350	1,350
HILLS CREEK LAKE, OR	526	526
INSPECTION OF COMPLETED WORKS, OR	165	165
JOHN DAY LOCK AND DAM, OR & WA	5,898	5,898
LOOKOUT POINT LAKE, OR	1,456	1,456
LOST CREEK LAKE, OR	2,805	2,805
MCNARY LOCK AND DAM, OR & WA	5,678	5,678
PORT ORFORD, OR	---	175
PROJECT CONDITION SURVEYS, OR	200	200
ROGUE RIVER, GOLD BEACH, OR	---	175
SCHEDULING RESERVOIR OPERATIONS, OR	62	62
SIUSLAW RIVER, OR	---	125
SKIPANON CHANNEL, OR	---	92
SURVEILLANCE OF NORTHERN BOUNDARY WATERS, OR	134	134
TILLAMOOK BAY AND BAR, OR	---	250
UMPQUA RIVER, OR	---	225
WILLAMETTE FALLS LOCKS, OR	---	210
WILLAMETTE RIVER BANK PROTECTION, OR	60	60
WILLOW CREEK LAKE, OR	723	723
YAQUINA BAY AND HARBOR, OR	2,182	2,182
PENNSYLVANIA		
ALLEGHENY RIVER, PA	4,540	4,540
ALVIN R BUSH DAM, PA	614	614
AYLESWORTH CREEK LAKE, PA	204	204
BELTZVILLE LAKE, PA	906	906
BLUE MARSH LAKE, PA	2,355	2,355
CONEMAUGH RIVER LAKE, PA	1,012	1,012
COWANESQUE LAKE, PA	2,010	2,010
CROOKED CREEK LAKE, PA	1,210	1,210
CURWENSVILLE LAKE, PA	716	716
DELAWARE RIVER, FAIRLESS TURNING BASIN, BUCKS CO, PA.	---	500
EAST BRANCH CLARION RIVER LAKE, PA	1,086	1,293
ERIE HARBOR, PA	70	70
FOSTER JOSEPH SAYERS DAM, PA	758	758
FRANCIS E WALTER DAM, PA	617	617
GENERAL EDGAR JADWIN DAM AND RESERVOIR, PA	231	231

OPERATION AND MAINTENANCE
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE
INSPECTION OF COMPLETED WORKS, PA	4	4
JOHNSTOWN, PA	18	1,009
KINZUA DAM AND ALLEGHENY RESERVOIR, PA	1,206	1,206
LOYALHANNA LAKE, PA	934	934
MAHONING CREEK LAKE, PA	795	795
MONONGAHELA RIVER, PA	13,963	14,313
OHIO RIVER LOCKS AND DAMS, PA, OH & WV	21,603	21,603
OHIO RIVER OPEN CHANNEL WORK, PA, OH & WV	578	578
PROJECT CONDITION SURVEYS, PA	30	30
PROMPTON LAKE, PA	399	399
PUNXSUTAWNEY, PA	17	17
RAYSTOWN LAKE, PA	4,078	4,078
SCHEDULING RESERVOIR OPERATIONS, PA	55	55
SCHUYLKILL RIVER, PA	1,480	1,480
SHENANGO RIVER LAKE, PA	2,336	2,336
STILLWATER LAKE, PA	378	378
SURVEILLANCE OF NORTHERN BOUNDARY WATERS, PA	82	82
TIOGA - HAMMOND LAKES, PA	2,642	2,642
TIONESTA LAKE, PA	1,551	1,551
UNION CITY LAKE, PA	244	244
WOODCOCK CREEK LAKE, PA	798	798
YORK INDIAN ROCK DAM, PA	538	588
PUERTO RICO		
SAN JUAN HARBOR, PR	2,000	2,000
SCHEDULING RESERVOIR OPERATIONS, PR	30	30
RHODE ISLAND		
BULLOCKS COVE, RI	---	250
INSPECTION OF COMPLETED WORKS, RI	10	10
PAWTUXET COVE, CRANSTON AND WARWICK, RI	---	400
PROJECT CONDITION SURVEYS, RI	414	414
PROVIDENCE RIVER AND HARBOR, RI	9,000	9,000
RHODE ISLAND REGION, LONG-TERM DREDGE DISPOSAL EVAL, R	500	500
SOUTH CAROLINA		
ATLANTIC INTRACOASTAL WATERWAY, SC	---	2,500
CHARLESTON HARBOR, SC	14,052	14,052
COOPER RIVER, CHARLESTON HARBOR, SC	3,315	3,315
FOLLY RIVER, SC	---	225
GEORGETOWN HARBOR, SC	1,988	3,488
INSPECTION OF COMPLETED WORKS, SC	30	30
MURRELLS INLET, SC	---	28
PROJECT CONDITION SURVEYS, SC	349	349
TOWN CREEK, SC	---	413
SOUTH DAKOTA		
BIG BEND DAM, LAKE SHARPE, SD	9,263	9,263
CHEYENNE RIVER SIOUX TRIBE, LOWER BRULE, SD	---	2,500
COLD BROOK LAKE, SD	308	308
COTTONWOOD SPRINGS LAKE, SD	215	215
FORT RANDALL DAM, LAKE FRANCIS CASE, SD	9,749	9,749
INSPECTION OF COMPLETED WORKS, SD	17	17
LAKE TRAVERSE, SD & MN	512	512
MISSOURI R BETWEEN FORT PECK DAM AND GAVINS PT, SD, MT	350	350
OAHE DAM, LAKE OAHE, SD & ND	13,580	13,580
SCHEDULING RESERVOIR OPERATIONS, SD	49	49
TENNESSEE		
CENTER HILL LAKE, TN	5,057	5,057
CHEATHAM LOCK AND DAM, TN	6,062	6,062

OPERATION AND MAINTENANCE
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE
CHICKAMAUGA LOCK, TN	1,080	1,080
CORDELL HULL DAM AND RESERVOIR, TN	5,688	5,688
DALE HOLLOW LAKE, TN	4,461	4,461
INSPECTION OF COMPLETED WORKS, TN	116	116
J PERCY PRIEST DAM AND RESERVOIR, TN	4,245	4,245
OLD HICKORY LOCK AND DAM, TN	9,163	9,163
PROJECT CONDITION SURVEYS, TN	6	6
TENNESSEE RIVER, TN	15,210	17,000
WOLF RIVER HARBOR, TN	19	110
TEXAS		
AQUILLA LAKE, TX	644	644
ARKANSAS - RED RIVER BASINS CHLORIDE CONTROL - AREA VI	1,185	1,185
BARDWELL LAKE, TX	1,621	1,621
BAYPORT SHIP CHANNEL, TX	2,785	2,785
BELTON LAKE, TX	2,712	2,712
BENBROOK LAKE, TX	2,481	2,481
BRAZOS ISLAND HARBOR, TX	2,875	2,875
BUFFALO BAYOU AND TRIBUTARIES, TX	1,835	1,835
CANYON LAKE, TX	2,732	2,732
CORPUS CHRISTI SHIP CHANNEL, TX	7,945	7,945
DENISON DAM, LAKE TEXOMA, TX	7,715	7,715
ESTELLINE SPRINGS EXPERIMENTAL PROJECT, TX	5	5
FERRELLS BRIDGE DAM, LAKE O' THE PINES, TX	2,635	2,635
FREEPORT HARBOR, TX	6,320	6,320
GALVESTON HARBOR AND CHANNEL, TX	8,551	8,551
GRANGER DAM AND LAKE, TX	1,600	1,600
GRAPEVINE LAKE, TX	2,834	2,834
GULF INTRACOASTAL WATERWAY, TX	15,527	15,527
GULF INTRACOASTAL, WATERWAY CHANNEL TO PORT MANSFIELD	---	163
HORDS CREEK LAKE, TX	1,276	1,276
HOUSTON SHIP CHANNEL, TX	13,438	16,719
INSPECTION OF COMPLETED WORKS, TX	448	448
JIM CHAPMAN LAKE, TX	1,283	1,283
JOE POOL LAKE, TX	769	769
LAKE KEMP, TX	158	158
LAVON LAKE, TX	2,580	2,580
LEWISVILLE DAM, TX	3,832	3,832
MATAGORDA SHIP CHANNEL, TX	---	2,000
NAVARRO MILLS LAKE, TX	1,603	1,603
NORTH SAN GABRIEL DAM AND LAKE GEORGETOWN, TX	1,724	1,724
O C FISHER DAM AND LAKE, TX	813	813
PAT MAYSE LAKE, TX	724	724
PROCTOR LAKE, TX	1,701	1,701
PROJECT CONDITION SURVEYS, TX	50	50
RAY ROBERTS LAKE, TX	1,061	1,061
SABINE - NECHES WATERWAY, TX	10,985	10,985
SAM RAYBURN DAM AND RESERVOIR, TX	4,291	4,291
SCHEDULING RESERVOIR OPERATIONS, TX	129	129
SOMERVILLE LAKE, TX	2,600	2,600
STILLHOUSE HOLLOW DAM, TX	1,782	1,782
TEXAS WATER ALLOCATION ASSESSMENT, TX	100	550
TOWN BLUFF DAM, B A STEINHAGEN LAKE, TX	1,801	1,801
WACO LAKE, TX	2,291	2,791
WALLISVILLE LAKE, TX	1,295	1,295
WHITNEY LAKE, TX	4,516	4,516
WRIGHT PATMAN DAM AND LAKE, TX	2,672	2,672
UTAH		
INSPECTION OF COMPLETED WORKS, UT	76	76
SCHEDULING RESERVOIR OPERATIONS, UT	393	393

OPERATION AND MAINTENANCE
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE
VERMONT		
BALL MOUNTAIN LAKE, VT	789	789
BURLINGTON HARBOR, VT	---	100
CONNECTICUT RIVER FLOOD CONTROL DAMS, VT	---	250
INSPECTION OF COMPLETED WORKS, VT	42	42
NARROWS OF LAKE CHAMPLAIN, VT & NY	50	50
NORTH HARTLAND LAKE, VT	659	659
NORTH SPRINGFIELD LAKE, VT	849	849
TOWNSHEND LAKE, VT	759	759
UNION VILLAGE DAM, VT	602	602
VIRGINIA		
ATLANTIC INTRACOASTAL WATERWAY - ACC, VA	1,934	1,934
ATLANTIC INTRACOASTAL WATERWAY - DSC, VA	435	785
CHINCOTEAGUE INLET, VA	---	250
GATHRIGHT DAM AND LAKE MOOMAW, VA	1,682	1,682
HAMPTON RDS, NORFOLK & NEWPORT NEWS HBR, VA (DRIFT REM	1,100	1,100
INSPECTION OF COMPLETED WORKS, VA	176	176
JAMES RIVER CHANNEL, VA	3,770	3,985
JOHN H KERR LAKE, VA & NC	11,881	11,881
JOHN W FLANNAGAN DAM AND RESERVOIR, VA	1,401	1,401
LYNNHAVEN INLET, VA	1,635	1,635
NORFOLK HARBOR, VA	8,678	10,089
NORFOLK HARBOR, VA (PREVENTION OF OBSTRUCTIVE DEPOSITS	190	190
NORTH FORK OF POUND RIVER LAKE, VA	347	347
PHILPOTT LAKE, VA	3,905	3,905
PROJECT CONDITION SURVEYS, VA	760	760
RUDEE INLET, VA	---	500
WASHINGTON		
CHIEF JOSEPH DAM, WA	839	839
EVERETT HARBOR AND SNOHOMISH RIVER, WA	1,589	1,589
GRAYS HARBOR AND CHEHALIS RIVER, WA	8,215	8,715
HOWARD HANSON DAM, WA	4,166	4,166
ICE HARBOR LOCK AND DAM, WA	6,022	6,022
INSPECTION OF COMPLETED WORKS, WA	303	303
LAKE WASHINGTON SHIP CANAL, WA	6,480	6,480
LITTLE GOOSE LOCK AND DAM, WA	1,607	1,607
LOWER GRANITE LOCK AND DAM, WA	2,931	2,931
LOWER MONUMENTAL LOCK AND DAM, WA	2,337	2,337
MILL CREEK LAKE, WA	1,763	1,763
MT ST HELENS SEDIMENT CONTROL, WA	272	272
MUD MOUNTAIN DAM, WA	2,705	3,855
NEAH BAY, WA	128	128
PROJECT CONDITION SURVEYS, WA	343	343
PUGET SOUND AND TRIBUTARY WATERS, WA	1,003	1,003
SCHEDULING RESERVOIR OPERATIONS, WA	490	490
SEATTLE HARBOR, WA	1,152	1,152
STILLAGUAMISH RIVER, WA	262	262
SURVEILLANCE OF NORTHERN BOUNDARY WATERS, WA	64	64
SWINOMISH CHANNEL, WA	510	510
TACOMA, PUYALLUP RIVER, WA	118	118
THE DALLES LOCK AND DAM, WA & OR	3,138	3,448
WATERWAY CONNECTING PORT TOWNSEND AND OAK BAY, WA	221	221
WEST VIRGINIA		
BEECH FORK LAKE, WV	1,062	1,062
BLUESTONE LAKE, WV	1,047	1,047
BURNSVILLE LAKE, WV	1,531	1,531
EAST LYNN LAKE, WV	1,672	1,672
ELKINS, WV	18	18
INSPECTION OF COMPLETED WORKS, WV	80	80

OPERATION AND MAINTENANCE
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE
KANAWHA RIVER LOCKS AND DAMS, WV	7,454	7,454
OHIO RIVER LOCKS AND DAMS, WV, KY & OH	26,269	26,269
OHIO RIVER OPEN CHANNEL WORK, WV, KY & OH	2,494	2,494
R D BAILEY LAKE, WV	1,416	1,416
STONEWALL JACKSON LAKE, WV	859	859
SUMMERSVILLE LAKE, WV	1,587	1,587
SUTTON LAKE, WV	1,685	1,685
TYGART LAKE, WV	3,809	3,809
YOUGHIOGHENY LAKE, WV	---	1,753
WISCONSIN		
CORNUCOPIA HARBOR, WI	---	120
EAU GALLE RIVER LAKE, WI	722	722
FOX RIVER, WI	1,776	1,776
GREEN BAY HARBOR, WI	3,585	3,585
INSPECTION OF COMPLETED WORKS, WI	38	38
KENOSHA HARBOR, WI	190	190
KEWAUNEE HARBOR, WI	95	95
MANITOWOC HARBOR, WI	72	72
MILWAUKEE HARBOR, WI	768	1,038
PORT WING HARBOR, WI	---	130
PROJECT CONDITION SURVEYS, WI	61	61
SHEBOYGAN HARBOR, WI	2,450	2,450
STURGEON BAY HARBOR AND LAKE MICHIGAN SHIP CANAL, WI	1,324	1,324
SURVEILLANCE OF NORTHERN BOUNDARY WATERS, WI	472	472
TWO RIVERS HARBOR, WI	15	225
WYOMING		
INSPECTION OF COMPLETED WORKS, WY	11	11
JACKSON HOLE LEVEES, WY	1,281	1,281
SCHEDULING RESERVOIR OPERATIONS, WY	86	86
MISCELLANEOUS		
AQUATIC NUISANCE CONTROL RESEARCH	653	3,500
AUTOMATED BUDGET SYSTEM (ABS)	250	250
COASTAL INLET RESEARCH PROGRAM	2,475	2,675
CULTURAL RESOURCES (NAGPRA/CURATION)	1,391	1,391
DREDGE WHEELER READY RESERVE	8,000	8,000
DREDGING DATA AND LOCK PERFORMANCE MONITORING SYSTEM	1,062	1,062
DREDGING OPERATIONS AND ENVIRONMENTAL RESEARCH (DOER)	6,080	6,080
DREDGING OPERATIONS TECHNICAL SUPPORT PROGRAM	1,391	1,468
EARTHQUAKE HAZARDS REDUCTION PROGRAM	270	270
RESERVE FOR KEY EMERGENCY MAINTENANCE/REPAIRS	35,000	---
FACILITY PROTECTION	12,000	12,000
GREAT LAKES SEDIMENT TRANSPORT MODELS	900	950
HARBOR MAINTENANCE FEE DATA COLLECTION	608	608
INLAND WATERWAY NAVIGATION CHARTS	3,708	3,708
MONITORING OF COMPLETED NAVIGATION PROJECTS	1,575	1,575
NATIONAL DAM SAFETY PROGRAM	250	250
NATIONAL DAM SECURITY PROGRAM	31	31
NATIONAL EMERGENCY PREPAREDNESS PROGRAM (NEPP)	5,000	5,000
NATIONAL LEWIS AND CLARK COMMEMORATION COORDINATOR	319	319
PERFORMANCE BASED BUDGETING SUPPORT PROGRAM	734	734
PROTECT, CLEAR AND STRAIGHTEN CHANNELS (SEC 3)	45	45
RECREATION MANAGEMENT SUPPORT PROGRAM (RMSP)	1,600	1,600
REGIONAL SEDIMENT MANAGEMENT DEMONSTRATION PROGRAM	1,391	2,500
RELIABILITY MODELS PROGRAM FOR MAJOR REHABILITATION	608	608
REMOVAL OF SUNKEN VESSELS	450	675
WATER OPERATIONS TECHNICAL SUPPORT (WOTS)	653	653
WATERBORNE COMMERCE STATISTICS	4,271	4,271

OPERATION AND MAINTENANCE
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE
REDUCTION FOR ANTICIPATED SAVINGS AND SLIPPAGE.....	-12,325	-58,909
TOTAL, OPERATION AND MAINTENANCE.....	1,926,000	1,959,101

TITLE II—DEPARTMENT OF THE INTERIOR

CENTRAL UTAH PROJECT COMPLETION ACCOUNT

The conference agreement includes $48,009,000 for fiscal year 2005 to carry out the provisions of the Central Utah Project Completion Act. An appropriation of $30,806,000 has been provided for Central Utah project construction; $15,469,000 for fish, wildlife, and recreation, mitigation and conservation. The conference recommendation provides $1,734,000 for program administration and oversight.

BUREAU OF RECLAMATION

WATER AND RELATED RESOURCES

An appropriation of $859,481,000 is provided by the conferees for Water and Related Resources.

BUILDING AND SITE SECURITY

Security Costs and Allocations.—Following the attacks on September 11, 2001, the Bureau of Reclamation strengthened security at Federal dams and similar facilities and has undertaken but not completed extensive risk assessments for over 400 units throughout the West. Many of these are multi-purpose facilities providing flood control, water storage for contract irrigators, municipal and industrial water supplies, power generation, recreation and environmental mitigation benefits. The conference understands that beginning in fiscal year 2005, Reclamation will no longer make a distinction between pre-September 11, 2001, security costs and post-September 11, 2001, security costs. The conference recognizes that the security posture of Reclamation will likely not approach pre-September 11, 2001, levels for many years, if ever. The conference recognizes that project beneficiaries benefit from this enhanced security. However, the conference remains concerned about the reimbursability of increased security costs for Reclamation projects. Therefore, Reclamation shall provide a report to the conference, no later than, May 1, 2005, with a breakout of planned reimbursable and non-reimbursable security costs by project, by region. The conference directs the Commissioner not to begin the reimbursement process until the Congress provides direct instruction to do so.

Within the funds provided for the Central Valley Project, Colorado Front Work and Levee System, AZ. The conference has included additional funds to continue activities for water management reservoirs to be constructed along the All American Canal.

Central Valley Project.—A total of $7,500,000 has been provided under various divisions of the Central Valley Project in support of the California Bay-Delta Restoration. A description of the activities for which funds have been added follows.

CENTRAL VALLEY PROJECT

ENVIRONMENTAL WATER ACCOUNT

Miscellaneous Project Programs.—$1,000,000 is provided to acquire water and groundwater storage.

PLANNING AND MANAGEMENT ACTIVITIES

Delta Division Oversight.—$500,000 is provided to continue coordination, administration, planning, performance tracking and science activities in coordination with CALFED Program Implementation Plan.

STORAGE

Delta Division.—$1,000,000 is provided for Reclamation to continue participating in planning and study activities associated with enlarging Los Vaqueros reservoir.

Sacramento River Division.—$1,000,000 is provided to continue planning and study activities for Sites reservoir.

Shasta Division.—$1,000,000 is provided to continue evaluating the potential impacts of the proposed Shasta raise.

CONVEYANCE

Delta Division.—$1,000,000 is provided for the Tracy Test Fish facility.

Miscellaneous Project Programs.—$1,000,000 is provided for the continuation of feasibility levels studies and technical assistance to the State of California; $1,000,000 for the Bureau for the administration of storage, conveyance, water use efficiency, ecosystem restoration, science and water transfer.

Central Valley Project, Friant Division, California.—The conferees have provided an additional $1,000,000 for the Bureau of Reclamation to continue the Upper San Joaquin River Basin Storage investigation.

Middle Rio Grande Project, New Mexico.—The conferees are pleased with the increased progress of on-the-ground activities resulting from implementation of the Executive Committee of the Endangered Species Collaborative program. Of the total $6,150,000 provided for this effort, the Bureau of Reclamation is to fund the following activities: $2,000,000 for habitat restoration; $275,000 for water and minnow management improvement; $2,000,000 for water acquisition; $500,000 for science and monitoring; $750,000 for biological opinion monitoring; and $625,000 for program management. Prior to obligation of funds, the Bureau is to submit the funding levels for each category, accompanied by a detailed spending plan, to the House and Senate Appropriations Committees for approval. The Bureau will also submit to the Committees, concurrent with the President's funding request to Congress, a detailed spending plan for the 2006 fiscal year. The cost-share requirements for this program remain 75 percent Federal/25 percent non-Federal. Within the funds provided, the Bureau is directed to begin work on the models for the Silvery Minnow sanctuary.

Middle Rio Grande Project, Middle Rio Grande Levees, New Mexico.—The conference has provided an additional $5,000,000 for the continued repair of the Middle Rio Grande levees, on which work began in fiscal year 2003.

San Juan River Basin Investigations Program, New Mexico.—The conference has included additional funds for the Commissioner to begin the evaluation and initial work regarding the San Juan Chama, New Mexico, title transfer.

Oklahoma Investigations Project, Oklahoma.—The conferees have provided additional funds for the Bureau of Reclamation to continue studying ways to improve management of the Arbuckle-Simpson aquifer.

Klamath Project, Oregon and California.—The conferees recommend additional funds for the Klamath Project water bank program. From within available funds, the conferees direct that up to $1,000,000 be used for water quality multi-probe and flow measurement instrumentation.

Mni Wiconi Project, South Dakota.—The conference agreement provides $25,282,000 for this project. Within the funds provided, up to $160,000 may be used to replace water trucks for the Oglala Sioux Tribe. Reclamation and its tribal partners are cautioned that these water trucks should only be used for supplying water on a temporary short term critical need basis to areas that are part of the authorized Mni Wiconi project but are not yet served by the project. As more of the project is completed, the conference expects this water hauling operation to diminish. The Rosebud Sioux Rural Water System is authorized to utilize funds provided for the operation and maintenance of the Mni Wiconi Rural Water Project to contract with the town of White River to deliver water to tribal members located in White River, SD.

Washington State Investigations Program, Washington.—The conference has included additional funds for studies of the West Canal reach through Ephrata and for appraisal of the Odessa Subaquifer.

Departmental Irrigation Drainage Program.—The conferees have included additional funds for the Uncompahgre, Colorado selenium project.

Drought Emergency Assistance Program.—The conferees have provided additional funds for drought assistance and urge the agency to provide full and fair consideration of the request for drought assistance from the State of Hawaii. The conferees are aware of the impacts of the significant drought which has lasted several years in the West, and has provided $50,000 for drought assistance in an effort to mitigate some effects of the drought. Of the total funds provided, $250,000 is for Espanola, New Mexico and $200,000 is for Chimayo, New Mexico.

Water 2025.—The dire drought the West is currently experiencing, combined with an unprecedented number of water users and endangered species and related requirements, make water use efficiencies more critical than ever. The conference has provided $19,500,000 for this initiative proposed by the administration. The reduction does not reflect the conference's strong support for this effort. The initiative is an effort to enhance efficiency and performance in water and power delivery. Ultimately, the conference believes that the initiative, if successfully carried out, will result in enhanced efficiency in the operation of Reclamation programs and projects. Of the funds provided $2,000,000 is for the Desert Research Institute to address water quality and environmental issues in ways that will bring industry and regulators to mutually acceptable answers. The conference believes that the water resource and efficiency issues, combined with the drought and endangered species listings, make the Rio Grande River in New Mexico the embod-

iment of the Water 2025 initiative. Therefore, the conference has included $1,750,000 to provide for continued efficiency and water improvements related to the Middle Rio Grande Conservancy district, including a system evaluation, siphons, flow measurement gages, gates and the automation of diversions.

In addition, the conference has included $1,000,000 for work related to the Aamodt water rights settlement efforts.

The conference strongly encourages the Bureau to consider providing funding to the Rural Water Technology Alliance to implement low-cost remote sensing technologies and water conservation technologies in the West. The conferees have also provided additional funds for the Bureau of Reclamation to continue its successful alliance with the International Center for Water Resources Management at Central State University in Ohio, the Ohio View Consortium, and Colorado State University, for the development of advanced remote sensing technologies for use in operational decisionmaking to deal with the current drought conditions and with future constraining events. The conferees are also aware of the serious water shortage issues in Central Texas. There is significant potential to address these issues if salinity problems in the Lake Whitney watershed could be ameliorated. The Bureau is encouraged to work with local and State officials as well as researchers at Baylor University to address these problems.

Science and Technology, Desalination Research and Development Program.—The conferees have provided additional funds for desalination efforts for research and development of new, advanced technologies to create new additional water supplies using desalination and related technologies. The Commissioner is directed to assess the potential use of advanced water treatment technologies as a resource to create new net water supplies and to evaluate project benefits, economic values and environmental effects. Further, the Commissioner should identify resource needs that can be met through these technologies and inter-party transfers, and to identify obstacles to be overcome (physical, financial, institutional, and regulatory). In using the funds provided, the Bureau shall pay particular attention to research and development of shallow well pretreatment, brine disposal and recycling, micro-filtration and ultra-filtration, and water conditioning. Further, the conference continues to urge the Bureau of Reclamation to place a higher priority on desalination activities in future budgets given the importance of sustainable water supplies to the West and to other regions of the country. Of the funds provided, $3,500,000 is for the continuation of the project in Tularosa, New Mexico. The conference notes that, with regard to the Tularosa Basin National Desalination Research Center, section 7 of the Water Desalination Act of 1996 does not apply to the project because it is a joint Federal effort.

The conference has also included $3,000,000 in additional funding for the WateReuse Foundation. These funds shall be available to support the Foundation's research priorities.

Wetlands Development.—The conferees have provided $500,000 for the Bureau of Reclamation to continue work on the East Wetlands Restoration project in Yuma, Arizona.

Title XVI, Water Reclamation and Reuse Program.—The conference agreement provides $1,655,000 for the Title XVI Water Reclamation and Reuse Program. Of this, $125,000 is provided for the Bureau to work with the Mission Springs, California, Water District to evaluate further the possibilities of using recycled water for groundwater recharge or other non-potable uses.

Water Management and Conservation Program.—Within the funds provided, the conferees direct that $700,000 be used to continue urban water conservation programs within the service area of the Metropolitan Water District of Southern California and $200,000 for the Bureau to continue a cost shared, industrial recirculation water efficiency effort related to recirculating water use by industries in Southern California to conserve water.

CENTRAL VALLEY PROJECT RESTORATION FUND

The conference agreement provides $54,695,000 for the Central Valley Project Restoration Fund.

POLICY AND ADMINISTRATION

The conference agreement provides $58,153,000 for general administrative expenses. The conferees expect the Bureau of Reclamation to continue to observe underfinancing guidance provided in the fiscal year 2004 Energy and Water Appropriations Act.

GENERAL PROVISIONS—DEPARTMENT OF THE INTERIOR

Sec. 201. The conference report includes language regarding Kesterson Reservoir in California.

Sec. 202. The conference report includes language regarding the purchase or lease of water in New Mexico.

Sec. 203. The conference report includes language regarding the Lower Colorado River Basin Development.

Sec. 204. The conference report includes language regarding Drought Emergency Assistance.

Sec. 205. The conference report includes language regarding the San Juan Chama Project in New Mexico.

Sec. 206. The conference report includes language regarding Water 2025.

Sec. 207. The conference report includes language regarding the Animas La Plata project.

Sec. 208. The conference report includes language regarding Montana water contract extensions.

WATER AND RELATED RESOURCES
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST		CONFERENCE	
	RESOURCES MANAGEMENT	FACILITIES OM&R	RESOURCES MANAGEMENT	FACILITIES OM&R
WATER AND RELATED RESOURCES				
ARIZONA				
AK CHIN INDIAN WATER RIGHTS SETTLEMENT ACT PROJECT....	---	6,893	---	6,893
CENTRAL ARIZONA PROJECT, COLORADO RIVER BASIN.....	33,993	94	33,993	94
COLORADO RIVER FRONT WORK AND LEVEE SYSTEM.....	3,647	---	4,347	---
FORT MCDOWELL SETTLEMENT ACT.....	712	---	712	---
NORTHERN ARIZONA INVESTIGATIONS PROGRAM.....	460	---	460	---
PHOENIX METROPOLITAN WATER RECLAMATION & REUSE PROJECT	---	---	375	---
SALT RIVER PROJECT.....	498	---	498	---
SOUTHERN ARIZONA WATER RIGHTS SETTLEMENT ACT PROJECT..	5,078	---	5,078	---
SOUTH/CENTRAL ARIZONA INVESTIGATIONS PROGRAM.....	870	---	1,380	---
TRES RIOS WETLANDS DEMONSTRATION.....	400	---	400	---
YUMA AREA PROJECTS.....	1,560	20,666	1,560	20,666
CALIFORNIA				
CACHUMA PROJECT.....	939	822	939	822
CALIFORNIA INVESTIGATIONS PROGRAMS.....	300	---	300	---
CALLEGUAS MUNICIPAL WATER DISTRICT RECYCLING PROJECT..	1,000	---	1,000	---
CENTRAL VALLEY PROJECT:				
AMERICAN RIVER DIVISION.....	1,867	7,499	4,867	7,499
AUBURN-FOLSOM SOUTH UNIT.....	6,397	125	6,397	125
DELTA DIVISION.....	7,262	6,372	10,762	6,372

WATER AND RELATED RESOURCES
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST		CONFERENCE	
	RESOURCES MANAGEMENT	FACILITIES OM&R	RESOURCES MANAGEMENT	FACILITIES OM&R
EAST SIDE DIVISION	1,548	2,455	1,548	2,455
FRIANT DIVISION	1,955	3,970	2,955	3,970
MISCELLANEOUS PROJECT PROGRAMS	13,324	1,210	22,287	1,210
REPLACEMENTS, ADDITIONS, & EXTRAORDINARY MAINT	---	23,200	---	20,100
SACRAMENTO RIVER DIVISION	3,337	1,689	6,337	1,689
SAN FELIPE DIVISION	969	---	969	---
SAN JOAQUIN DIVISION	295	---	295	---
SHASTA DIVISION	1,110	7,171	1,610	7,171
TRINITY RIVER DIVISION	6,641	3,100	6,641	3,100
WATER AND POWER OPERATIONS	1,900	9,724	1,900	9,724
WEST SAN JOAQUIN DIVISION, SAN LUIS UNIT	41,484	7,766	8,484	7,766
YIELD FEASIBILITY INVESTIGATION	500	---	500	---
LAKE TAHOE REGIONAL WETLANDS DEVELOPMENT	---	---	2,250	---
LONG BEACH AREA WATER RECLAMATION AND REUSE PROJECT	1,000	---	1,000	---
LONG BEACH DESALINATION PROJECT	---	---	1,000	---
NAPA -SONOMA MARIN AGRICULTURE REUSE PROJECT	---	---	375	---
NORTH SAN DIEGO COUNTY AREA WATER RECYCLING PROJECT	2,000	---	2,500	---
ORANGE COUNTY REGIONAL WTR RECLAMATION PROJECT, PHS 1	2,000	---	2,500	---
ORLAND PROJECT	40	547	40	547
PASADENA RECLAIMED WATER PROJECT	---	---	50	---
SACRAMENTO RIVER DIVERSION STUDY, CA	---	---	500	---
SALTON SEA RESEARCH PROJECT	1,000	---	2,250	---
SAN DIEGO AREA WATER RECLAMATION PROGRAM	3,500	---	3,500	---
SAN GABRIEL BASIN PROJECT	500	---	500	---
SAN GABRIEL BASIN RESTORATION PROJECT	---	---	4,500	---

WATER AND RELATED RESOURCES
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST		CONFERENCE	
	RESOURCES MANAGEMENT	FACILITIES OM&R	RESOURCES MANAGEMENT	FACILITIES OM&R
SAN JOSE WATER RECLAMATION AND REUSE PROGRAM	---	---	1,750	---
SANTA MARGARITA RIVER CONJUNCTIVE USE PROJECT	---	---	250	---
SOLANO PROJECT	1,576	2,677	1,576	2,677
SOUTHERN CALIFORNIA INVESTIGATIONS PROGRAM	740	---	1,240	---
VENTURA RIVER PROJECT	524	---	524	---
WATSONVILLE AREA WATER RECYCLING PROJECT	---	---	500	---
COLORADO				
ANIMAS-LA PLATA PROJECT, CRSP SECTIONS 5 & 8	52,000	---	52,000	---
COLLBRAN PROJECT	184	1,159	184	1,159
COLORADO-BIG THOMPSON PROJECT	627	10,334	627	10,334
COLORADO INVESTIGATIONS PROGRAM	65	---	65	---
GRAND VALLEY UNIT, CRBSCP, TITLE II	189	527	189	527
PARADOX VALLEY UNIT, CRBSCP, TITLE II	67	2,054	67	2,054
FRUITGROWERS DAM PROJECT	87	130	87	130
FRYINGPAN-ARKANSAS PROJECT	366	4,941	366	4,941
LEADVILLE/ARKANSAS RIVER RECOVERY	592	2,179	592	2,179
MANCOS PROJECT	133	99	133	99
PINE RIVER PROJECT	31	111	31	111
SAN LUIS VALLEY PROJECT	279	4,771	279	4,771
UNCOMPAHGRE PROJECT	202	153	202	153
HAWAII				

WATER AND RELATED RESOURCES
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST		CONFERENCE	
	RESOURCES MANAGEMENT	FACILITIES OM&R	RESOURCES MANAGEMENT	FACILITIES OM&R
HAWAII WATER RESOURCES STUDY	---	---	250	---
IDAHO				
BOISE AREA PROJECTS	2,717	2,810	2,717	2,810
COLUMBIA AND SNAKE RIVER SALMON RECOVERY PROJECT	17,500	---	17,500	---
IDAHO INVESTIGATIONS PROGRAM	750	---	750	---
MINIDOKA AREA PROJECTS	3,355	2,122	3,355	2,122
MINIDOKA NORTHSIDE DRAIN WATER MANAGEMENT PROJECT	200	---	200	---
KANSAS				
KANSAS INVESTIGATIONS PROGRAM	50	---	50	---
WICHITA PROJECT	250	328	250	328
MONTANA				
FORT PECK DRY PRAIRIES RURAL WATER SYSTEM	---	---	7,000	---
HUNGRY HORSE PROJECT	---	521	---	521
HUNTLEY PROJECT	28	120	28	120
MILK RIVER PROJECT	508	839	508	839
MONTANA INVESTIGATIONS	519	---	519	---
NORTH CENTRAL MONTANA RURAL WATER SUPPLY SYSTEM	---	---	1,000	---

WATER AND RELATED RESOURCES
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST		CONFERENCE	
	RESOURCES MANAGEMENT	FACILITIES OM&R	RESOURCES MANAGEMENT	FACILITIES OM&R
NORTH DAKOTA				
DAKOTAS INVESTIGATIONS PROGRAM	230	---	230	---
DAKOTAS TRIBES INVESTIGATIONS PROGRAM	191	---	191	---
PICK-SLOAN MISSOURI BASIN PROGRAM, GARRISON DIVERSION	18,659	3,414	21,830	3,414
NEBRASKA				
MIRAGE FLATS PROJECT	12	91	12	91
NEBRASKA INVESTIGATIONS PROGRAM	85	---	85	---
NEW MEXICO				
ALBUQUERQUE METRO AREA WATER & RECLAMATION REUSE	---	---	500	---
CARLSBAD PROJECT	907	994	907	994
EASTERN MEXICO WATER SUPPLY	---	---	88	---
MIDDLE RIO GRANDE PROJECT	7,199	10,801	13,349	15,801
NAVAJO NATION INVESTIGATIONS PROGRAM	300	---	300	---
NAVAJO-GALLUP WATER SUPPLY PROJECT	200	---	200	---
PECOS RIVER BASIN WATER SALVAGE PROJECT	---	31	---	79
RIO GRANDE PROJECT	909	3,314	909	3,314
SAN JUAN RIVER BASIN INVESTIGATIONS PROGRAM	188	---	288	---
SANTA FE - WATER RECLAMATION AND REUSE PROJECT	---	---	500	---
SOUTHERN NEW MEXICO/WEST TEXAS INVESTIGATIONS PROGRAM	238	---	238	---
TUCUMCARI PROJECT	---	13	---	13

WATER AND RELATED RESOURCES
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST		CONFERENCE	
	RESOURCES MANAGEMENT	FACILITIES OM&R	RESOURCES MANAGEMENT	FACILITIES OM&R
NEVADA				
HALFWAY WASH PROJECT STUDY	150	---	1,750	---
LAHONTAN BASIN PROJECT (HUMBOLT, NEWLANDS, WASHOE)	6,475	1,844	6,475	1,844
LAKE MEAD /LAS VEGAS WASH PROGRAM	1,450	---	2,000	---
NORTH LAS VEGAS WATER REUSE	---	---	2,500	---
SOUTHERN NEVADA WATER RECYCLING PROJECT	---	---	5,000	---
OKLAHOMA				
ARBUCKLE PROJECT	13	168	13	168
MCGEE CREEK PROJECT	26	463	26	463
MOUNTAIN PARK PROJECT	13	331	13	331
NORMAN PROJECT	13	303	13	303
NORTH FORK OF THE RED RIVER PROJECT	---	---	125	---
OKLAHOMA INVESTIGATIONS PROGRAM	190	---	440	---
W.C. AUSTIN PROJECT	150	387	150	387
WASHITA BASIN PROJECT	13	1,053	13	1,053
OREGON				
CROOKED RIVER PROJECT	373	388	373	388
DESCHUTES ECOSYSTEM RESTORATION PROJECT	---	---	500	---
DESCHUTES PROJECT	448	143	448	143

WATER AND RELATED RESOURCES
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST		CONFERENCE	
	RESOURCES MANAGEMENT	FACILITIES OM&R	RESOURCES MANAGEMENT	FACILITIES OM&R
EASTERN OREGON PROJECTS	818	354	818	354
KLAMATH PROJECT	24,191	809	26,191	809
OREGON INVESTIGATIONS PROGRAM	655	---	655	---
ROGUE RIVER BASIN PROJECT, TALENT DIVISION	820	181	820	181
SAVAGE RAPIDS DAM REMOVAL	2,000	---	2,200	---
TUALATIN PROJECT	222	118	472	118
UMATILLA BASIN PROJECT, PHASE III STUDY	200	---	200	---
UMATILLA PROJECT	816	2,259	816	2,259
SOUTH DAKOTA				
LEWIS AND CLARK RURAL WATER SYSTEM	17,500	---	18,750	---
MID-DAKOTA RURAL WATER PROJECT	17,000	15	17,000	15
MNI WICONI PROJECT	18,246	6,254	25,282	6,254
PERKINS COUNTY RURAL WATER SALVAGE PROJECT	500	---	2,250	---
RAPID VALLEY PROJECT, DEERFIELD DAM	---	16	---	16
TEXAS				
CANADIAN RIVER PROJECT	---	---	63	145
EL PASO WATER RECLAMATION AND REUSE	63	117	382	59
LOWER RIO GRANDE VALEY WATER RESOURCES	50	---	1,625	---
NUECES RIVER	31	609	31	609
SAN ANGELO PROJECT	63	333	63	333
SUN RIVER PROJECT	---	204	---	204

WATER AND RELATED RESOURCES
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST		CONFERENCE	
	RESOURCES MANAGEMENT	FACILITIES OM&R	RESOURCES MANAGEMENT	FACILITIES OM&R
TEXAS INVESTIGATIONS PROGRAM	208	---	208	---
UTAH				
HYRUM PROJECT	152	26	152	26
MOON LAKE PROJECT	26	22	26	22
NEWTON PROJECT	62	19	62	19
NORTHERN UTAH INVESTIGATIONS PROGRAM	220	---	220	---
OGDEN RIVER PROJECT	314	27	314	27
PARK CITY FEASIBILITY STUDY	---	---	250	---
PROVO RIVER PROJECT	883	314	883	314
PROVO RIVER PROJECT, DEER CREEK DAM	---	4,150	---	4,150
SCOFIELD PROJECT	109	22	109	22
SOUTHERN UTAH INVESTIGATIONS PROGRAM	133	---	133	---
STRAWBERRY VALLEY PROJECT	194	7	194	7
WEBER BASIN PROJECT	1,808	379	2,058	379
WEBER BASIN PROJECT, PINEVIEW PROJECT	---	1,375	---	1,375
WEBER RIVER PROJECT	103	75	103	75
WASHINGTON				
COLUMBIA BASIN PROJECT	3,991	11,277	3,991	11,277
LOWER ELWHA KLALLAM WATER SUPPLY FEASIBILITY STUDY	---	---	50	---
MAKAH INDIAN COMMUNITY WATER SUPPLY FEASIBILITY	---	---	300	---
STORAGE DAM FISH PASSAGE FEASIBILITY STUDY	700	---	700	---

WATER AND RELATED RESOURCES
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST		CONFERENCE	
	RESOURCES MANAGEMENT	FACILITIES OM&R	RESOURCES MANAGEMENT	FACILITIES OM&R
WASHINGTON INVESTIGATIONS PROGRAM	470	---	620	---
YAKIMA PROJECT	1,948	7,107	1,948	7,107
YAKIMA RIVER BASIN WATER ENHANCEMENT PROJECT	9,190	---	9,190	---
YAKIMA RIVER BASIN STORAGE STUDY	---	---	1,500	---
WYOMING				
KENDRICK PROJECT	19	3,774	19	3,774
NORTH PLATTE PROJECT	25	1,686	25	1,686
SHOSHONE PROJECT	20	1,354	20	1,354
WYOMING INVESTIGATIONS PROGRAM	40	---	40	---
VARIOUS				
COLORADO RIVER BASIN SALINITY CONTROL PRJCT, TITLE I	781	9,988	781	9,834
COLORADO RIVER BASIN SALINITY CONTROL PRJCT, TITLE II	9,064	---	9,314	---
COLORADO RIVER STORAGE PROJECT, (CRSP), SECTION 5	8,514	3,333	8,257	3,333
COLORADO RIVER STORAGE PROJECT, SECTION 8	1,995	---	1,995	---
COLORADO RIVER WATER QUALITY IMPROVEMENT PROGRAM	450	---	450	---
DAM SAFETY PROGRAM:				
DEPARTMENT DAM SAFETY PROGRAM	---	1,700	---	1,700
INITIATE SOD CORRECTIVE ACTION	---	38,253	---	37,753
SAFETY EVALUATION OF EXISTING DAMS	---	18,000	---	18,000
SAFETY OF DAMS CORRECTIVE ACTION STUDIES	---	500	---	500
DEPARTMENTAL IRRIGATION DRAINAGE PROGRAM	---	---	150	---

WATER AND RELATED RESOURCES
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST		CONFERENCE	
	RESOURCES MANAGEMENT	FACILITIES OM&R	RESOURCES MANAGEMENT	FACILITIES OM&R
DROUGHT EMERGENCY ASSISTANCE	500	---	1,000	---
EFFICIENCY INCENTIVES PROGRAM	1,798	---	1,798	---
EMERGENCY PLANNING & DISASTER RESPONSE PROGRAM	---	451	---	451
ENDANGERED SPECIES RECOVERY IMPLEMENTATION	12,464	---	12,464	---
ENVIRONMENTAL & INTERAGENCY COORDINATION ACTIVITIES	1,557	---	1,557	---
ENVIRONMENTAL PROGRAM ADMINISTRATION	883	---	883	---
EXAMINATION OF EXISTING STRUCTURES	---	5,920	---	5,920
FEDERAL BUILDING SEISMIC SAFETY PROGRAM	---	1,575	---	1,575
GENERAL PLANNING STUDIES	1,931	---	1,931	---
LAND RESOURCES MANAGEMENT PROGRAM	8,631	---	8,631	---
LOWER COLORADO RIVER INVESTIGATIONS PROGRAM	564	---	564	---
LOWER COLORADO RIVER OPERATIONS PROGRAM	15,322	---	15,322	---
MISCELLANEOUS FLOOD CONTROL OPERATIONS	---	626	---	626
NATIVE AMERICAN AFFAIRS PROGRAM	7,720	---	7,720	---
NATURAL RESOURCES DAMAGE ASSESSMENT	300	---	300	---
NEGOTIATION & ADMINISTRATION OF WATER MARKETING	1,699	---	1,699	---
OPERATION & MAINTENANCE PROGRAM MANAGEMENT	156	1,031	156	1,031
PICK-SLOAN MISSOURI BASIN PROGRAM, OTHER PROJECTS	3,589	36,019	3,589	36,019
POWER PROGRAM SERVICES	802	226	802	226
PUBLIC ACCESS AND SAFETY PROGRAM	603	---	603	---
RECLAMATION LAW ADMINISTRATION	4,144	---	4,144	---
RECLAMATION RECREATION MANAGEMENT	300	---	300	---
RECREATION AND FISH & WILDLIFE PROGRAM ADMINISTRATION	1,743	---	1,743	---

WATER AND RELATED RESOURCES
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST		CONFERENCE	
	RESOURCES MANAGEMENT	FACILITIES OM&R	RESOURCES MANAGEMENT	FACILITIES OM&R
SCIENCE AND TECHNOLOGY PROGRAM:				
IMPROVING WATER & POWER INFRASTRUCTURE RELIABILITY	2,000	---	2,000	---
IMPROVING WATER DELIVERY RELIABILITY.....	4,184	---	4,184	---
IMPROVING WATER SUPPLY TECHNOLOGIES.....	1,800	---	1,800	---
IMPROVING WATER OPERATIONS DECISION SUPPORT TOOLS.	1,450	---	1,450	---
APPLIED SCIENCE/TECHNOLOGY AND DEVELOPMENT.....	---	---	---	---
DESALINATION RESEARCH AND DEVELOPMENT PROGRAM.....	100	---	6,500	---
SALT CEDAR IRRADICATION DEMONSTRATION PROGRAM.....	---	---	1,050	---
SITE SECURITY.....	---	43,216	---	43,216
SOIL AND MOISTURE CONSERVATION.....	290	---	290	---
TECHNICAL ASSISTANCE TO STATES.....	2,071	---	2,071	---
TITLE XVI, WATER RECLAMATION AND REUSE PROGRAM.....	1,530	---	1,655	---
UNITED STATES/MEXICO BORDER ISSUES - TECHNICAL SUPPORT	78	---	78	---
WATER MANAGEMENT & CONSERVATION PROGRAM.....	5,580	---	5,680	---
WATER 2025.....	20,000	---	19,500	---
WETLANDS DEVELOPMENT.....	---	---	---	500
UNDISTRIBUTED REDUCTION BASED ON ANTICIP DELAYS.....	-36,601	---	-59,143	-4,852
TOTAL, WATER AND RELATED RESOURCES.....	461,839	366,637	495,815	363,666

TITLE III—DEPARTMENT OF ENERGY

The summary tables at the end of this title set forth the conference agreement with respect to the individual appropriations, programs, and activities of the Department of Energy. Additional items of conference agreement are discussed below.

CONGRESSIONAL DIRECTION

The conferees support the House language requiring the Secretary to submit to the House and Senate Committees on Appropriations, Subcommittee on Energy and Water Development, a quarterly report on the status of all projects, reports, fund transfers, and other actions directed in the House bill and report for the Energy and Water Development Appropriations Act for Fiscal Year 2005, and in this conference agreement.

FIVE-YEAR BUDGET PLANNING

The conferees agree with the House language regarding five-year budget planning.

NON-NNSA WORK AT NNSA FACILITIES

Within 90 days of enactment, the conferees direct the Secretary, working with the Administrator of the National Nuclear Security Administration (NNSA), to put in place written procedures for work taskings originating from non-NNSA program offices in DOE to NNSA laboratories that are consistent with the constraints of Section 3213 of Public Law 106–65, as subsequently modified by Section 3157 of Public Law 106–398, and follow the chain of command (i.e., through the Secretary of Energy and the Administrator of the NNSA to the NNSA field elements) that is clearly specified in those statutes.

LABORATORY DIRECTED RESEARCH AND DEVELOPMENT (LDRD)

The conferees recognize the value of conducting discretionary research at DOE's national laboratories. Such research provides valuable benefits to the Department and to other Federal agencies, and is useful for attracting and retaining scientific talent.

However, the conferees continue to have serious reservations about the financial execution of this program, specifically with how the Department's laboratories levy the LDRD "tax" on work being performed for other agencies (Work for Others). The conferees agree with the concerns detailed in the House report dealing with LDRD and work for others. Beginning with the enactment of this appropriation, DOE shall not advance funds for LDRD based upon work for others, but only provide the LDRD funds to the labs once the Department has received the fund transfers from other agencies to pay for the work.

REPROGRAMMING GUIDELINES

The conferees require the Department to inform the House and Senate Committees on Appropriations promptly and fully when a change in program execution or funding is required during the fis-

cal year. A reprogramming includes the reallocation of funds from one activity to another within an appropriation, or any significant departure from a program, project, or activity described in the agency's budget justification as presented to and approved by Congress. For construction projects, a reprogramming constitutes the reallocation of funds from one construction project identified in the justifications to another project or a significant change in the scope of an approved project.

A reprogramming should be made only when an unforeseen situation arises, and then only if delay of the project or the activity until the next appropriations year would result in a detrimental impact to an agency program or priority. The Department should not submit reprogrammings in the fourth quarter of the fiscal year unless necessitated by an unforeseeable change in external circumstances. Reprogrammings may also be considered if the Department can show that significant cost savings can accrue by increasing funding for an activity. Mere convenience or desire should not be factors for consideration.

Reprogrammings should not be employed to initiate new programs or to change program, project, or activity allocations specifically denied, limited, or increased by Congress in the Act or report. In cases where unforeseen events or conditions are deemed to require such changes, proposals shall be submitted in advance to the Committees and be fully explained and justified.

The conferees have not provided statutory language to define the reprogramming guidelines, but do expect the Department to follow the spirit and the letter of the guidance provided in this report. The Committees have not provided the Department with any internal reprogramming flexibility in fiscal year 2005, unless specifically identified in the House or conference reports. Any reallocation of new or prior year budget authority or prior year deobligations must be submitted to the Committees in writing and may not be implemented prior to approval by the Committees on Appropriations.

REDUCTIONS NECESSARY TO ACCOMMODATE SPECIFIC PROGRAM DIRECTIONS

The Department is directed to provide a report to the House and Senate Committees on Appropriations by March 30, 2005, on the actual application of any general reductions of funding or applications of prior year balances contained in this conference agreement. Such reductions are to be applied proportionately against each program, project, or activity. If necessary, the Department must submit a reprogramming to reallocate funds if the proportional reduction unduly impacts a specific program, project, or activity.

SMALL BUSINESS PROCUREMENTS

The conferees are concerned that the Department of Energy's current efforts at breaking out procurement requirements for small business contracts do not represent a systematic approach for consideration of small business statutory goals together with other legitimate acquisition objectives. The conference report includes statutory language (General Provisions 312 and 313) requiring the De-

partment to undertake such a systematic approach by utilizing the appropriate consultative process set forth in the Federal Acquisition Regulation.

ENERGY SUPPLY

The conference agreement provides $946,272,000 for Energy Supply.

RENEWABLE ENERGY RESOURCES

The conference agreement provides $389,063,000 for renewable energy resources. As in fiscal year 2004, funds for renewable energy resources shall remain available until expended. The conferees provide $5,000,000 for the National Center on Energy Management and Building Technologies and direct that this project shall be subject to the cost sharing requirements of a research project rather than a demonstration project.

Biomass/biofuels.—The conference agreement includes $82,147,000 for biomass and biorefinery systems research and development. The conference agreement includes $500,000 for the Oxydiesel demonstration program in California and Nevada; $500,000 for a biorefinery at the Louisiana State University Agricultural Center; $500,000 for the ThermoEnergy research project at the University of Nevada-Reno; $500,000 for the Vermont Biomass Energy Center; $500,000 for the Vermont Biofuels Initiative; $500,000 for the National Ag-Based Industrial Lubricants Center at the University of Northern Iowa; $500,000 for the Chariton Valley Biomass Project; $250,000 for the Eastern Nevada Landscape Coalition for biomass restoration and science-based restoration; $250,000 for the City of Wells, Nevada, Recycling for Energy Conservation Project; $1,000,000 for the Center for Biomass Utilization at the University of North Dakota; $500,000 for the Livingston Parish Alternative Fuel Plant Construction; $3,000,000 for the Consortium for Plant Biotechnology Research (CPBR); $200,000 for the Alaska Wood Biomass project; $3,000,000 for the Mississippi Technology Alliance Alternative Energy Enterprise Program; $1,500,000 for the Mississippi State University Biodiesel from Feedstocks project; $2,000,000 for the Kentucky Rural Energy Supply program; $1,500,000 to the South-Eastern and North-Central Regional Sun Grant Centers for purposes as authorized in H.R. 2673, the Consolidated Appropriations Act, 2004, which amended Title IX of the Farm Security and Rural Investment Act of 2002, for research, extension, and educational programs on biobased energy technologies and products; $500,000 for the Purdue-Midwest Consortium for Sustainable Biofuels; $1,000,000 for the Texas A&M Renewable Energy from Animal Biowaste project; $1,500,000 for the Biotech-to-Ethanol Project; $2,000,000 for the National Biofuel Energy Laboratory; $1,000,000 for the Research Triangle Biomass project in North Carolina; $2,000,000 for sugar-based ethanol biorefinery at Louisiana State University; $200,000 for the SUNY-Morrisville anaerobic digester project; $3,000,000 through NREL for demonstration for a small-scale biomass system (BioMax); $1,000,000 for research on anaerobic digestion by the Ohio Agricultural Research Development Center in cooperation with the City of Wooster. The

conference agreement provides $500,000 for alternative fuel source study in Alabama, $1,500,000 is provided for a biorefinery and hydrogen fuel cell research in Georgia.

The conferees believe that the Regional Biomass Energy Program (RBEP) has been a successful partnership and provide $4,000,000 for product development and State and Regional partnership activities.

Geothermal.—The conference agreement includes $25,800,000 for geothermal activities, the same as the budget request. Geopowering the West is funded at current year levels. The Department is directed to maintain funding for university research at the fiscal year 2004 funding level. The conference agreement includes $500,000 for the Full Circle Project in Lake County, California; $1,000,000 for geothermal research at the University of Nevada-Reno; $500,000 for the Tuscarora Geothermal Project; $300,000 for the Klamath and Lake Counties Geothermal-Agricultural Industrial Park in Oregon; $750,000 for the Geothermal Mill Redevelopment project in Massachusetts; and $196,000 for the University of Texas Permian Basin Center for Energy and Economic Diversification for geothermal research.

Hydrogen.—The conference agreement includes $95,325,000 for hydrogen activities. No funds are provided for the proposed effort on hydrogen education as these efforts are premature. The conference agreement includes $2,000,000 for the Fuel Cell Mine Loader and Prototype Locomotive; $1,000,000 for the Hawaii Hydrogen Center for Development and Deployment of Distributed Energy Systems; $5,000,000 for the University of Nevada-Las Vegas renewable hydrogen fueling station system; $3,000,000 for the University of Nevada-Las Vegas for hydrogen storage and fuel cells; $100,000 for the Zero Emission Bus Demonstration Program Evaluation; $1,000,000 for the hydrogen fuel cell project for the Regional Transportation Commission of Washoe County, Nevada; $1,100,000 for the Ohio Distributed Hydrogen Project; $2,000,000 for the Hydrogen Regional Infrastructure Program; $2,000,000 for the University of South Carolina Clean Energy Research program; $1,000,000 for the University of Toledo/Bowling Green Fuel Cell Research project; $5,000,000 for the California Hydrogen Infrastructure Project, including $1,000,000 for validation efforts within the Lake Tahoe basin; $500,000 for Startech plasma conversion technology; $3,000,000 for fuel cell research at the University of South Florida; $3,000,000 for the Edison Materials Technology Center to develop improved materials to support the hydrogen economy; and $2,000,000 for the Florida Hydrogen Initiative; $5,000,000 should be used to support a competitive solicitation for solid oxide fuel cell research under a cost-shared program to look at the application of solid oxide electrochemical technology for coproduction of hydrogen and electricity and also for storage of electricity through closed and open system regenerative fuel cells.

The conferees strongly support the FreedomCar and Hydrogen Fuel initiatives.

Hydropower.—The conference agreement provides $5,000,000 for hydropower. As directed previously, the Department should focus its efforts on completing a limited program of testing and demonstration of new turbine technologies and then transfer these

technologies to other Federal agencies and private sector firms for deployment. The proposed increase for advanced hydropower technology should be funded by the agencies that own and operate the Federal hydropower facilities, not by the Department of Energy.

Solar Energy.—The conference agreement includes $86,533,000 for solar energy programs. As in prior fiscal years, the conferees have combined the concentrating solar power, photovoltaic energy systems, and solar building technology subprograms into a single program for solar energy, with the control level at the solar energy program account level. The Southeast and Southwest photovoltaic stations are to be funded at current year levels and the conferees direct the Department to continue to support the public-private Million Solar Roofs program. The conferees include $6,000,000 from within available funds for concentrating solar power. The conference agreement includes $200,000 for Photovoltaic panels for the Mark Twain House and Museum; $750,000 for the Solar Technology Center at the University of Nevada-Las Vegas; $1,500,000 for Photonics Research and Development at the University of Nevada-Las Vegas; $4,500,000 for the evaluation of solar-powered thermo-chemical production of hydrogen for the University of Nevada-Las Vegas; $400,000 for the University of Louisville Sustainable Buildings project; $1,500,000 for the Conductive Coatings for Solar Cells project; and $250,000 for the Town of Yucca Valley solar energy project (CA).

Wind.—The conference agreement includes $41,600,000 for wind programs. The conference agreement includes $500,000 for the North Dakota Hydrogen Wind Pilot Project; $500,000 for the Great Plains Wind Energy Transmission Development Project; $1,500,000 for the Alaska Wind Energy project; $500,000 for the Renewable Energy for Rural Economic Development Program, Utah State University (UT); $500,000 for the Iowa Lakes Community College wind turbine project; and $525,000 for the St. Francis University (PA) wind farm project.

Intergovernmental Activities.—The conference agreement includes $17,000,000 for renewable support and implementation. This amount includes $6,500,000 for the international renewable energy program, including $2,000,000 for the International Utility Electricity Partnership (IUEP), $5,500,000 for tribal energy, and $5,000,000 for the Renewable Energy Production Incentive (REPI). The conference agreement includes $1,000,000 for the Pyramid Lake Paiute Tribe Renewable Energy Park; $1,000,000 for the Council of Renewable Energy Resource Tribes (CERT); and $600,000 for the Clean Energy Technology Exports (CETE) initiative. The funds for CETE are provided to the Office of International Energy Market Development in the Department of Energy to carry out a program in support of the multi-Agency Clean Energy Technology Exports Initiative.

Renewable Support and Implementation.—The conference agreement provides $4,967,000, including $1,967,000 for departmental energy management and $3,000,000 to continue the efforts of the National Renewable Energy Laboratory (NREL) to develop renewable energy resources uniquely suited to the Southwestern United States through its virtual site office in Nevada.

National Climate Change Technology Initiative.—The conferees provide no funds for this initiative.

Facilities and Infrastructure.—The conference agreement provides the requested amount of $4,800,000 for the National Renewable Energy Laboratory (NREL) and includes an additional $6,680,000 for construction of the new Science and Technology facility at NREL (project 02–E–001).

Program Direction.—The conference agreement includes $19,211,000 for program direction.

ELECTRICITY TRANSMISSION AND DISTRIBUTION

The conference agreement provides $121,155,000 for Electricity Transmission and Distribution. The conference agreement includes $5,000,000 to accelerate the operation of the national SCADA testbed at the Idaho National Laboratory. The conferees provide $5,500,000 for the GridWorks initiative and $6,500,000 for the GridWise initiative, which includes an additional $1,500,000 in GridWise for the Northwest Regional Demonstration project. The conference agreement includes: $750,000 for the Electric Utility Transmission and Distribution Line Engineering Project; $325,000 for the Pacific Northwest Bi-National Regional Energy Planning Initiative (AK); $3,000,000 for the Western Environmental Technology Office; $2,000,000 for the University of Missouri at Rolla electric transmission program; $1,000,000 for the Smart Energy Management Control Systems project in Alabama; $1,500,000 for the Northwest Indiana Electric Infrastructure project; $1,500,000 for the University of Notre Dame for research on ionic fluids for power distribution; $1,500,000 for the Center for Grid Modernization (PA); $1,000,000 for the Large Scale Energy Center in Michigan; $750,000 for research on advanced ceramic engines and materials for energy applications; $1,000,000 for the National Center for Reliable Electric Power Transmission to develop high power silicon-carbide based power electronics systems (AR); $2,000,000 to continue development of the bi-polar Ni-Mh wafer cell battery storage system; $1,500,000 for the Iowa Stored Energy Plant using an underground aquifer; $2,000,000 for research, development, and demonstration of advanced thermal energy storage technology integrated with renewable thermal energy technology; $5,000,000 for a Florida state-wide university research initiative on electric power infrastructure and security; $3,000,000 for research into lead carbon acid asymmetric supercapacitors; and $400,000 for Dine Power in New Mexico. The conference agreement provides $500,000 for alternative fuel source study in Alabama.

The conference agreement includes $10,500,000 for the National Energy Technology Laboratory (NETL) for energy assurance technology and electric grid modeling activities, including $3,000,000 for program direction, travel, and other related direct and indirect expenses. An additional $5,000,000 shall be for NETL to continue the planning, design, and construction of an energy information training facility at Camp Dawson. An additional $4,000,000 shall be available to continue physical improvements at the facility.

The conferees agree that the Office of Energy Assurance should be closed and that the functions of that office should be merged

with the functions of the Office of Electricity Transmission and Distribution.

NUCLEAR ENERGY

The conference agreement provides a total of $513,271,000 for Nuclear Energy. The Office of Nuclear Energy, Science and Technology is the lead office with landlord responsibilities for the Idaho site. Because this site provides considerable support to defense activities and naval nuclear reactors, $114,347,000 of costs are allocated to other defense activities and $10,000,000 is allocated to Naval Reactors. Both programs are in the 050 budget function.

The conferees commend the State of South Carolina for recently creating one of the first new graduate nuclear engineering programs in the last 20 years. The conferees provide $1,500,000 from available funds to support this effort. The conferees also support the efforts of the University of Nevada-Las Vegas to launch a graduate nuclear engineering program and instruct the Department to support this worthy effort.

University reactor fuel assistance and support.—The conference agreement includes $24,000,000.

Research and development.—The conference agreement provides $172,000,000 for nuclear energy research and development activities. The conference agreement includes $2,500,000 for nuclear energy plant optimization (NEPO) to address the effects of aging on material in nuclear plants, $2,500,000 for the nuclear energy research initiative (NERI), $50,000,000 for Nuclear Power 2010, $40,000,000 for the Generation IV nuclear energy systems initiative, $9,000,000 for the nuclear hydrogen initiative, and $68,000,000 for the Advanced Fuel Cycle Initiative (AFCI). These NERI funds are in addition to funds included in the request for other nuclear research and development items.

For Nuclear Power 2010, the conferees direct the Department to focus the resources on the demonstration of the regulatory licensing processes of 10 CFR Part 52 for early site permits, design certifications, and combined construction and operating licenses. This is to be cost-shared with industrial and governmental entities.

Within the funding for Generation IV, the conferees direct that $25,000,000 be used for the Next Generation Nuclear Plant (NGNP) project. The conferees expect the Department to submit a budget in fiscal year 2006 that is consistent with the goal of demonstrating hydrogen production and electricity generation by 2015 at the Idaho National Laboratory.

Within the Nuclear Hydrogen Initiative, the conferees provide $4,000,000 to the UNLV Research Foundation to continue research and development of high temperature heat exchangers and chemical processing equipment to permit demonstration of nuclear-powered production of hydrogen from water.

Within the Advanced Fuel Cycle Initiative, the conferees direct $7,000,000 to the UNLV Research Foundation for continued research; of this amount, $3,000,000 is provided for collaborative studies of "deep burn" fuel cycles in advanced nuclear reactor designs. Also within available funds, $3,000,000 is provided for the Idaho Accelerator Center and $7,000,000 is provided to develop a Nuclear Energy Materials Test Station at the Los Alamos Neutron

Science Center to advance the technology needed to support the materials and fuel experiments required by the Advanced Fuel Cycle and for the exploration of Generation IV fast neutron spectrum systems.

Radiological Facilities Management.—The Office of Nuclear Energy, Science and Technology operates a variety of facilities and equipment to support the needs of space, defense, and medical customers who obtain radiological materials from the Department of Energy on a reimbursable basis. The conference agreement provides $69,110,000 for this work.

Space and defense power systems infrastructure.—The conference agreement includes $33,800,000 to maintain the infrastructure necessary to support future national security needs and National Aeronautics and Space Administration missions.

Medical isotopes infrastructure.—The conference agreement includes $21,194,000 for the medical isotope program and $13,616,000 for construction of facility modifications for U–233 disposition at Oak Ridge National Laboratory.

Idaho Facilities Management.—The conference agreement provides $121,527,000 for Idaho National Laboratory operations and infrastructure. This funding covers activities previously funded separately in budget lines for ANL-West and INEEL. The conference agreement provides the requested amount of $1,523,000 for project 99–E–200, at the Test Reactor Area. Within available funds, $10,000,000 is provided for capital improvements and operational upgrades to the Advanced Test Reactor. Of these funds, $8,000,000 is designated for capital improvements, including the ATR Gas Loop and $2,000,000 is provided for operational systems and upgrades. The conferees provide $5,000,000 for critical infrastructure upgrades at Argonne National Laboratory-West.

Idaho Sitewide Safeguards and Security.—The conference agreement provides $58,103,000 for Idaho sitewide safeguards and security.

Spent Nuclear Fuel Management.—The conferees direct the Office of Nuclear Energy, Science and Technology to assume the responsibilities that were proposed for transfer to the Office of Civilian Radioactive Waste Management. The conference recommendation provides the requested amount of funding, $6,723,000. Within available funds, $1,500,000 is provided to inspect and repackage the spent fuel stored at the Lynchburg Technology Center in Virginia.

Program direction.—The conference agreement includes $60,285,000 for program direction.

ENVIRONMENT, SAFETY, AND HEALTH (NON-DEFENSE)

The conference agreement provides $28,000,000 for non-defense environment, safety and health activities, which includes $20,000,000 for program direction. The conference agreement includes the transfer of $700,000 to the Occupational Health and Safety Administration (OSHA) for the costs of OSHA regulation of worker health and safety at DOE's non-nuclear facilities not covered under the Atomic Energy Act.

OFFICE OF LEGACY MANAGEMENT (NON-DEFENSE)

The conference agreement provides $31,130,000 for the Office of Legacy Management, the same as the budget request.

NON-DEFENSE SITE ACCELERATION COMPLETION

The conference agreement provides $151,850,000 for Non-Defense Site Acceleration.

2006 Accelerated Completions.—The conference agreement provides $45,435,000, the same as the budget request.

2012 Accelerated Completions.—The conference agreement provides $98,191,000, the same as the budget request.

2035 Accelerated Completions.—The conference agreement provides $8,224,000 for 2035 Accelerated Completions. The Conferees' recommendation includes the requested $7,773,000 to accelerate remediation of the former Atlas Mill Site in Moab, Utah.

NON-DEFENSE ENVIRONMENTAL SERVICES

The conference agreement provides $291,296,000 for non-defense environmental services.

Community and regulatory support.—The conference agreement provides $90,000, the same as the budget request.

Environmental cleanup projects.—The conference agreement provides $46,083,000, the same as the budget request.

Non-closure environmental activities.—The conference agreement provides $245,123,000, the same as the budget request. The conferees provide $100,000,000 for the Depleted Uranium Hexafluoride Conversion Project, Paducah, Kentucky and Portsmouth, Ohio (project 02–U–101), including an additional $7,400,000 to ensure that conversion and disposition of the accumulated DUF6 is carried out as soon as is safely possible.

URANIUM ENRICHMENT DECONTAMINATION AND DECOMMISSIONING FUND

The conference agreement provides $499,007,000 for activities funded from the Uranium Enrichment Decontamination and Decommissioning Fund.

The Conferees' recommendation provides a total of $112,178,000 for activities related to the Paducah Gaseous Diffusion Plant. The Conferees provide $19,421,000 in additional funds to accelerate characterization and disposal of legacy waste stored at the plant, including 50,000 tons of scrap metal and 41,000 drums of low-level waste at the Paducah Gaseous Diffusion Plant. The conferees provide $80,000,000 for uranium and thorium reimbursements.

The Conferees reiterate the fiscal year 2004 conference guidance regarding the barter arrangement.

SCIENCE

The Science account funds the Department's work on high energy physics, nuclear physics, biological and environmental sciences, basic energy sciences, advanced scientific computing, maintenance of the laboratories' physical infrastructure, fusion en-

ergy sciences, safeguards and security, science workforce development, and science program direction. The conference agreement provides $3,628,902,000. The conferees encourage the Department to request sufficient funds for the Office of Science in fiscal year 2006 to operate user facilities for as much time as possible, to enhance user support, and to upgrade essential equipment at the Department's Science user facilities.

The conferees reiterate their support for broader participation by universities in DOE's research programs, including existing user facilities and potential new user facilities. The conferees are aware of the Office of Science's strategy for future facilities. Where existing facilities provide capabilities critical to a new user facility, colocation is appropriate; where this is not the case, the location of new user facilities should be openly competed. Regardless of location, broad participation in design by staff from national laboratories, user faculty from colleges, universities, and industrial investigators and groups should be sought. All of these user groups must have access to these capabilities on a competitive basis.

High energy physics.—The conference agreement provides $741,629,000 for high energy physics research. The control level is at the High Energy Physics level. The conferees encourage the Department to proceed with the Dark Energy Mission even if the primary science of the mission and mission development must be pursued by the Department so as to avoid schedule delays resulting from implementing the mission jointly with NASA. International cooperation and appropriate launch arrangements should be pursued where appropriate. The conferees recognize that an excellent and energized science team has been assembled for this exciting mission. Within available funds, the conferees redirect $5,000,000 from the Science Laboratories Infrastrucuture construction funds at the Stanford Linear Accelerator Center MEL–001 Subproject 36 to the High Energy Physics account for the research program at SLAC.

Nuclear physics.—The conference agreement provides $408,040,000 for nuclear physics. An additional $5,000,000 is provided to continue research and development and initiate concept design activities for the Rare Isotope Accelerator, and an additional $7,000,000 is provided to increase utilization of the user facilities in the Nuclear Physics program.

Biological and environmental research.—The conference agreement includes $576,590,000 for biological and environmental research. The conference agreement provides an additional $10,000,000 to initiate Project Engineering and Design for the proposed new facility for the production and characterization of proteins and molecular tags. The Conferees do not agree with the Department's strategy of restricting competition for such a facility to only the DOE national laboratories. The Department should present in the fiscal year 2006 budget request an alternate procurement strategy for this and future Genomes to Life (GTL) facilities that will maximize rather than limit competition and will allow universities and other entities to compete with DOE national laboratories for these new GTL facilities. The Department is encouraged to consult with NASA, which for decades has conducted competitions for the development of research instrumentation among

universities, NASA, DOE, and other government laboratories, and other entities including for-profit corporations.

The conference agreement includes $2,000,000 for a science building at Waubonsee Community College in Illinois; $1,000,000 for digital playback hardware and software for recording for the blind and dyslexic; $600,000 for All Children's Hospital in Florida; $300,000 for Eckerd College in Florida; $2,000,000 for Applied Research and Technology Park electrical and communication infrastructure improvements in Springfield, Ohio; $250,000 for a Multiple Sclerosis, Alzheimer's, Parkinson's, Lou Gehrig's Imaging System at the Cleveland Clinic in Ohio; $125,000 for Duchenne Muscular Dystrophy research-related equipment at Children's National Medical Center in the District of Columbia; $125,000 for Duchenne Muscular Dystrophy research-related equipment at the University of Washington-Seattle; $500,000 for the Northeast Regional Cancer Center in Scranton, Pennsylvania; $250,000 for Ohio State University for environmental research in cooperation with Earth University; $125,000 for the University of Akron, Ohio, Polymer Center; $125,000 for the Ohio Northern University, Ada, Ohio, Science and Pharmacy Building; $250,000 for the Alabama A&M University; $600,000 for University of Texas at Arlington optical medical imaging equipment; $1,000,000 for the Missouri Alternative and Renewable Energy Technology Center, Crowder College; $600,000 for the San Antonio, Texas, Cancer Research and Therapy Center; $250,000 for the University of South Alabama Cancer Center; $1,250,000 for the Virginia Commonwealth University Massey Cancer Center; $250,000 for the Saint Francis Hospital, Delaware, Cardiac Catheterization Lab; $450,000 for the Jacksonville University Environmental Science Center; $600,000 for the Houston, Texas, Alliance for Nanohealth; $250,000 for the Virginia Science Museum; $1,000,000 for the Polly Ryon Memorial Hospital, Texas; $250,000 for the St. Thomas University Minority Science Center, Miami, Florida; $500,000 for Project Intellicare, Roseville, California; $250,000 for the Virginia Polytechnic Institute Center for High-Performance Learning Environment; $500,000 for Georgia State University; $700,000 for the Michigan Research Institute for life science research; $700,000 for the University of Arizona Environment and Natural Resources Phase II Facility; $250,000 for the Children's Hospital of Illinois ambulatory care project; $700,000 for the Loma Linda University, California, Medical Center synchrotron expansion; $250,000 for the University of Dubuque, Iowa, Environmental Science Center; $250,000 for the Ball State University, Indiana, Bioenergetics Research Initiative; $600,000 for the Clearfield Area School District, Pennsylvania, Energy Initiative; $500,000 for Digital Cardiology equipment at Children's Hospital and Research Center, Oakland, California; $750,000 for the National Childhood Cancer Foundation; $250,000 for the Roswell Park Cancer Institute, New York, Center for Genetics and Pharmacology; $250,000 for Bucknell University, Pennsylvania, Materials Science Laboratory; $1,000,000 for the Science Center at Mystic Seaport, Connecticut; $250,000 for the Saratoga Hospital, New York, radiation therapy center; $600,000 for the San Joaquin Community Hospital, Bakersfield, California; $700,000 for the Syracuse University, New York, Environmental Systems Center; $600,000

for the University of Tennessee Sim Center; and $250,000 for the St. Mary's Hospital, Kankakee, Illinois.

The conference agreement includes $575,000 for the Derby Center for Science and Mathematics at Lyon College in Arkansas; $1,000,000 for the Rush Presbyterian St. Luke's Medical Center in Illinois; $1,000,000 for Medical Research and Robotics at the University of Southern California; $750,000 for the Advanced Building Efficiency Testbed at Carnegie Mellon University; $1,000,000 for DePaul University Biological Sciences; $500,000 for the Philadelphia Educational Advancement Alliance; $750,000 for Northwestern University Institute of Bioengineering and Nanoscience in Medicine; $500,000 for the Rensselaer Polytechnical Institute Center for Bioscience; $750,000 for St. Peter's Biotechnical Research in New Jersey; $160,000 for the Berkshire Environmental Center in Massachusetts; $500,000 for the Center for the Environment at the University of Massachusetts; $1,000,000 for technical upgrades at St. Joseph Hospital in Arizona; $515,000 for the Center for Science at the University of San Francisco in California; $1,000,000 for Augsburg College in Minnesota; $1,000,000 for the Bronx Community Center for Sustainable Energy; $500,000 for Marquette General Hospital in Marquette, Michigan; $1,500,000 for the Illinois-Indiana Super-Grid Program connecting Argonne National Laboratory and Purdue and Notre Dame Universities; $1,000,000 for the Purdue Calumet Water Environmental Institute; $1,000,000 for the Multi-Discipline Engineering Institute at Notre Dame in Indiana; and $1,000,000 for the Energy Efficiency Project at Valparaiso University in Indiana.

The conference agreement provides $11,000,000 for the Mental Illness and Neuroscience Discovery Institute in New Mexico; $1,800,000 for Military Spirit in New Mexico; $2,000,000 for the Academic Center Sustainable Design Project at St. Francis College, New York; $3,000,000 for the University of Louisville Pediatric Clinical Proteomic Center; $2,000,000 for the University of Louisville Institute for Advanced Materials; $2,000,000 for the Advanced Bioreactor located in Butte, Montana; $1,200,000 to expand the Center for Integrated and Applied Environmental Toxicology at the University of Southern Maine; $500,000 for the University of Tennessee Cancer Institute; and $500,000 for St. Jude Children's Research Hospital in Tennessee.

The conference agreement includes $250,000 for the Huntsman Cancer Institute; $500,000 for the Mega-Voltage Cargo Imaging Development Applications for the Nevada Test Site; $500,000 for the California Hospital Medical Center PET/CT Fusion Imaging System; $500,000 for the Luci Curci Cancer Center Linear Accelerator; $500,000 for Project Intellicare in California; $750,000 for the University Medical Center in Las Vegas, Nevada; $500,000 for the Southern California Water Education Center; $500,000 for Live Cell Molecular Imaging System at the University of Connecticut; $500,000 for the St. Francis Hospital Wilmington, Delaware, MRI and Cardiac Catherization Laboratory; $500,000 for the University of Delaware for the Delaware Biology Institute; $500,000 for the University of Nevada-Las Vegas School of Public Health; $250,000 for the Latino Development and Technology Center; $250,000 for the Swedish American Health Systems; $250,000 for DePaul Uni-

versity Chemistry Lab Renovation Project; $250,000 for the Edward Hospital Cancer Center; $500,000 for the Mary Bird Perkins Cancer Center; $500,000 for the Morgan State University Center for Environmental Toxicology; $500,000 for the Suburban Hospital in Montgomery County, Maryland; $500,000 for the University of Massachusetts at Boston Multidisciplinary Research Facility and Library; $500,000 for the Martha's Vineyard Hospital; $750,000 for the Nevada Cancer Institute; $500,000 for the Mercy Hospital Grayling, Michigan Rural Healthcare Advancement Initiative; $750,000 for the Health Sciences Complex at Creighton University; $500,000 for the Hackensack University Medical Center Women and Children's Pavilion; $500,000 for the Kennedy Health System Linear Accelerator; $750,000 for the University of Buffalo Center of Excellence in Bioinformatics; $500,000 for the Hospital for Special Surgery National Center for Musculoskeletal Research; $500,000 for the New University in New York City; $500,000 for the Radiochemistry research facility at the University of Nevada-Las Vegas; $250,000 for the Hauptman-Woodward Medical Research Institute; $1,000,000 for the Vermont Institute of Natural Science; and $750,000 for the Tahoe Center for Environmental Services.

Molecular Medicine.—The conferees continue to support research that brings together PET imaging, systems biology and nanotechnology to develop new molecular imaging probes. These probes should provide a biological diagnosis of disease that it informative of the molecular basis of disease and specific for guiding the development of new molecular therapies.

The conferees are concerned about consequence mitigation activities and public health impacts associated with the threat of any radiological event and strongly encourage the Department to develop therapeutic radiological countermeasures to protect against exposure to the effects of ionizing radiation. The conferees are aware of the potential of inositol radiation and encourages the Department to support research of this emerging technology. The conferees recommend that the Department fund medical therapy research and other treatment options to protect the public health against radiation exposure.

The conferees strongly support the Department's efforts to maintain the scientific infrastructure of the Nation's structural biology assets, and encourage the Department to work to address the needs within the broader community. The Department should continue to work constructively with the non- profit entity operating the X4A and X4C beamlines to fund state-of-the-art detectors, goniometers, and automated sample changing equipment, using available funds.

Basic Energy Sciences.—The conference agreement includes $1,113,530,000 for Basic Energy Sciences. The conference agreement includes $628,228,000 for materials sciences and engineering research, and $253,422,000 for chemical sciences, geosciences, and energy biosciences. For purposes of reprogramming during fiscal year 2005, the Department may allocate funding among all operating accounts within Basic Energy Sciences. The conference agreement also provides the request of $7,673,000 for the Experimental Program to Stimulate Competitive Research (EPSCoR).

Advanced scientific computing research.—The conference agreement includes $234,340,000 for advanced scientific computing research (ASCR), an increase of $30,000,000 over the budget request, with not more than $25,000,000 devoted to hardware. The conferees support the House Report language on ASCR.

Science laboratories infrastructure.—The conference agreement provides $42,336,000 for science laboratories infrastructure, including an additional $5,000,000 to correct safety deficiencies at Science laboratories, and $6,100,000 additional for excess facilities disposal.

The conference agreement provides the requested amounts of $1,766,000 for infrastructure support, $5,079,000 for Oak Ridge landlord costs, and $24,391,000 for construction of various infrastructure projects (MEL–001). Of this increase, $5,000,000 additional is provided to continue infrastructure subproject 18 under MEL–001 to support continuing activities at the Pacific Northwest National Laboratory to replace the infrastructure being displaced by the closure of the 300 Area at the Hanford site.

Fusion energy sciences.—The conference agreement includes $276,110,000 for fusion energy sciences, an increase of $12,000,000 over the budget request. The additional $12,000,000 is to be used to increase the utilization of existing large and small experiments; further work in inertial fusion technology; take advantage of opportunities in High Energy Density Physics, including research on fast ignition, and large-scale scientific computing; and provide for cost-effective construction and development of the National Compact Stellarator Experiment. The conference notes the delay in site selection for the International Thermonuclear Experimental Reactor (ITER) and directs the Department to reduce its planned expenditures on ITER in fiscal year 2005 in consideration of this delay.

Safeguards and security.—The conference agreement includes $73,315,000 for safeguards and security activities at laboratories and facilities managed by the Office of Science.

Science workforce development.—The conference agreement provides the requested amount of $7,660,000 for science workforce development. The conferees encourage the Department to provide funds and technical expertise for high school students to participate in the For Inspiration and Recognition of Science and Technology (FIRST) robotics competition.

Science program direction.—The conference agreement includes $155,268,000 for science program direction. This amount includes $89,341,000 for field offices and $65,927,000 for headquarters. The control level for fiscal year 2005 is at the program account level of Science Program Direction.

Funding adjustments.—The conference agreement includes an offset of $5,605,000 for the safeguards and security charge for reimbursable work, as proposed in the budget request. The conference agreement also includes the use of $5,062,000 of prior year balances.

NUCLEAR WASTE DISPOSAL

The conference agreement provides $346,000,000 for Nuclear Waste Disposal. When combined with the $231,000,000 appropriated from the Defense Nuclear Waste Disposal account, a total

of $577,000,000 will be available for program activities in fiscal year 2005. The conferees have provided $2,000,000 for the State of Nevada and $8,000,000 for the Affected Units of Local Government (AULG) for project oversight.

DEPARTMENTAL ADMINISTRATION

(INCLUDING TRANSFER OF FUNDS)

The conference agreement provides $332,866,000 for Departmental Administration expenses. Including a transfer of $92,440,000 from Other Defense Activities, and revenues of $122,000,000, the same as estimated by the Congressional Budget Office, this results in a net appropriation of $118,426,000.

Specific funding levels for each Departmental organization are provided in the accompanying table.

Reprogramming guidelines.—The conference agreement provides reprogramming authority of $1,000,000 or 10 percent, whichever is less, within the Departmental Administration account without prior submission of a reprogramming to be approved by the House and Senate Committees on Appropriations. No individual program account may be increased or decreased by more than this amount during the fiscal year using this reprogramming authority. Congressional notification within 30 days of the use of this reprogramming authority is required. Transfers which would result in increases or decreases in excess of $1,000,000 or 10 percent to an individual program account require prior notification and approval.

OFFICE OF THE INSPECTOR GENERAL

The conference agreement provides $41,508,000 for the Inspector General.

ATOMIC ENERGY DEFENSE ACTIVITIES

NATIONAL NUCLEAR SECURITY ADMINISTRATION

WEAPONS ACTIVITIES

(INCLUDING TRANSFER OF FUNDS)

The National Nuclear Security Administration (NNSA), a semi-autonomous agency within the Department of Energy, manages the Nation's nuclear weapons, nuclear nonproliferation, and naval reactors activities.

The conference agreement provides $6,526,471,000 for Weapons Activities.

Availability of funds.—The conference agreement makes funds available until expended.

Directed stockpile work (DSW).—The conference agreement includes $1,316,936,000 for directed stockpile work. The conference agreement provides $460,754,000 for DSW Life Extension Programs. The conference agreement provides $511,095,000 for DSW Stockpile Systems and $75,000,000 for DSW Retired Warheads Stockpile systems. The conferees do not provide $9,000,000 for advanced concepts research on new weapons designs, but the same

amount is made available for the Reliable Replacement Warhead program to improve the reliability, longevity, and certifiability of existing weapons and their components. The conference agreement provides $270,087,000 for DSW Stockpile services. No funds have been provided for the Robust Nuclear Earth Penetrator (RNEP).

The Conferees support a degree of flexibility in executing this budget by providing limited reprogramming authority within Directed Stockpile Work [DSW]. The control levels for the DSW program are:

(1) Life Extension Programs;

(2) Stockpile Systems;

(3) Retired Warhead Stockpile Systems; and

(4) Stockpile Services.

Campaigns.—Funding for individual campaigns is shown on the accompanying table. From within funds provided for the various campaigns, $4,350,000 is provided for the University Research Program in Robotics.

For science campaigns, the conference agreement provides $279,462,000. The conference agreement provides $73,973,000 for primary assessment technologies; $86,521,000 for dynamic materials properties program and $55,371,000 for the advanced radiography program. The conference provided $63,597,000 for secondary assessment technologies.

Within available funds, the conferees provide $7,500,000 to support Dynamic Materials Properties at the Nevada Test Site [NTS], experiments on dynamic materials properties at the Atlas facility and plutonium experiments at the Joint Actinide Shock Physics Experimental facility [JASPER].

Within available funds, the Department is directed to work with the UNLV Research Foundation to organize and lead a consortium of universities to design, prepare, and conduct experiments on the Atlas Machine.

Within Primary Assessment Technologies, NNSA is directed to fund the Nevada Test Site [NTS] to maintain the critical personnel skills and institutional viability in direct support of the subcritical experiment program.

The conference agreement provides $260,830,000 for engineering campaigns. The conference agreement for the enhanced surety campaign is $33,121,000. The conference agreement for the weapons system engineering assessment technology is $27,270,000. The conference agreement for nuclear survivability is $9,460,000 and the conference recommendation for enhanced surveillance campaign is $99,879,000.

Engineering campaign construction projects.—-The conference agreement provides $86,500,000 for Project 01–D–108, Microsystem and engineering science applications (MESA) at Sandia, in New Mexico.

Inertial Confinement Fusion Ignition and High Yield.—The conference agreement includes $541,034,000 for the inertial confinement fusion ignition and high yield program. This represents a $25,000,000 cut of the NIF project baseline. An additional $46,000,000 is provided to support expanded research in non-NIF related ICF research including petawatt and high-energy petawatt laser development. Funding also enables continued development of

the beryllium shell targets currently envisioned for ignition demonstrations in 2010. This target, if successful, may enable advancement of the 2014 date for ignition specified in the budget request documentation, a date which represents a 4 year slip from the original goal of 2010. Since demonstration of ignition by 2010 was the rationale provided for construction of NIF under the current baseline funding, the conference is extremely concerned with suggestions of major delay in that date and requires that effort focus on achieving that goal on the timescale originally proposed. Until very recently, the beryllium shell and fill tube design was not considered viable, but it is now viewed by the program managers as the best option for regaining the 2010 ignition goal. Significant risks are associated with this design however, which is why this target design was not considered earlier in the program. To estimate the probability of success for this new target design, the conference mandates that a full review of NIF progress and the use and promise of this target be accomplished by an outside panel of experts, the JASONs, to validate the current NIF construction baseline and the outlook for ignition with this target design. As part of this validation, experiments should be designed and completed on alternative drivers, such as LLE at the University of Rochester and the Z machine at Sandia National Laboratories, to increase confidence in the performance of this target. The conference further requires that these experiments, as well as the JASON review, be used to develop a position paper authored by the NNSA Laboratory and LLE Directors by June 2005, discussing the promise of this target design to achieve ignition on the original schedule of 2010, 4 years ahead of the date specified in the current Budget. The conference is also aware that the laser glass used in the Japanese GEKKO program, which is identical to the optics used in the NIF project, has significantly degraded in efficiency over time. The conference requests the JASONs undertake a study utilizing the Japanese laser optic operations as a measure to determine if the NIF laser optics are performing as originally estimated and what impact this will have on the project, the ability to achieve ignition by 2010 and the overall lifecycle costs of replacing the optics more frequently. The conference provides $5,000,000 for the development of advanced target fabrication and diagnostic techniques required to support experiments at Omega, Z machine and NIF employing advanced materials. Target fabrication and manufacturing capabilities are critical in fielding increasingly sophisticated experiments.

Petawatt Lasers.—The conference recommendation includes an additional $6,000,000 for university grants and other support. Of this amount, $3,000,000 is provided for continued development of the petawatt laser at the University of Texas at Austin; $1,000,000 is provided for an optical parametric chirped pulse amplifier upgrade and associated operations of the short pulse laser at the University of Nevada, Reno; $1,000,000 is provided to the University of Nevada, Reno to continue its collaboration with Sandia National Laboratories on highly diagnosed studies of exploding wire arrays and implosion dynamics; and $1,000,000 is provided for research using the Z- Beamlet laser at Sandia National Laboratories under the Z-Petawatt Consortium that includes the University of Texas

at Austin, the University of California, San Diego, the University of California, Davis, the University of Nevada, Reno, the University of Michigan, the University of Rochester, Ohio State University and the General Atomics Corporation.

Inertial Fusion Technology.—The conferees also include $25,000,000 to continue development of high average power lasers and supporting science and technology, the budget request for the Naval Research Laboratory, and $73,469,000 for the University of Rochester, an increase of $28,000,000 over the budget request. The additional funding is provided to the University of Rochester's Laboratory for Laser Energetics for the OMEGA Extended Performance (EP) Facility in support of the nation's stockpile stewardship program. The conference recommendation includes $9,000,000 to initiate double-shift operations and assessments and initial development and testing of Z-pinch inertial fusion energy. The conference recommendation includes $1,000,000 to the University of Nevada-Reno for magnetized plasma/laser interaction studies at the Nevada Terawatt Facility, using the Zebra pulse power machine and the Leopard short pulse laser system.

National Ignition Facility.—Within the funds provided, $130,000,000 is for National Ignition Facility (NIF) construction, Project 96–D–111.

Advanced Simulation and Computing.—The conference agreement provides $703,760,000. From within available funds for advanced simulation and computing, $10,000,000 is provided for the Ohio Supercomputing Center high-end computer network at its Springfield, Ohio site; $2,500,000 is provided to complete Phase I of the demonstration project of three-dimensional chip scale packaging integrated with spray cooling at Pacific Northwest National Laboratory. The conferees direct the University Partnerships program be funded at the budget request.

For the pit manufacturing and certification campaign, the conference agreement provides $265,671,000. The conference agreement provides $132,005,000 for W88 pit manufacturing and $60,960,000 for W88 pit certification, the same as the budget request. Providing the requested level of funding will ensure that the NNSA maintains its commitment to produce a certified W88 pit by 2007. The conference agreement provides $13,500,000 for Pit Manufacturing Capability and $7,000,000 for Modern Pit Facility. The conferees agree that funding for Modern Pit Facility cannot be used to select a construction site in fiscal year 2005.

For readiness campaigns, the conference agreement provides $272,627,000. The conference agreement provides $45,812,000 for the Stockpile readiness campaign. High explosives weapons operations is funded at $34,220,000. The conference agreement provides $32,957,000 for the non-nuclear readiness campaign. The conference agreement provides $79,788,000 for the advanced design and production technologies campaign. Funding for the tritium readiness campaign is the same as the budget request. The Conferees are aware of the successful partnership between the NNSA and the University of Nevada-Las Vegas and the University of Nevada-Reno that have been fostered through a series of cooperative agreements. The Department is encouraged to renew these agreements at higher levels as appropriate.

Readiness in technical base and facilities.—For readiness in technical base and facilities, the conference agreement provides $1,121,557,000 for operations of facilities.

Within funds provided for operations of facilities, the conferees provide an additional $45,000,000 for the Pantex Plant in Texas; and an additional $50,000,000 for the Y–12 Plant in Oak Ridge, Tennessee; and an additional $5,000,000 for the Kansas City Plant. For Program Readiness, the conference agreement provides $106,204,000.

Within available funds, an additional $5,000,000 is provided to support the operation for the facilities at the Nevada Test Sites, including the Device Assembly Facility, the Joint Actinide Shock Physics Experimental facility, operations associated with the Atlas relocation project, U1a operations, general plant projects and other NTS support facilities. Finally, the conferees provide an additional $1,000,000 to the Nevada Site Office for testing and enablement of water filters to mitigate consequences of radionuclides in drinking water. The conference agreement includes an additional $13,000,000 within the funds provided for modification of the Z-Beamlett laser at the Z Pinch at Sandia National Laboratory.

For continued facility upgrades, refurbishments, operation and maintenance costs associated with and for the National Center for Combating Terrorism [NCCT] at the Nevada Test Site, an additional $25,000,000 is provided. Within the funds provided for NCCT, the conference agreement includes $2,500,000 to the UNLV Research Foundation to support the ongoing programs of the Institute for Security Studies including research and development, training and collaborative activities related to combating terrorism, emergency response and consequence management. The recommendation also includes, within funds provided, $2,500,000 for the UNR Fire Sciences Academy.

For Special Projects, the conference agreement provides $41,500,000. Within the available funds, $3,000,000 for magnetized high energy density matter research at the Nevada Terawatt facility at the University of Nevada-Reno; and $1,000,000 to continue the ongoing administration infrastructure support grant for the UNLV Research Foundation; $750,000 to the UNLV Research Foundation to establish and certify a radioanalytical services laboratory to support emergency management training activities and actual radiological events; $10,000,000 for settlement of claims for the Pajarito Plateau homesteaders pertaining to acquisition of their lands and property during the Manhattan Project; and $8,000,000 for Los Alamos County Schools Program.

From within available funds, $5,000,000 for National Energy Technology Laboratory to use the Plasma Separation Process to develop high energy isomers and isotopes for energy storage and utilization. From within available funds, the conferees provide $2,000,000 for the Airborne Particulate Threat Assessment program; $2,000,000 for the Secure Wireless Technology Program; $1,000,000 for the Total Asset Management (TAMS) program; $2,000,000 for Integrated Collaborative Prototyping for Y–12; and $2,000,000 for development of multi-platform dosimeter Radiation Detection devices. The conference provides $2,000,000 for the Na-

tional Center for Biodefense at George Mason University in Virginia.

The conference agreement includes $86,965,000 for materials recycle and recovery, the same as the budget request. The conferees continue to be concerned about the fire station support at the Nevada Test Site and are pleased by the decision to use a design-build acquisition strategy for the fire station and encourage completion at the earliest possible time within the funding that has been provided. The conference agreement also includes an additional $16,000,000 for the Los Alamos National Laboratory for the CMR Building 04–D–125.

The conference agreement includes the budget request of $17,910,000 for containers and $18,982,000 for storage.

Construction projects.—

Project 05–D–140, Project engineering and design (PED)—RTBF, various locations. The conferees provide $16,600,000, an increase of $5,000,000. The additional PED funds are provided to begin planning for impact-resistant bunkers for additional warhead storage facilities for nuclear warheads with conventional high explosives at the Pantex Plant in Texas.

Project 04–D–125, Chemistry and Metallurgy Research Facility Replacement (CMRR)—LANL. The conference provides $40,000,000 for the CMRR project.

Project 01–D–124, Highly Enriched Uranium Materials Facility, Y–12 National Security Complex, Oak Ridge, TN. The conference provides $114,000,000, an increase of $50,000,000 over the budget request.

Facilities and Infrastructure Recapitalization.—The conference agreement includes $316,224,000 for the facilities and infrastructure (F&I) recapitalization program.

Secure Transportation Asset.—The conference agreement provides $201,300,000 for secure transportation asset. The conference agreement provides $57,427,000 for STA program direction. Consistent with the new triad as outlined in the Nuclear Posture Review, NNSA is working to create a responsive infrastructure to deliver needed facilities at lower cost and with greater speed. The conference encourages NNSA to explore opportunities for third party financing where appropriate.

Nuclear Weapons Incident Response.—The conference agreement provides $99,209,000 for nuclear weapons incident response.

Safeguards and Security.—The conference agreement includes $757,678,000, for safeguards and security activities at laboratories and facilities managed by the National Nuclear Security Administration. The conferees provide an additional $30,000,000 at the Y–12 plant in Tennessee to accelerate security infrastructure upgrades and consolidate the facility footprint. The conferees provide an additional $20,000,000 for the expansion of the red network at Los Alamos National Laboratory to reduce the necessity for CREM.

Funding Adjustments.—The conference agreement includes an adjustment of $30,000,000 for a security charge for reimbursable work, as proposed in the budget, and the use of $86,000,000 in prior year balances.

DEFENSE NUCLEAR NONPROLIFERATION

The conference agreement provides $1,420,397,000 for Defense Nuclear Nonproliferation.

Nonproliferation and Verification Research and Development.—The conference agreement provides $225,750,000 for nonproliferation and verification research and development. The conference agreement includes $20,000,000 for ground-based systems for treaty monitoring.

The conferees provide an additional $5,000,000 within Supporting Activities to support the ongoing regulatory and environmental activities for 300 Area replacement at Pacific Northwest National Laboratory that will allow PED to occur on an accelerated schedule. The conferees direct the Office of Nuclear Nonproliferation to coordinate closely with the Office of Science on the transition schedule and construction plans to maintain the national security capabilities resident at PNNL. From within available funds, the conferees provide $2,000,000 for testing of high-pressure xenon radiation detectors at the Brookhaven National Laboratory Rad-Tech facility for portal applications. From within the funds provided, the conference recommendation includes $3,500,000 for the University of Nevada-Reno for the development of state-of-the-art chemical, biological, and nuclear detection sensors. The conference recommendation includes the $2,000,000 for the UNLV research Foundation to continue to establish and operate within the Institute for Security Studies and applied research and technology capability in support for the effort to combat terrorism. An additional $500,000 is provided to support nanomaterial research related to sensor applications. The conference recognizes the unique mission capability the Los Alamos National Laboratory possesses through work performed at Technical Area 18 [TA–18] in areas of nuclear threat detection and response. In light of these important national security activities, the conferees direct the Secretary to perform an assessment as to the LANL role in managing the future CAT III/IV mission.

Nonproliferation and International Security.—The conference agreement provides $154,000,000 for nonproliferation and international security. The conferees include $20,000,000 for the Global Threat Reduction Initiative. The conferees provide $10,000,000 for initiatives focused on removing nuclear weapons-usable materials from vulnerable sites around the world. These activities are essential to prevent terrorist groups or states hostile to the United States from acquiring destructive nuclear capabilities. The Administrator, working with the Secretary, must utilize the NNSA's strength in the inter-agency process to become the lead agency for all such government activities worldwide. From within available funds, the conference agreement provides $150,000 to continue the collaboration between Texas A&M and Russian universities on nuclear facilities safety and decontamination and decommissioning technologies.

NON-PROLIFERATION PROGRAMS WITH RUSSIA

The conferees are disappointed the Administration has failed to negotiate an acceptable solution for liability to allow the MOX

program to move forward this year. As a result, another construction season will be missed in Russia. Not only does this raise serious concern from a national security standpoint, but it will also have serious repercussions here in the United States as a result of maintaining parity of the two construction schedules. The conferees strongly urge the Administration to find an acceptable solution in the near term in order to successfully complete negotiations and allow construction of both the Russian and United States mixed oxide fuel fabrication facilities to begin.

International Materials Protection, Control and Cooperation (MPC&A).—The conference recommendation is $322,000,000 for the MPC&A program, an increase of $84,000,000 over the budget request. The Conferees provide additional funds for MPC&A to accelerate securing nuclear warhead sites in Russia, begin MPC&A upgrades at the Russian Federation serial production enterprise sites and provide additional resources for the Second Line of Defense program to accelerate installation activities in the Baltic and Caucasus regions and other critical border activities. The conference provides the budget request within the Second Line of Defense program for the MegaPorts initiative. An increase of $50,000,000 is provided for other high priority MPC&A activities, to include countries outside the FSU.

Russian Transition Initiatives.—The conference agreement provides $41,000,000, for the Initiatives for Proliferation Prevention (IPP) program and the Nuclear Cities Initiative (NCI).

HEU Transparency Implementation.—The conference agreement provides $20,950,000, the same as the budget request.

Elimination of Weapons-Grade Plutonium Production.—The conference agreement includes $40,097,000 for the elimination of weapons-grade plutonium production program.

Fissile Materials Disposition.—The conference agreement provides $624,000,000 for fissile materials disposition, the same level authorized in the fiscal year 2005 defense authorization bill. Funding of $159,700,000 is provided for U.S. surplus materials disposition and $64,000,000 for the Russian plutonium disposition program.

Construction Projects.—The conference recommendation includes $368,000,000 for Project 99–D–143, the Mixed Oxide Fuel Fabrication facility project. Funding of $32,300,000 is provided for Project 99–D–141, the Pit Disassembly and Conversion Facility project.

Off-Site Source Recovery Project.—The conference agreement provides $7,600,000 for Off-Site Source Recovery Project. The conferees provide an additional $2,000,000 for the Nuclear and Other Hazardous Materials Transportation Research Project at South Carolina State University's Transportation Center.

NAVAL REACTORS

The conference agreement provides $807,900,000 for Naval Reactors, an increase of $10,000,000 over the budget request. The conferees agree to transfer the additional $10,000,000 to the Office of Nuclear Energy to support the Idaho National Laboratory's Advanced Test Reactor.

OFFICE OF THE ADMINISTRATOR

The conference agreement provides $356,200,000 for the Office of the Administrator, $22,500,000 above the request.

The conference recommendation provides $12,000, the same as the budget request, for official reception and representation expenses for the NNSA.

Within the Office of the Administrator, the conferees provide $22,500,000 to support the Historically Black Colleges and Universities (HBCUs) scientific and technical programs. The conferees concur with the House language directing the HBCUs and Hispanic Serving Institutions (HSIs) receive financial support in rough parity on a year-to-year basis. The conference recommendation includes $2,000,000 each for Wilberforce University and Central State University in Wilberforce, Ohio; and $2,000,000 each for Claflin College in Orangeburg, SC and Allen University in Columbia, SC; $500,000 each for Morris College in Sumter, SC and Benedict College in Columbia, SC; and $1,000,000 for Voorhees College in Denmark, SC and $2,000,000 for Morehouse College Dansby Hall Minority Science Center.

ENVIRONMENTAL AND OTHER DEFENSE ACTIVITIES

DEFENSE ENVIRONMENTAL MANAGEMENT

The conference agreement for Defense Environmental Management totals $7,034,405,000.

The conferees are aware that the Department of Defense has utilized guaranteed fixed price remediation (GFPR) to remediate contaminated properties. The conferees note the significant cost-savings experienced by the Department of Defense using GFPR, and believe that the Department of Energy may be able to achieve similar savings and benefits. In order to better assess the opportunity for cost savings by the Department of Energy, the conferees direct the Department to submit to the Committees on Appropriations of the House and Senate, by May 1, 2005, a report as to the feasibility of applying GFPR to remediation activities undertaken or planned by the Department.

DEFENSE SITE ACCELERATION COMPLETION

The conference agreement for Defense Site Acceleration Completion in fiscal year 2005 is $6,096,429,000.

Accelerated Completions, 2006.—The conference agreement provides $1,264,999,000. This funding supports the closure by the year 2006 of the Rocky Flats, West Jefferson, Fernald, Miamisburg, and Ashtabula sites, and the completion of significant cleanup projects at various other sites such as Melton Valley, Kansas City, and Savannah River. The additional $13,200,000 is provided to accelerate low-level waste shipments during fiscal year 2005 from the Miamisburg Closure Project.

Accelerated Completions, 2012.—The conference agreement provides $2,150,641,000.

Accelerated Completions, 2035.—The conference agreement provides $1,904,339,000. This amount includes the requested funding of $43,827,000 for construction of the Glass Waste Storage

Building #2 at SRS (project 04–D–408) and the requested funding for the Waste Isolation Pilot Plant, the Idaho Cleanup Project, the Y–12 and Oak Ridge National Laboratory sites, Hanford and the Office of River Protection, Savannah River, Los Alamos National Laboratory, Nevada Test Site, and various other sites and facilities. From within available funds, the conferees provide $2,000,000 for the Hanford Tank Waste Operations Simulator (HTWOS); $2,000,000 for the Modular Phase Low Cost Nano-particle at Idaho National Lab; and $1,000,000 for the Mid-Atlantic Recycling Center for End of Life Electronics.

Waste Incidental to Reprocessing.—The conference agreement provides $162,600,000 for the Savannah River site, $97,300,000 for the Idaho site and $32,050,000 for the Hanford site. The conference agreement provides $26,000,000 for Project 05–D–405 Salt Waste Processing Facility for long lead procurement activities.

Safeguards and Security.—The conference agreement provides $265,059,000, the same as the budget request.

Technology Development and Deployment.—The conference agreement provides $60,142,000. From within available funds, the conferees direct the Department to use not less than $10,000,000 to conduct a competitive evaluation of the various advanced remediation technologies available in the private sector. Within remaining available funds, the conferees provide $5,000,000 to continue the five-year international agreement with AEA Technology, and $7,000,000 to continue the five-year agreement with Florida International University's Hemispheric Center for Environmental Technology.

Within available funds, the conferees provide $3,000,000 for Advanced Monitoring Systems Initiative at the Nevada Test Site, to continue micro-sensing technology development and prototype deployment of remote monitoring systems for the underground test area; $2,400,000 for the Management of Nevada Natural Resources with Remote Sensing Systems program; $1,000,000 for nanotube research and development at the Materials Reliability Center at the University Research Programs in Robotics. The Department is directed to renew its cooperative agreements with the University of Nevada-Las Vegas and the University of Nevada-Reno.

Within available funds, $3,000,000 is provided to continue the development of an electrochemical system utilizing ceramic ionic transport membranes for the recycling and disposal of radioactive sodium ion waste. The conference also provides $4,000,000 for work on the subsurface science research institute by Idaho National Laboratory and the Inland Northwest Research Alliance institutions. The Department shall continue its support of the Tribal Colleges Initiative grant, involving Crownpoint Institute of Technology, Dine College, and Southwestern Indian Polytechnic Institute, to develop high-quality environmental programs at tribal colleges.

DEFENSE ENVIRONMENTAL SERVICES

The conference recommendation for Defense Environmental Services in fiscal year 2005 is $937,976,000.

Community and Regulatory Support.—The conference agreement is $60,547,000. From within available funds, $500,000 shall be used to support the Energy and Environmental Hispanic Com-

munity Participation project of the Self Reliance Foundation needed to increase Hispanic community understanding of and participation in environmental management initiatives of the Department.

Federal Contribution to Uranium Enrichment Decontamination and Decommissioning Fund.—The Energy Policy Act of 1992, Public Law 102–486, created the Uranium Enrichment Decontamination and Decommissioning Fund to pay for the cost of cleanup of the gaseous diffusion facilities located in Oak Ridge, Tennessee; Paducah, Kentucky; and Portsmouth, Ohio. The conference agreement includes the budget request of $463,000,000 for the Federal contribution to the Uranium Enrichment Decontamination and Decommissioning Fund.

Non-Closure Environmental Activities.—The conference agreement is $146,038,000. Within available funds, the conference agreement directs the Department to provide $10,000,000 for the Hazardous Waste Worker Training Program and $8,000,000 for the Volpentest Hazardous Materials Management and Emergency Response (HAMMER) training and education center.

The conference agreement includes $2,000,000 for the Desert Research Institute's Environmental Monitoring Program; $750,000 for the University of Nevada-Reno to conduct research in the areas of materials evaluation, fundamental studies on nuclear degradation mechanisms, alternate materials and design, and computational and analytical modeling; $1,000,000 for the Nye County Groundwater Evaluation Program; $2,000,000 for the Defense and Security Research Center; $1,000,000 for the Amargosa Valley Science and Technology Park; $1,000,000 for the Hazardous Material Truck Tracking Facility; and $1,000,000 for the Research Foundation at the University of Nevada-Las Vegas to assess earthquake hazards and seismic risk in Southern Nevada; $100,000 for the Perchlorate Characterization study for the City of Simi Valley; and $6,000,000 for the Western Environmental Technology Office.

Spent Nuclear Fuel Management.—The Department proposed to transfer responsibility for the management and operation of the DOE national spent fuel program, the foreign research reactor spent nuclear fuel acceptance program, and the management of chemical processing plant 666 at Idaho from the Office of Environmental Management to the Office of Civilian Radioactive Waste Management. The conference agreement includes the requested amounts of $8,217,000 for the DOE national spent fuel program, $8,055,000 for management of chemical processing plant 666, and $1,060,000 for associated program direction costs. It is the conferees' expectation that these activities will continue to be managed at the Idaho site.

Program Direction.—The conference agreement for program direction is $271,059,000, the same as the budget request.

Funding adjustments.—The conference agreement includes an offset of $143,000 the same as the budget request, for the security costs associated with reimbursable work. The conference agreement includes the use of $2,000,000 of prior year balances.

OTHER DEFENSE ACTIVITIES

The conference agreement provides $692,691,000 for Other Defense Activities.

ENERGY SECURITY AND ASSURANCE

The conference agreement funds these programs under the Office of Electricity Transmission and Distribution.

OFFICE OF SECURITY

The conference agreement provides $298,506,000. $193,904,000 is provided for nuclear safeguards and security; $49,880,000 is provided for security investigations; and $54,722,000 is provided for program direction.

INDEPENDENT OVERSIGHT AND PERFORMANCE ASSURANCE

The conference agreement provides $24,669,000, the same as the budget request, for the independent oversight and performance assurance program.

ENVIRONMENT, SAFETY AND HEALTH (DEFENSE)

The conference agreement provides $129,519,000 for defense-related environment, safety and health activities, including $20,414,000 for program direction. The conferees disagree with the Administration's decision to cut funding for the Radiation Effects Research Foundation. Within available funds, the conference agreement provides $14,000,000, an increase of $10,000,000 above the request for the Foundation. This funding is critical in carrying out the scientific work, which the United States has funded since 1947, to study the health effects associated with the atomic blasts above Hiroshima and Nagasaki.

The conference agreement includes $2,000,000 for the Marshall Island program to meet the core health and environmental monitoring mission in order to reassure the communities of safe habitation and resettlement. The conference agreement also includes $5,000,000 to continue the DOE Worker Records Digitization project in Nevada. These funds are to be administered by the Nevada Site Office. The conferees provide $4,100,000 for the medical monitoring at the gaseous diffusion plants at Paducah, Kentucky, Portsmouth, Ohio, and Oak Ridge, Tennessee. The conferees support the continued use of helical low-dose CAT scanning for early lung cancer detection in workers with elevated risks of lung cancer. The conferees direct the Department to establish an employee field resource center in the State of New York.

Former Worker Medical Screening.—The conference agreement includes $300,000 within the Former Workers Health Program for the Iowa Army Ammunition Plant for ongoing assistance in collecting requisite medical records and completing claims forms for workers and retirees and $250,000 for the on-going beryllium screening and outreach program for workers employed at vendors in the Worcester, Massachusetts, area who supplied beryllium to the Atomic Energy Commission.

The conferees support and are pleased with the Department's efforts to expand the Voluntary Protection Program and other voluntary cooperative programs. The conference agreement includes $790,000 for the University of Washington's Former Hanford Production Workers Medical Screening Program and to initiate med-

ical screening for current tank farm workers consistent with the July 2004 NIOSH Health Hazard Evaluation Report.

Energy Employees Compensation Initiative.—The conferees note the transfer of responsibility for processing the Subtitle D claims from the Department of Energy to the Department of Labor.

LEGACY MANAGEMENT

The conferees support the established mission of the office of legacy management to manage the long-term stewardship responsibilities at the Department's cleanup sites. The conference agreement provides a total of $46,895,000 for the office of legacy management of which $13,201,000 is provided for program direction. Within available funds, the conferees provide $8,000,000, to remain available until expended, for planning, design, construction, and land acquisition, if necessary, to establish a records management facility centrally located near sites transferring into Legacy Management status, and in close proximity to the Office of Legacy Management's records management capability. The conferees urge the Department to accelerate these activities with the goal of such a facility being operational by early fiscal year 2007. From within available funds, the conference agreement provides $1,200,000 to complete transition of the STAR Center in Pinellas County, Florida and $4,000,000 for the final payment, subject to the existing requirement for matching funds, to the Miamisburg Mound Community Improvement Corporation. From available funds, $500,000 is provided to establish a Local Stakeholder Post-Closure organization in the State of Colorado.

FUNDING FOR DEFENSE ACTIVITIES IN IDAHO

The conference agreement provides $114,347,000 for defense-related activities at the Idaho National Laboratory (INL) and associated Idaho cleanup sites.

DEFENSE RELATED ADMINISTRATIVE SUPPORT

The conference agreement provides $92,440,000 as proposed by the House for national security programs administrative support.

OFFICE OF HEARINGS AND APPEALS

The conference agreement provides $4,318,000 for the Office of Hearings and Appeals, the same as the budget request.

OFFICE OF FUTURE LIABILITIES

The conferees do not support the creation of a redundant Departmental office to address the planning function for long term environmental cleanup liabilities. The conference agreement provides no funds for the Office of Future Liabilities.

DEFENSE NUCLEAR WASTE DISPOSAL

The conference agreement provides $231,000,000 for the defense contribution to the nuclear waste repository program. The Conferees are aware that the Department formally approved, in 1995, the right of the Affected Units of Local Government and the State of Nevada to retain interest earned on unexpended balances

in their oversight accounts. The conferees reaffirm that this policy reflects the intent of Congress and should be maintained by the Department.

POWER MARKETING ADMINISTRATIONS

OPERATION AND MAINTENANCE, SOUTHEASTERN POWER ADMINISTRATION

The conference agreement includes $5,200,000, the same as the budget request, for the Southeastern Power Administration. The conference agreement provides $34,000,000 for purchase power and wheeling in fiscal year 2005.

OPERATION AND MAINTENANCE, SOUTHWESTERN POWER ADMINISTRATION

The conference agreement includes $29,352,000, the same as the budget request, for the Southwestern Power Administration. The conference agreement provides $2,900,000 for purchase power and wheeling in fiscal year 2005. The conference recommendation also provides authority for Southwestern to accept advances from non-Federal entities to provide interconnections to Southwestern's transmission system.

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

The conference agreement provides $173,100,000, for Western Area Power Administration. The conference agreement provides $227,600,000 for purchase power and wheeling in fiscal year 2005. Within available funds, the conference recommendation includes $6,000,000 for Topock-Davis-Mead Transmission Line Upgrades to provide additional transmission capacity by using aluminum matrix composite conductor technology.

Utah Mitigation and Conservation Fund.—The conference report does not contain the change in law sought by the Administration concerning the transfer of this fund from the Secretary of Energy to the Secretary of the Interior.

Within available funds, $500,000 is provided on a non-reimbursable basis for a transmission study on the placement of 500 MW of wind energy in North Dakota and South Dakota.

FALCON AND AMISTAD OPERATING AND MAINTENANCE FUND

The conference agreement includes $2,827,000, the same as the budget request, for the Falcon and Amistad Operating and Maintenance Fund.

FEDERAL ENERGY REGULATORY COMMISSION

SALARIES AND EXPENSES

The conference agreement includes $210,000,000 for the Federal Energy Regulatory Commission (FERC). Revenues for FERC are set at an amount equal to the budget authority, resulting in a net appropriation of $0.

On March 24, 2004, FERC issued a declaratory order asserting exclusive jurisdiction over the approval and siting of liquefied natural gas (LNG) terminals. FERC concluded that LNG terminals are engaged in foreign commerce and, as such, fall clearly within the authority granted to the FERC under Section 3 of the Natural Gas Act of 1938. The conferees agree on this point and disagree with the position of at least one State government agency that it should be the authority responsible for LNG terminal siting within its boundaries, rather than the FERC.

The Natural Gas Act clearly preempts States on matters of approving and siting natural gas infrastructure associated with interstate and foreign commerce. These facilities need one clear process for review, approval, and siting decisions. Because LNG terminals affect both interstate and foreign commerce, LNG facility development requires a process that also looks at the national public interest, and not just the interests of one State.

The conferees recognize that, as a matter of energy supply, the nation will need to expand its LNG infrastructure over the decades to come to satisfy natural gas demand. Any dispute of LNG siting jurisdictional authority now will be counterproductive to meeting our natural gas needs in the future.

GENERAL PROVISIONS—DEPARTMENT OF ENERGY

Sec. 301. The conference agreement includes language regarding contract competition.

Sec. 302. The conference agreement includes a provision that none of the funds may be used to prepare or implement workforce restructuring plans or provide enhanced severance payments and other benefits and community assistance grants for Federal employees of the Department of Energy under section 3161 of the National Defense Authorization Act of Fiscal Year 1993, Public Law 102–484. This provision has been carried in previous Energy and Water Development Appropriations Acts.

Sec. 303. The conference agreement includes a provision that none of the funds may be used to augment funds made available for obligation for severance payments and other benefits and community assistance grants unless the Department of Energy submits a reprogramming request subject to approval by the appropriate Congressional committees. This provision has been carried in previous Energy and Water Development Appropriations Acts.

Sec. 304. The conference agreement includes a provision that none of the funds may be used to prepare or initiate Requests for Proposals for a program if that program has not been funded by Congress in the current fiscal year. This provision also precludes the Department from initiating activities for new programs which have been proposed in the budget request, but which have not yet been funded by Congress. This provision has been carried in previous Energy and Water Development Appropriations Acts.

(TRANSFERS OF UNEXPENDED BALANCES)

Sec. 305. The conference agreement includes a provision that permits the transfer and merger of unexpended balances of prior appropriations with appropriation accounts established in this bill.

This provision has been carried in previous Energy and Water Development Appropriations Acts.

Sec. 306. The conference agreement includes a provision prohibiting the Bonneville Power Administration from performing energy efficiency services outside the legally defined Bonneville service territory unless the Administrator certifies in advance that such services are not available from private sector businesses. This provision has been carried in previous Energy and Water Development Appropriations Acts.

Sec. 307. The conference agreement includes a provision establishing certain notice and competition requirements for Department of Energy user facilities. This provision has been carried in previous Energy and Water Development Appropriations Acts.

Sec. 308. The conference agreement includes a provision allowing the Administrator of the National Nuclear Security Administration to authorize certain nuclear weapons production plants, including the Nevada Test Site, to use not more than 2 percent of available funds for research, development and demonstration activities. This provision has been carried in previous Energy and Water Development Appropriations Acts.

Sec. 309. The conference agreement includes a provision which would authorize intelligence activities of the Department of Energy for purposes of section 504 of the National Security Act of 1947 until enactment of the Intelligence Authorization Act for fiscal year 2005.

Sec. 310. The conference agreement includes a provision that requires that waste characterization at WIPP be limited to determining that the waste is not ignitable, corrosive, or reactive. This confirmation will be performed using radiography or visual examination of a representative subpopulation of the waste. The language directs the Department of Energy to seek a modification to the WIPP Hazardous Waste Facility Permit to implement the provisions of this section.

Sec. 311. The conference agreement includes language regarding disposition of depleted Uranium Hexafluoride.

Sec. 312. The conference agreement includes a provision regarding the use of funds in this Act for some procurement actions by the Department of Energy.

Sec. 313. The conference agreement includes a provision prohibiting the use of funds in this Act for procurements to increase the dollar value of prime contracts awarded directly by the Department to small business.

Sec. 314. The conference agreement includes a provision limiting the types of waste that can be disposed of in the Waste Isolation Pilot Plant in New Mexico. None of the funds may be used to dispose of transuranic waste in excess of 20 percent plutonium by weight for the aggregate of any material category. At the Rocky Flats site, this provision includes ash residues; salt residues; wet residues; direct repackage residues; and scrub alloy as referenced in the "Final Environmental Impact Statement on Management of Certain Plutonium Residues and Scrub Alloy Stored at the Rocky Flats Environmental Technology Site". This provision has been carried in previous Energy and Water Development Appropriations Acts.

CONFERENCE RECOMMENDATIONS

The conference agreement's detailed funding recommendations for programs in title III are contained in the following table.

DEPARTMENT OF ENERGY
(Amounts in thousands)

	Budget Request	Conference
ENERGY SUPPLY		
RENEWABLE ENERGY RESOURCES		
Renewable energy technologies		
Biomass and biorefinery systems R&D	72,596	82,147
Geothermal technology	25,800	25,800
Hydrogen technology	95,325	95,325
Hydropower	6,000	5,000
Solar energy	80,333	86,533
Wind energy	41,600	41,600
Intergovernmental activities	16,000	17,000
Total, Renewable energy technologies	337,654	353,405
Renewable support and implementation		
Departmental energy management program	1,967	1,967
Renewable program support	---	3,000
Total, Renewable support and implementation	1,967	4,967
National climate change technology initiative	3,000	---
Facilities and infrastructure		
National renewable energy laboratory	4,800	4,800
Construction		
02-E-001 Science and technology facility, NREL Golden, CO	6,680	6,680
Total, Facilities and infrastructure	11,480	11,480
Program direction	20,711	19,211
TOTAL, RENEWABLE ENERGY RESOURCES	374,812	389,063
ELECTRICITY TRANSMISSION AND DISTRIBUTION		
High temperature superconductivity R&D	45,000	55,000
Transmission reliability R&D	10,720	15,720
Electricity distribution transformation R&D	5,459	5,459
Energy storage R&D	4,000	4,000
Gridwise	5,000	6,500
Gridworks	5,500	5,500
Total, Research and development	75,679	92,179
Electricity restructuring	5,000	20,000
Program direction	10,201	8,201
Construction		
04-E-001 Project engineering and design (PED), energy reliability and efficiency laboratory	---	775
TOTAL, ELECTRICITY TRANSMISSION AND DISTRIBUTION	90,880	121,155
NUCLEAR ENERGY		
University reactor fuel assistance and support	21,000	24,000
Research and development		
Nuclear energy plant optimization	---	2,500
Nuclear energy research initiative	---	2,500
Nuclear power 2010	10,246	50,000
Generation IV nuclear energy systems initiative	30,546	40,000
Nuclear hydrogen initiative	9,000	9,000

DEPARTMENT OF ENERGY
(Amounts in thousands)

	Budget Request	Conference
Advanced fuel cycle initiative	46,254	68,000
Total, Research and development	96,046	172,000
Infrastructure		
Radiological facilities management		
Space and defense infrastructure	33,800	33,800
Medical isotopes infrastructure	21,194	21,194
Construction		
05-E-203 Facility modifications for U-233 disposition, Oak Ridge	13,616	13,616
Subtotal, Medical isotopes infrastructure	34,810	34,810
Enrichment facility and uranium management	500	500
Subtotal, Radiological facilities management	69,110	69,110
Idaho facilities management		
INL Operations and infrastructure	---	121,527
ANL-West operations	30,781	---
INL infrastructure	75,746	---
Construction		
99-E-200 Test reactor area electrical utility upgrade, Idaho National Engineering Lab, ID	1,523	1,523
Subtotal, INL infrastructure	77,269	1,523
Subtotal, Idaho facilities management	108,050	123,050
Idaho sitewide safeguards and security	58,103	58,103
Total, Infrastructure	235,263	250,263
Spent nuclear fuel management	---	6,723
Program direction	60,285	60,285
Subtotal, Nuclear Energy	412,594	513,271
Funding from other defense activities	-112,847	-114,347
Funding from Naval Reactors	---	-10,000
TOTAL, NUCLEAR ENERGY	299,747	388,924
CIVILIAN RADIOACTIVE WASTE MANAGEMENT		
Spent nuclear fuel management	5,223	---
ENVIRONMENT, SAFETY AND HEALTH		
Office of Environment, Safety and Health (non-defense)	10,000	8,000
Program direction	20,474	20,000
TOTAL, ENVIRONMENT, SAFETY AND HEALTH	30,474	28,000
OFFICE OF FUTURE LIABILITIES		
Future liabilities	3,000	---

DEPARTMENT OF ENERGY
(Amounts in thousands)

	Budget Request	Conference
OFFICE OF LEGACY MANAGEMENT		
Legacy management	31,130	31,130
Subtotal, Energy supply	835,266	958,272
Use of prior year balances	---	-12,000
TOTAL, ENERGY SUPPLY	835,266	946,272
NON-DEFENSE SITE ACCELERATION COMPLETION		
Accelerated completions, 2006	45,435	45,435
Accelerated completions, 2012	98,191	98,191
Accelerated completions, 2035	8,224	8,224
TOTAL, NON-DEFENSE SITE ACCELERATION COMPLETION	151,850	151,850
URANIUM ENRICHMENT DECONTAMINATION AND DECOMMISSIONING FUND		
Decontamination and decommissioning	399,586	419,007
Uranium/thorium reimbursement	100,614	80,000
TOTAL, URANIUM ENRICHMENT D&D FUND	500,200	499,007
NON-DEFENSE ENVIRONMENTAL SERVICES		
Community and regulatory support	90	90
Environmental cleanup projects	46,083	46,083
Non-closure environmental activities	152,523	145,123
Construction		
02-U-101 Depleted uranium hexafluoride conversion project, Paducah, KY and Portsmouth, OH	92,600	100,000
Total, Non-closure environmental activities	245,123	245,123
TOTAL, NON-DEFENSE ENVIRONMENTAL SERVICES	291,296	291,296
SCIENCE		
High energy physics		
Proton accelerator-based physics	412,092	417,092
Electron accelerator-based physics	150,890	150,890
Non-accelerator physics	42,936	42,936
Theoretical physics	49,630	49,630
Advanced technology R&D	81,081	81,081
Subtotal	736,629	741,629
Construction		
98-G-304 Neutrinos at the main injector, Fermilab	751	751
Total, High energy physics	737,380	742,380
Nuclear physics	401,040	408,040
Biological and environmental research	496,590	576,590

DEPARTMENT OF ENERGY
(Amounts in thousands)

	Budget Request	Conference
Construction		
05-SC-004 Project engineering and design (PED), facility for the production and characterization of proteins and molecular tags	5,000	10,000
Basic energy sciences		
Research		
Materials sciences and engineering research	603,228	628,228
Chemical sciences, geosciences and energy biosciences	228,422	253,422
Subtotal, Research	831,650	881,650
Construction		
05-R-320 LINAC coherent light source (LCLS)	30,000	30,000
05-R-321 Center for functional nanomaterials (BNL)	18,465	18,465
04-R-313 The molecular foundry (LBNL)	32,085	32,085
03-SC-002 Project engineering & design (PED) SLAC	20,075	20,075
03-R-312 Center for nanophase materials sciences, ORNL	17,811	17,811
03-R-313 Center for Integrated Nanotechnology	30,897	30,897
02-SC-002 Project engineering and design (VL)	2,012	2,012
99-E-334 Spallation neutron source (ORNL)	80,535	80,535
Subtotal, Construction	231,880	231,880
Total, Basic energy sciences	1,063,530	1,113,530
Advanced scientific computing research	204,340	234,340
Science laboratories infrastructure		
Laboratories facilities support		
Infrastructure support	1,520	1,766
Construction		
MEL-001 Multiprogram energy laboratory infrastructure projects, various locations	16,391	24,391
Subtotal, Laboratories facilities support	17,911	26,157
Oak Ridge landlord	5,079	5,079
Excess facilities disposal	6,100	6,100
Safety-related corrective actions	---	5,000
Total, Science laboratories infrastructure	29,090	42,336
Fusion energy sciences	264,110	276,110
Safeguards and security	73,315	73,315
Science workforce development	7,660	7,660
Science program direction		
Field offices	89,341	89,341
Headquarters	65,927	65,927
Total, Science program direction	155,268	155,268
Subtotal, Science	3,437,323	3,639,569

DEPARTMENT OF ENERGY
(Amounts in thousands)

	Budget Request	Conference
Use of prior year balances	---	-5,062
Less security charge for reimbursable work	-5,605	-5,605
TOTAL, SCIENCE	3,431,718	3,628,902
NUCLEAR WASTE DISPOSAL		
Repository program	661,510	366,000
Program direction	87,490	80,000
TOTAL, NUCLEAR WASTE DISPOSAL	749,000	446,000
DEPARTMENTAL ADMINISTRATION		
Administrative operations		
Salaries and expenses		
Office of the Secretary	5,441	4,649
Board of contract appeals	653	653
Chief information officer	44,856	38,273
Congressional and intergovernmental affairs	4,956	4,865
Economic impact and diversity	5,400	5,140
General counsel	23,349	21,870
Office of Management, Budget and Evaluation	106,055	106,855
Policy and international affairs	17,977	15,114
Public affairs	4,649	2,464
Subtotal, Salaries and expenses	213,336	199,883
Program support		
Minority economic impact	830	830
Policy analysis and system studies	395	395
Environmental policy studies	567	567
Cybersecurity and secure communications	24,932	24,932
Corporate management information program	37,632	32,138
Subtotal, Program support	64,356	58,862
Competitive sourcing initiative (A-76)	5,000	2,500
Total, Administrative operations	282,692	261,245
Cost of work for others	71,621	71,621
Subtotal, Departmental Administration	354,313	332,866
Funding from other defense activities	-92,440	-92,440
Total, Departmental administration (gross)	261,873	240,426
Miscellaneous revenues	-122,000	-122,000
TOTAL, DEPARTMENTAL ADMINISTRATION (net)	139,873	118,426
OFFICE OF INSPECTOR GENERAL		
Office of Inspector General	41,508	41,508

DEPARTMENT OF ENERGY
(Amounts in thousands)

	Budget Request	Conference
ATOMIC ENERGY DEFENSE ACTIVITIES		
NATIONAL NUCLEAR SECURITY ADMINISTRATION		
WEAPONS ACTIVITIES		
Directed stockpile work		
Life extension program		
B61	117,927	117,927
W76	213,111	236,427
W80	146,400	106,400
Subtotal, Life extension program	477,438	460,754
Stockpile systems		
B61	91,256	91,256
W62	18,401	18,401
W76	137,527	137,527
W78	44,313	44,313
W80	49,507	39,507
B83	44,995	44,995
W84	6,119	6,119
W87	94,884	79,884
W88	49,093	49,093
Subtotal, Stockpile systems	536,095	511,095
Retired warheads stockpile systems	65,258	75,000
Stockpile services		
Research and development certification and safety	157,986	147,986
Management, technology, and production	133,101	113,101
Reliable replacement warhead	9,000	9,000
Robust nuclear earth penetrator	27,557	---
Subtotal, Stockpile services	327,644	270,087
Total, Directed stockpile work	1,406,435	1,316,936
Campaigns		
Science campaigns		
Primary assessment technologies	81,473	73,973
Dynamic materials properties	91,521	86,521
Advanced radiography	62,371	55,371
Secondary assessment technologies	65,597	63,597
Subtotal, Science campaigns	300,962	279,462
Engineering campaigns		
Enhanced surety	38,121	33,121
Weapons system engineering assessment technology	27,270	27,270
Nuclear survivability	24,460	9,460
Enhanced surveillance	99,879	99,879
Microsystem and engineering science applications (MESA), other project costs	4,600	4,600
Construction		
01-D-108 Microsystem and engineering science applications (MESA), SNL, Albuquerque, NM	48,654	86,500
Subtotal, MESA	53,254	91,100
Subtotal, Engineering campaigns	242,984	260,830

DEPARTMENT OF ENERGY
(Amounts in thousands)

	Budget Request	Conference
Inertial confinement fusion ignition and high yield campaign:		
Ignition	76,437	69,437
Support of stockpile program	38,987	38,987
NIF diagnostics, cryogenics and experiment support	44,023	49,023
Pulsed power inertial confinement fusion	10,080	11,080
University grants/other support	7,776	7,776
Facility operations and target production	63,056	63,056
Inertial fusion technology	---	34,000
NIF demonstration program	113,700	95,700
High-energy petawatt laser development	7,975	41,975
Subtotal	362,034	411,034
Construction		
96-D-111 National ignition facility, LLNL	130,000	130,000
Subtotal, Inertial confinement fusion	492,034	541,034
Advanced simulation and computing	738,032	700,532
Construction		
00-D-103, Terascale simulation facility, LLNL, Livermore, CA	3,228	3,228
Subtotal, Advanced simulation and computing	741,260	703,760
Pit manufacturing and certification		
W88 pit manufacturing	132,005	132,005
W88 pit certification	101,470	60,960
Pit manufacturing capability	20,992	13,500
Modern pit facility	29,800	7,000
Pit campaign support activities at NTS	52,206	52,206
Subtotal, Pit manufacturing and certification	336,473	265,671
Readiness campaigns		
Stockpile readiness	45,812	45,812
High explosives weapons operations	34,220	34,220
Non-nuclear readiness	35,457	32,957
Advanced design and production technologies	84,788	79,788
Tritium readiness	58,850	58,850
Construction		
98-D-125 Tritium extraction facility, SR	21,000	21,000
Subtotal, Tritium readiness	79,850	79,850
Subtotal, Readiness campaigns	280,127	272,627
Total, Campaigns	2,393,840	2,323,384
Readiness in technical base and facilities		
Operations of facilities	1,017,557	1,121,557
Program readiness	106,204	106,204
Special projects	20,534	41,500
Material recycle and recovery	86,965	86,965
Containers	17,910	17,910
Storage	18,982	18,982
Subtotal, Readiness in technical base and fac	1,268,152	1,393,118

DEPARTMENT OF ENERGY
(Amounts in thousands)

	Budget Request	Conference
Construction		
05-D-140 Project engineering and design (PED), various locations	11,600	16,600
05-D-401 Building 12-64 production bays upgrades, Pantex plant, Amarillo, TX	25,100	25,100
05-D-402 Berylium capability (BEC) project, Y-12 National security complex, Oak Ridge, TN	3,627	3,627
04-D-103 Project engineering and design (PED), various locations	1,500	1,500
04-D-125 Chemistry and metallurgy facility replacement project, Los Alamos National Laboratory, Los Alamos, NM	24,000	40,000
04-D-126 Building 12-44 production cells upgrade, Pantex plant, Amarillo, TX	2,600	2,600
03-D-102, National Security Sciences building, Los Alamos National Laboratory, Los Alamos, NM	37,348	37,348
03-D-103 Project engineering and design (PED), various locations	15,275	15,275
03-D-123 Special nuclear materials requalification, Pantex plant, Amarillo, TX	4,602	4,602
02-D-103 Project engineering and design (PED), various locations	5,250	5,250
02-D-105 Engineering technology complex upgrade, LLNL, CA	5,400	5,400
01-D-103 Project engineering and design (PED), various locations	6,000	6,000
01-D-124 HEU materials facility, Y-12 plant, Oak Ridge, TN	64,000	114,000
Subtotal, Construction	206,302	277,302
Total, Readiness in technical base and facilities	1,474,454	1,670,420
Facilities and infrastructure recapitalization program	291,543	248,863
Construction		
05-D-160 Facilities and infrastructure recapitalization program project engineering design (PED), various locations	8,700	8,700
05-D-601 Compressed air upgrades project (CAUP), Y-12, National security complex, Oak Ridge, TN	4,400	4,400
05-D-602 Power grid infrastructure upgrade (PGIU), Alamos National Laboratory, Los Alamos, NM	10,000	10,000
05-D-603 New master substation (NMSU), SNL	600	600

DEPARTMENT OF ENERGY
(Amounts in thousands)

	Budget Request	Conference
04-D-203 Facilities and infrastructure recapitalization program (FIRP), project engineering design (PED), various locations	981	981
Subtotal, Construction	24,681	24,681
Total, Facilities and infrastructure recapitalization program	316,224	273,544
Secure transportation asset		
Operations and equipment	143,873	143,873
Program direction	57,427	57,427
Total, Secure transportation asset	201,300	201,300
Nuclear weapons incident response	99,209	99,209
Safeguards and security	669,991	720,678
Construction		
05-D-170 Project engineering and design (PED), various locations	17,000	17,000
05-D-701 Security perimeter project, Los Alamos, National Laboratory, Los Alamos, NM	20,000	20,000
Total, Safeguards and security	706,991	757,678
Subtotal, Weapons activities	6,598,453	6,642,471
Use of prior year balances	---	-86,000
Less security charge for reimbursable work	-30,000	-30,000
Excluding transfer of DOD ppropriations	---	-300,000
TOTAL, WEAPONS ACTIVITIES	6,568,453	6,226,471
Transfer from Department of Defense appropriations	---	(300,000)
Total, Weapons Activities (program level)	(6,568,453)	(6,526,471)
DEFENSE NUCLEAR NONPROLIFERATION		
Nonproliferation and verification, R&D	220,000	225,750
Nonproliferation and international security	124,000	154,000
Nonproliferation programs with Russia		
International nuclear materials protection and cooperation	238,000	322,000
Russian transition initiative	41,000	41,000
HEU transparency implementation	20,950	20,950
Elimination of weapons-grade plutonium production program	50,097	40,097
Fissile materials disposition		
U.S. surplus materials disposition	184,700	159,700
Russian surplus materials disposition	64,000	64,000
Construction		
99-D-141 Pit disassembly and conversion facility, Savannah River, SC	32,300	32,300

DEPARTMENT OF ENERGY
(Amounts in thousands)

	Budget Request	Conference
99-D-143 Mixed oxide fuel fabrication facility, Savannah River, SC	368,000	368,000
Subtotal, Construction	400,300	400,300
Subtotal, Fissile materials disposition	649,000	624,000
Total, Nonproliferation programs with Russia	999,047	1,048,047
Offsite source recovery project	5,600	7,600
Subtotal, Defense Nuclear Nonproliferation	1,348,647	1,435,397
Use of prior year balances	---	-15,000
TOTAL, DEFENSE NUCLEAR NONPROLIFERATION	1,348,647	1,420,397
NAVAL REACTORS		
Naval reactors development	761,211	771,211
Construction		
05-N-900 Materials development facility building, Schenectady, NY	6,200	6,200
90-N-102 Expended core facility dry cell project, Naval Reactors Facility, ID	989	989
Subtotal, Construction	7,189	7,189
Total, Naval reactors development	768,400	778,400
Program direction	29,500	29,500
TOTAL, NAVAL REACTORS	797,900	807,900
OFFICE OF THE ADMINISTRATOR		
Office of the Administrator	333,700	356,200
TOTAL, OFFICE OF THE ADMINISTRATOR	333,700	356,200
TOTAL, NATIONAL NUCLEAR SECURITY ADMINISTRATION	9,048,700	8,810,968
DEFENSE SITE ACCELERATION COMPLETION		
Accelerated completions, 2006	1,251,799	1,264,999
Accelerated completions, 2012	1,437,001	1,437,001
Construction		
04-D-414 Project engineering and design (PED), various locations	3,000	3,000
04-D-423 Container surveillance capability in 235-F, Savannah River	20,640	20,640

DEPARTMENT OF ENERGY
(Amounts in thousands)

	Budget Request	Conference
01-D-416 Waste treatment and immobilization plant, Richland, WA	690,000	690,000
Subtotal, Construction	713,640	713,640
Total, Accelerated completions, 2012	2,150,641	2,150,641
Accelerated completions, 2035	1,849,512	1,860,512
Construction		
04-D-408 Glass waste storage building #2, Savannah River	43,827	43,827
Total, Accelerated completions, 2035	1,893,339	1,904,339
Safeguards and security	265,059	265,059
Alternative high level waste actions	---	249,442
High level waste (Waste Incidental to Reprocessing) (legislative proposal)	249,442	217,392
Construction		
05-D-405 Salt waste processing facility, Savannah River	52,000	26,000
04-D-414 04-02 PED: Sodium bearing waste treatment, Idaho	24,900	24,900
03-D-414 PED: Salt waste processing facility alt Savannah River, SC	23,658	23,658
Total, High level waste (WIR) (legis. proposal)	350,000	291,950
Technology development and deployment	60,142	60,142
Subtotal, Defense Site Acceleration Completion	5,970,980	6,186,572
Less security charge for reimbursable work	-143	-143
Use of prior year balances	---	-90,000
TOTAL, DEFENSE SITE ACCELERATION COMPLETION	5,970,837	6,096,429
DEFENSE ENVIRONMENTAL SERVICES		
Community and regulatory support	60,547	60,547
Federal contribution to the uranium enrichment fund	463,000	463,000
Non-closure environmental activities	187,864	146,038
Spent nuclear fuel management	---	17,332
Program direction	271,059	271,059
Use of prior year balances	---	-20,000
TOTAL, DEFENSE ENVIRONMENTAL SERVICES	982,470	937,976
TOTAL, DEFENSE ENVIRONMENTAL MANAGEMENT	6,953,307	7,034,405
OTHER DEFENSE ACTIVITIES		
Other national security programs		
Energy security and assurance		
Energy security	6,100	---
Program direction	4,500	---
Subtotal, Energy security and assurance	10,600	---

DEPARTMENT OF ENERGY
(Amounts in thousands)

	Budget Request	Conference
Office of Security		
Nuclear safeguards and security	143,197	193,904
Security investigations	53,554	49,880
Program direction	58,350	54,722
Subtotal, Office of Security	255,101	298,506
Independent oversight and performance assurance	24,669	24,669
Civilian radioactive waste management		
Spent nuclear fuel management	21,190	---
Program direction	1,060	---
Subtotal, Civilian radioactive waste mgmt	22,250	---
Environment, safety and health (Defense)	99,105	109,105
Program direction - EH	20,414	20,414
Subtotal, Environment, safety & health (Defense)	119,519	129,519
Office of Legacy Management		
Legacy management	19,194	33,694
Worker and community transition	2,500	---
Program direction	13,201	13,201
Subtotal, Office of Legacy Management	34,895	46,895
Defense related administrative support	92,440	92,440
Defense activities at INEEL	112,847	114,347
Office of hearings and appeals	4,318	4,318
Office of Future Liabilities	5,000	---
Subtotal, Other Defense Activities	681,639	710,694
Use of prior year balances	-15,000	-15,000
Less security charge for reimbursable work	-3,003	-3,003
TOTAL, OTHER DEFENSE ACTIVITIES	663,636	692,691
DEFENSE NUCLEAR WASTE DISPOSAL		
Defense nuclear waste disposal	131,000	131,000
TOTAL, ATOMIC ENERGY DEFENSE ACTIVITIES	16,796,643	16,669,064
POWER MARKETING ADMINISTRATIONS		
SOUTHEASTERN POWER ADMINISTRATION		
Operation and maintenance		
Purchase power and wheeling	---	34,000
Program direction	5,200	5,200
Subtotal, Operation and maintenance	5,200	39,200
Offsetting collections	---	-34,000
TOTAL, SOUTHEASTERN POWER ADMINISTRATION	5,200	5,200

DEPARTMENT OF ENERGY
(Amounts in thousands)

	Budget Request	Conference
SOUTHWESTERN POWER ADMINISTRATION		
Operation and maintenance		
Operating expenses	4,676	4,676
Purchase power and wheeling	---	2,900
Program direction	19,324	19,324
Construction	5,352	5,352
Subtotal, Operation and maintenance	29,352	32,252
Offsetting collections	---	-2,900
TOTAL, SOUTHWESTERN POWER ADMINISTRATION	29,352	29,352
WESTERN AREA POWER ADMINISTRATION		
Operation and maintenance		
Construction and rehabilitation	20,191	20,191
Operation and maintenance	39,821	39,821
Purchase power and wheeling	---	227,600
Program direction	116,756	116,756
Subtotal, Operation and maintenance	176,768	404,368
Offsetting collections	---	-227,600
Offsetting collections (P.L. 98-381)	-3,668	-3,668
TOTAL, WESTERN AREA POWER ADMINISTRATION	173,100	173,100
FALCON AND AMISTAD OPERATING AND MAINTENANCE FUND		
Operation and maintenance	2,827	2,827
TOTAL, POWER MARKETING ADMINISTRATIONS	210,479	210,479
FEDERAL ENERGY REGULATORY COMMISSION		
Federal energy regulatory commission	210,000	210,000
FERC revenues	-210,000	-210,000
GRAND TOTAL, DEPARTMENT OF ENERGY	23,147,833	23,002,804

DEPARTMENT OF ENERGY
(Amounts in thousands)

	Budget Request	Conference
ENERGY AND WATER DEVELOPMENT ACCOUNTS		
Energy programs:		
Energy supply	835,266	946,272
Non-defense site acceleration completion	151,850	151,850
Non-defense environmental management	---	---
Uranium enrichment D&D fund	500,200	499,007
Non-defense environmental services	291,296	291,296
Uranium facilities maintenance and remediation	---	---
Science	3,431,718	3,628,902
Nuclear waste disposal	749,000	446,000
Departmental administration	261,873	240,426
Revenues	-122,000	-122,000
Total, Departmental administration	139,873	118,426
Office of the Inspector General	41,508	41,508
Total, Energy programs	6,140,711	6,123,261
Atomic energy defense activities:		
National Nuclear Security Administration:		
Weapons activities	6,568,453	6,226,471
Defense nuclear nonproliferation	1,348,647	1,420,397
Naval reactors	797,900	807,900
Office of the Administrator	333,700	356,200
Subtotal, National Nuclear Security Admin	9,048,700	8,810,968
Defense environmental restoration and waste mgmt	---	---
Defense facilities closure projects	---	---
Defense site acceleration completion	5,620,837	5,804,479
High level waste legislative proposal	350,000	291,950
Defense environmental management privatization	---	---
Defense environmental services	982,470	937,976
Defense environmental mgmt. privatization (resc.)	---	---
Subtotal, Defense environmental management	6,953,307	7,034,405
Other defense activities	663,636	692,691
Defense nuclear waste disposal	131,000	131,000
Total, Atomic energy defense activities	16,796,643	16,669,064

DEPARTMENT OF ENERGY
(Amounts in thousands)

	Budget Request	Conference
Power marketing administrations:		
Southeastern Power Administration	5,200	5,200
Southwestern Power Administration	29,352	29,352
Western Area Power Administration	173,100	173,100
Falcon and Amistad operating and maintenance fund	2,827	2,827
Total, Power marketing administrations	210,479	210,479
Federal Energy Regulatory Commission:		
Salaries and expenses	210,000	210,000
Revenues	-210,000	-210,000
Total, Federal Energy Regulatory Commission	---	---
TOTAL, ENERGY AND WATER DEVELOPMENT ACCOUNTS	23,147,833	23,002,804
FUNCTION RECAP:		
NON-DEFENSE	6,351,190	6,583,182
DEFENSE	16,796,643	16,419,622
Environmental restoration and waste management:		
Defense function	(6,953,307)	(7,034,405)
Non-defense function	(943,346)	(942,153)
Total, Environmental restoration and waste mgmt	(7,896,653)	(7,976,558)
Nuclear waste disposal:		
Defense function	(131,000)	(131,000)
Non-defense function	(749,000)	(446,000)
Total, Nuclear waste disposal	(880,000)	(577,000)

TITLE IV—INDEPENDENT AGENCIES

APPALACHIAN REGIONAL COMMISSION

The conference agreement provides $66,000,000 for the Appalachian Regional Commission. Within available funds, the conferees direct the Commission to provide $1,000,000 to facilitate construction of the Farmers' Ethanol biorefinery and supporting infrastructure in Perry County, Ohio. The conferees support the Appalachian-Turkish Trade Project to promote trade and investment opportunities.

DEFENSE NUCLEAR FACILITIES SAFETY BOARD

SALARIES AND EXPENSES

The conference agreement provides $20,268,000 for the Defense Nuclear Facilities Safety Board, the same as the request.

DELTA REGIONAL AUTHORITY

SALARIES AND EXPENSES

The conference agreement appropriates $6,048,000 for the Delta Regional Authority. The conferees direct the Authority to submit to the House and Senate Committees on Appropriations quarterly financial reports providing detailed accounting data on the expenditures of funds during fiscal year 2005. The conferees also expect the Authority to submit a detailed budget justification for the fiscal year 2006 budget.

DENALI COMMISSION

The conference agreement appropriates $67,000,000 for the Denali Commission. The conferees renew the direction to the Commission to submit a detailed budget justification for fiscal year 2006.

NUCLEAR REGULATORY COMMISSION

SALARIES AND EXPENSES

The conference agreement includes $662,777,000, to be offset by revenues of $534,354,000, for a net appropriation of $128,423,000. This reflects the statutory language adopted by the conference in fiscal year 2001 to reduce the fee recovery requirement to 90 percent in fiscal year 2005.

In fiscal year 2004, the conferees directed the Nuclear Regulatory Commission to contract with the National Academy of Sciences for a study of spent nuclear fuel storage at commercial reactor sites. The National Academy completed this study and found a number of areas in which the NRC could improve its modeling of the risks to spent fuel storage and the mitigation of such risks. The conferees expect the NRC to take the necessary steps to improve its analyses, including the preparation of site-specific models, and to work with the utilities to ensure timely application of this information to mitigate risks.

OFFICE OF INSPECTOR GENERAL

The conference agreement includes $7,518,000, to be offset by revenues of $6,766,200, for a net appropriation of $751,800. This reflects the statutory language adopted by the conference in fiscal year 2001 to reduce the fee recovery requirement to 90 percent in fiscal year 2005.

NUCLEAR WASTE TECHNICAL REVIEW BOARD

SALARIES AND EXPENSES

The conference agreement provides $3,177,000, the same as the budget request.

TITLE V—GENERAL PROVISIONS

Sec. 501. The conference agreement includes language directing that none of the funds appropriated in this Act may be used in any way, directly or indirectly, to influence congressional action on any legislation or appropriation matters pending before Congress except to communicate to Members of Congress.

Sec. 502. The conference agreement includes language regarding the transfer of funds made available in this Act to other departments or agencies of the federal government.

Sec. 503. The conference agreement includes language regarding the public release of documents concerning energy markets.

Sec. 504. The conference agreement includes language regarding the extension of the prohibition of oil and gas drilling in the Great Lakes through 2007.

Sec. 505. The conference agreement includes language authorizing the Secretary of the Army to transfer and advance funds to the Administrator of the Bonneville Power Administration to carry out activities in connection with Section 2406 of the Energy Policy Act of 1992.

Sec. 506. The conference agreement includes language concerning the voting methods for the Delta Regional Authority.

TITLE VI

The conference agreement includes language changing the composition, operation, and duties of the Board of Directors of the Tennessee Valley Authority.

CONFERENCE TOTAL—WITH COMPARISONS

The total new budget (obligational) authority for the fiscal year 2005 recommended by the Committee of Conference, with comparisons to the fiscal year 2004 amount, the 2005 budget estimates, and the House and Senate bills for 2005 follow:

[In thousands of dollars]

New budget (obligation) authority, fiscal year 2004	$27,756,375
Budget estimates of new (obligational) authority, fiscal year 2005	28,470,382
House bill, fiscal year 2005	28,525,000
Senate bill, fiscal year 2005	0
Conference agreement, fiscal year 2005	29,020,000
Conference agreement compared with:	
New budget (obligation) authority, fiscal year 2004	+1,263,625

Budget estimates of new (obligational) authority, fiscal year 2005	+549,618
House bill, fiscal year 2005	+495,000
Senate bill, fiscal year 2005	+29,020,000

DIVISION D—FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS APPROPRIATIONS ACT, 2005

The statement of the managers remains silent on provisions that were in both the House and Senate bills that remain unchanged by this conference agreement, except as noted in this statement of the managers. The House and Senate report language that is not changed by the conference is approved by the committee of conference. The statement of the managers, while repeating some report language for emphasis, does not intend to negate the language referred to above unless expressly provided herein.

TITLE I—EXPORT AND INVESTMENT ASSISTANCE

EXPORT-IMPORT BANK OF THE UNITED STATES

The conference agreement appropriates $59,800,000 for the subsidy appropriation instead of $125,700,000 as proposed by the House and $115,700,000 as proposed by the Senate. The managers expect that there will be no reduction in Export-Import Bank activity levels due to the extraordinarily high level of carryover balances in fiscal year 2005, which total approximately $444,000,000.

The conference agreement appropriates $73,200,000 for administrative expenses for the Export-Import Bank as included in the House bill and Senate amendment.

The conference agreement does not include a first-time appropriation for an Office of Inspector General. The managers note that the Export-Import Bank already has an audit committee and other regimes in place, including independent auditors that provide financial oversight to its operations.

The conference agreement includes Senate language that requires the Export-Import Bank to provide a report on the economic effect of an ethanol dehydration plant in Trinidad and Tobago within 30 days of enactment of this Act. The conference agreement does not include Senate language that would have required prior consultation with the Senate Finance Committee and the Committees on Appropriations prior to extending credit support to establish or expand the production of indigenous products by a beneficiary country pursuant to section 423 of the Tax Reform Act of 1986. The managers are concerned by the precedent this provision may establish within the Act, and believe this matter is better addressed by the relevant authorizing committees.

OVERSEAS PRIVATE INVESTMENT CORPORATION

The managers direct the President of OPIC to continue current policy and consult with the Committees on Appropriations before any future financing for nongovernmental organizations or private and voluntary organizations is approved.

The conference agreement includes Senate language that allows OPIC to operate in Iraq for fiscal year 2005. The House bill did not address this matter.

TRADE AND DEVELOPMENT AGENCY

The conference agreement appropriates $51,500,000 for the Trade and Development Agency (TDA) as proposed by the House instead of $49,000,000 as proposed by the Senate. The managers have provided $1,500,000 for TDA to conduct a development and training program to assist countries with meeting their obligations for international aviation security and safety standards.

TITLE II—BILATERAL ECONOMIC ASSISTANCE

UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

CHILD SURVIVAL AND HEALTH PROGRAMS FUND

The conference agreement appropriates $1,550,000,000 for the Child Survival and Health Programs Fund as proposed by the Senate instead of $1,648,500,000 as proposed by the House. The managers make funding in this account available until September 30, 2006, as proposed by the House, rather than September 30, 2007, as proposed by the Senate.

As in previous years, the conference agreement includes language allocating the Child Survival and Health Programs Fund among six program categories. For child survival and maternal health, including vaccine-preventable diseases such as polio, the conference agreement allocates $345,000,000 as proposed by the Senate instead of $330,000,000 as allocated by the House. For vulnerable children (not including children affected by HIV/AIDS), the conference agreement allocates $30,000,000 as proposed by the Senate instead of $28,000,000 as allocated by the House. For HIV/AIDS, including children orphaned by HIV/AIDS and otherwise affected by the disease, the conference agreement allocates $350,000,000 instead of $330,000,000 as allocated by the House or $600,000,000 as allocated by the Senate. For other infectious diseases, including TB and malaria, the conference agreement allocates $200,000,000 as proposed by the Senate instead of $185,000,000 as allocated by the House. For reproductive health/family planning, the conference agreement allocates $375,000,000 as allocated by the Senate; and for the Global Fund to Fight AIDS, Tuberculosis and Malaria (Global Fund), the conference agreement allocates $250,000,000 as proposed by the Senate (not including $150,000,000 of emergency funding) instead of $400,000,000 as allocated by the House. The allocation for the Global Fund also includes $87,800,000 in prior year funds, bringing the total allocation to $337,800,000.

The managers expect that any change proposed subsequent to the allocation as directed in bill language will be subject to the requirements of section 515 of this Act. A definition of program categories and their components can be found on pages 9 through 11 of House Report 107–142 and under the heading "Family Planning/Reproductive Health" on page 12 of Senate Report 107–58.

The conference agreement includes a total of $337,800,000 for the Global Fund. The managers note that other donors have not contributed adequate matching funding to make available all of the potential United States fiscal year 2004 contribution to the Fund of $547,000,000. The managers have carried over the amount that

could not be made available, $87,800,000, for inclusion in the fiscal year 2005 Global Fund contribution. Absent this action by the Congress, these funds would have been used for purposes other than a contribution to the Global Fund.

The managers provide that up to 5 percent of funds made available for a United States contribution to the Global Fund may be made available to USAID for technical assistance related to Global Fund activities, similar to a House provision. Priority should be given to assistance that speeds the distribution of Global Fund grants and improves the accountability and efficiency of their use, rather than increases the pipeline of undisbursed funding.

As in previous years, the managers specify that funding for family planning/reproductive health should also be spent in areas where population growth threatens biodiversity or endangered species, as recommended by the Senate. The House bill did not address this matter.

The conference agreement includes $30,000,000 to support research on and the development of microbicides as a means for combating HIV/AIDS, instead of $32,000,000 as proposed by the Senate. The House bill did not address this matter. The managers endorse Senate report language recommending up to $2,000,000 for the International Partnership for Microbicides.

The conference agreement includes $27,000,000 for the International AIDS Vaccine Initiative, instead of $28,000,000 as proposed by the Senate. The House bill addressed this matter under the heading "Global HIV/AIDS Initiative".

The managers do not include a provision providing funds under this heading for the Joint UN Programme on HIV/AIDS (UNAIDS), as proposed by the Senate. Instead, the managers provide such funds under the heading "Global HIV/AIDS Initiative".

To simplify accounting and improve transparency, no funding is appropriated in this account for HIV/AIDS programs in the 15 Emergency Plan for AIDS Relief "focus" countries. Funding for the "focus" countries is appropriated under the heading "Global HIV/AIDS Initiative".

The managers note that, of the funding pledged thus far by the Global Fund to recipient countries, approximately 56 percent would be for HIV/AIDS interventions, 31 percent for malaria interventions, and 13 percent for tuberculosis (TB) or combined TB/AIDS interventions. The managers have used these percentages to estimate the portion of the United States contributions to the Global Fund that is likely to be attributed for each disease. The narrative for HIV/AIDS funding is under the heading "Global HIV/AIDS Initiative".

The conference agreement provides a total of $132,500,000 for TB assistance. Of this amount, $80,000,000 is funded through the "other infectious diseases" allocation in this account, an estimated $8,500,000 from other bilateral accounts, and $44,000,000 through the contribution to the Global Fund.

For malaria, the conference agreement provides a total of $203,700,000. Of this amount, it is expected that $104,700,000 of the contribution to the Global Fund will fund malaria programs, $90,000,000 is funded through the "other infectious diseases" allo-

cation in this account, and an estimated $9,000,000 is provided from other bilateral accounts.

The managers note with concern the reductions made in the fiscal year 2005 budget request for a number of African countries. The conference agreement contains funding levels for both "Child Survival and Health Programs Fund" and "Development Assistance" that significantly exceed the amounts requested. The managers therefore expect USAID to restore cuts in African country allocations in those accounts to their fiscal year 2004 levels, consistent with proper programmatic considerations. The managers expect that the Committees on Appropriations will be fully consulted prior to the release of section 653(a) allocations for fiscal year 2005.

The managers endorse House report language urging USAID to increase its support for obstetric fistula prevention and repair. The managers also intend that $32,000,000 be made available to support the multilateral campaign to combat polio.

The managers note the policy and technical analysis and educational programs of the Global Health Council and recommend funding for the Council for such activities in fiscal year 2005.

The managers direct USAID to provide the Committees with a detailed report not later than March 31, 2005, on the programs, projects, and activities undertaken by the Child Survival and Health Programs Fund during fiscal year 2004.

The managers note the growing demand for health-related research and development from this and other accounts in this Act. Therefore, the managers request USAID to provide a report not later than 180 days after enactment of this Act describing efforts made to coordinate USAID's health-related research and development activities with those of the Department of Health and Human Services, the Department of Defense, and other agencies as appropriate. The report should focus on the research, development, and application cycle and outline USAID's appropriate role in that process. The report should also include amounts spent by USAID for research and development, with a breakdown by health issue or disease, recipient, and stage of research or development funded. The managers request USAID to consult regularly with the Committees while developing this report.

Funds appropriated for the Child Survival and Health Programs Fund are appropriated for programs, projects and activities. Funds for administrative expenses to manage Child Survival and Health Programs Fund activities are provided in a separate USAID Operating Expenses account, with two exceptions included in the conference agreement: authority for USAID's central and regional bureaus to use up to $250,000 from program funds for Operating Expense-funded personnel to better monitor and provide oversight of the Child Survival and Health Programs Fund, and section 522, which includes authority to use up to $13,500,000 to reimburse other government agencies and private institutions for professional services.

DEVELOPMENT ASSISTANCE

The conference agreement appropriates $1,460,000,000 for "Development Assistance" as proposed by the Senate instead of $1,429,000,000 as proposed by the House.

The conference agreement includes $194,000,000 for trade capacity building under this heading, the same as the level in the House bill. The Senate amendment did not address this matter. Trade capacity building is further addressed in section 570 of the general provisions.

The managers have agreed to provide $300,000,000 for basic education, including adult literacy programs, under this heading. Additionally, the conference agreement addresses this matter further in section 567 of the general provisions. The Senate amendment addressed this matter in the general provisions, not under this heading.

The managers note that both the House and Senate reports direct USAID to design and fund a $15,000,000 program in Africa with the aim of eliminating school fees. The managers endorse the instructions included in the House report stipulating that this program address the issue of eliminating school fees in a holistic manner, with attention paid to increasing host country investment in education, increasing parent and community involvement, and ensuring sufficient infrastructure for both male and female students. The managers understand that eliminating school fees, even in one country, could cost hundreds of millions of dollars, and that the pilot project undertaken with the funds provided will necessarily be smaller in scope. The managers also direct that the strategies requested in both the House and Senate reports be combined and transmitted together to the Committees on Appropriations no later than 180 days after enactment of this Act.

The conference agreement provides $15,000,000 for programs to improve women's leadership capacity in recipient countries as included in the House bill. The Senate amendment did not address this matter.

The conference agreement provides $2,000,000 for clean water treatment activities in developing countries. The House bill did not address this matter. The managers recommend consideration of up to $2,000,000 for Water Missions International assuming satisfaction of normal requirements for project technical merit and financial accounting system standards.

The conference agreement includes Senate language that provides $100,000,000 from all funds appropriated by this Act shall be made available for drinking water supply projects and related activities. The House bill did not address this matter. The Committee expects USAID to report no later than 90 days after enactment of this Act on funding and implementation of its water projects, including the number and location of wells drilled, and the cost per well.

The conference agreement does not include the Senate requirement that funds for the Global Development Alliance are subject to notification. However, the managers request USAID to present to the Committees its financial plan for continued implementation of the Global Development Alliance. The House did not address this matter.

The managers support the fertilizer-related research and development being conducted by the International Fertilizer Development Center (IFDC) and urge USAID to make at least $4,000,000 available to IFDC, including not less than $2,300,000 for its core

grant, as provided under the Senate amendment. The House bill did not address the matter.

The conference agreement provides $20,000,000 for American Schools and Hospitals Abroad. The Senate provided $22,000,000. The House bill did not address this matter. The managers endorse House report language concerning medical simulation technology.

The managers direct that not less than $1,000,000 be made available to the U.S. Telecommunications Training Institute, a nonprofit joint venture program between the public and private sectors that provides tuition free communications and broadcasting training to professionals around the world. The Senate amendment included bill language mandating that such funds be made available for this purpose. The House bill did not address this matter.

The managers understand that USAID has reached a three-year, $3,000,000 agreement with the International Real Property Foundation (IRPF). The managers support the work of the IRPF, which provides field volunteers to developing countries to help make their real estate markets more open and professional. The managers expect USAID to provide $1,000,000 to the IRPF from funds made available under this heading.

The conference agreement includes a modified Senate provision directing that "Development Assistance" funds should be used for programs in sub-Saharan Africa to address sexual and gender-based violence. The House bill did not address this matter. The managers recognize the importance of these programs and expect USAID to increase funding above the current level.

The managers endorse Senate report language concerning Laos and expect that a total of $2,000,000 from "Development Assistance" and the "Child Survival and Health Programs Fund" will be used to continue ongoing programs in that country. The managers continue to strongly support programs, funded under the "Nonproliferation, Anti-Terrorism, Demining and Related Programs" account, to clear unexploded ordnance in Laos and expect that at least $2,500,000 will be made available for this purpose in fiscal year 2005.

The conference agreement does not include a Senate provision that $8,000,000 in development assistance funds should be made available for assistance to Liberia. The House bill did not address this matter. However, the managers believe that additional funds are urgently needed for a variety of activities in Liberia, especially drug rehabilitation of former combatants, and expect USAID to provide $6,000,000 in development assistance funds for Liberia. The managers endorse the budget request for Liberia except where otherwise noted in the conference agreement or statement of managers.

The managers recommend $10,000,000 from "Development Assistance" and "Economic Support Fund" to assist victims of torture. The House bill did not address this matter.

The managers support microenterprise development programs for the poor, especially women, and urge USAID to achieve a level of $200,000,000 for these programs in fiscal year 2005. The managers also recommend $30,000,000 be available to USAID's Office of Microenterprise through a central funding or other appropriate mechanism for contracts, cooperative agreements and grants. The

managers also urge USAID to take steps to preserve the viability of leading NGO microfinance networks and to consult with the Committees on Appropriations on these measures.

The managers strongly support the work of volunteers with experience in the private sector in developing countries. In that regard, the managers endorse the House report language regarding the Financial Services Volunteer Corps (FSVC) and the Citizens Development Corps (CDC), and Senate language that endorses the International Executive Service Corps (IESC). The FSVC can make an important contribution to reconstruction in Iraq and Afghanistan. The managers strongly support these institutions and direct the State Department and USAID to seek ways to use them to full effect.

The managers direct the State Department and USAID to report to the Committees on Appropriations not later than 90 days after enactment of this Act on how funding made available in this Act will be used by the FSVC.

The managers endorse the list of university proposals in the Senate and House reports. In addition, the managers recommend consideration of proposals in support of the Norman E. Borlaug International Science and Technology Fellows Program, coordinated by Texas A&M University and other partnering universities and agencies.

The conference agreement does not include Senate language that would direct $40,000,000 appropriated under title II of this Act be made available to the Office of the Higher Education Community Liaison within USAID. The managers affirm the principle of rigorous competitive selection of proposals on technical merit. On a highly exceptional basis, the Committees may request USAID to consult them on behalf of proposals deemed meritorious.

INTERNATIONAL DISASTER AND FAMINE ASSISTANCE

The conference agreement appropriates $370,000,000 for "International Disaster and Famine Assistance", instead of $355,500,000 as proposed by the House and $385,500,000 as proposed by the Senate.

Of this amount, $34,500,000 is made available specifically for assistance for famine prevention and relief, instead of $20,000,000 as proposed by the House and $50,000,000 as proposed by the Senate.

TRANSITION INITIATIVES

The conference agreement appropriates $49,000,000 to support transition to democracy and long-term development of countries in crisis, instead of $47,500,000 proposed by the House and $50,000,000 proposed by the Senate.

DEVELOPMENT CREDIT AUTHORITY

(INCLUDING TRANSFER OF FUNDS)

The conference agreement provides $21,000,000 via transfer authority for micro and small enterprise programs, urban programs and other credit programs as proposed by the House and the Senate. The conference agreement does not include a Senate limitation

of $700,000,000 on loan principal any part of which is to be guaranteed. The House bill did not address this matter.

CAPITAL INVESTMENT FUND

The conference agreement appropriates $59,000,000 for USAID's Capital Investment Fund as proposed by the Senate, instead of $64,800,000 as proposed by the House.

The conference agreement does not include Senate language that would have required the USAID Administrator to assess rental assessments on other agencies in buildings constructed with funds under this title. The conference agreement does not include House language that would have made USAID funds available for contribution to the Capital Security Cost Sharing Program managed by the State Department only if all other agencies that have agreed to participate in the program are making their contribution. The conference agreement makes available not to exceed $19,709,000 for USAID's contribution to the Capital Security Cost Sharing Program.

OTHER BILATERAL ECONOMIC ASSISTANCE

ECONOMIC SUPPORT FUND

The conference agreement appropriates $2,482,500,000 for the Economic Support Fund.

Funds in this account are allocated in the following table and, as stipulated in section 595, any change to these allocations is subject to the regular reprogramming procedures of the Committees on Appropriations:

Economic Support Fund

[Budget Authority, dollars in thousands]

	Conference Agreement
Africa:	
Africa Regional	9,000
Angola	3,000
Burundi	3,250
Democratic Republic of Congo	5,000
Djibouti	2,000
Ethiopia	5,000
Kenya	9,000
Liberia	25,000
Nigeria	5,000
Regional Organizations	1,000
Safe Skies	3,500
Sierra Leone	6,000
South Africa	1,000
Sudan	20,000
Zimbabwe	2,000
Kimberley Process	1,750
NED Democracy Programs	3,500
Subtotal—Africa	105,000
East Asia and the Pacific:	
ASEAN Regional	750
Burma	8,000
Cambodia	17,000
NED Democracy Programs	4,000
Tibet	4,250
East Timor	22,000

	Conference Agreement
Indonesia	65,000
Mongolia	10,000
Thailand	1,000
Philippines	35,000
Environmental Programs	1,750
Regional Security Fund	250
Regional Women's Issues	1,000
South Pacific Fisheries	18,000
Subtotal—East Asia and Pacific	188,000
Europe:	
Cyprus	13,500
Irish Visa Program	3,500
Subtotal—Europe	17,000
Near East:	
Egypt	535,000
Israel	360,000
Jordan	250,000
Lebanon	35,000
Middle East Multilaterals	2,000
Middle East Partnership Initiative	75,000
Middle East Regional Cooperation	5,000
Morocco	20,000
West Bank/Gaza	75,000
Yemen	15,000
NED Muslim Democracy Programs	4,000
Subtotal—Near East	1,376,000
South Asia:	
Afghanistan	225,000
Bangladesh	5,000
India	15,000
Nepal	5,000
Pakistan	300,000
South Asia Regional	1,000
Sri Lanka	10,000
Subtotal—South Asia	561,000
Western Hemisphere:	
Bolivia	8,000
Cuba	9,000
Dominican Republic	3,000
Ecuador	13,000
Haiti	40,000
Guatemala	6,000
Nicaragua	3,500
Mexico	13,500
Panama	3,000
Paraguay	3,000
Peru	8,000
Peru/Ecuador Peace	3,000
Regional Anticorruption Initiatives	3,000
Summit of the Americas Support	1,500
Third Border Initiative	9,000
Trade capacity/CAFTA technical assistance	20,000
Venezuela	500
Subtotal—Western Hemisphere	147,000
Global:	
Human Rights and Democracy Fund	37,000

	Conference Agreement
Disability Programs	2,500
OES Initiatives	2,500
Partnerships to Eliminate Sweatshops	2,000
Wheelchairs	5,000
Reconciliation Programs	12,000
Security and Sustainability Programs	3,000
Trafficking in Persons	24,500
Subtotal—Global	88,500
Total, ESF	2,482,500

The conference agreement provides $360,000,000 for Israel and language requiring disbursement of funds within 30 days of enactment of this Act. The conference agreement provides not less than $535,000,000 for Egypt as proposed by both the House and Senate.

The conference agreement includes language similar to that of the Senate amendment that provides that $200,000,000 should be provided for Commodity Import Program assistance for Egypt. The House bill did not address this matter.

The conference agreement does not include language, proposed by the Senate, that assistance be provided for Egypt with the understanding that the Government of Egypt (GoE) will undertake significant political reforms in addition to those undertaken in previous years. The House bill did not address this matter.

The conference agreement includes language, proposed by the Senate, that democracy and governance activities shall not be subject to the prior approval of the GoE. The managers intend this language to include nongovernmental organizations and other segments of civil society that may not be registered with, or officially recognized by, the GoE. However, the managers understand that the GoE should be kept informed of funding provided pursuant to these activities.

The conference agreement does not include a Senate provision to make funds from this account available to USAID for administrative costs for regional programs in Asia and the Near East regions. The House bill did not address this matter.

The conference agreement includes language similar to that proposed by the House and the Senate providing that not less than $13,500,000 shall be made available for assistance for Cyprus.

The conference agreement includes language that provides that not less than $250,000,000 should be made available for assistance for Jordan, as proposed by the House. The Senate language would have mandated this level of support.

The conference agreement includes language similar to that in the House bill that provides that not less than $35,000,000 shall be made available for assistance for Lebanon, of which not less than $4,000,000 should be made available for scholarships and direct support of American educational institutions in Lebanon.

The conference agreement provides $22,000,000 for assistance for East Timor (Timor-Leste) as proposed by the Senate. The House bill had similar language. The conference agreement provides that of the funds for East Timor, $1,000,000 may be made available for administrative expenses of USAID, as proposed by the Senate.

The conference agreement does not include a House provision providing $50,000,000 for assistance for Haiti. The conference

agreement provides $85,000,000 in assistance for Haiti as specified in section 549 of this Act, including $40,000,000 in the Economic Support Fund.

The managers include prior year language authorizing non-lethal assistance to the National Democratic Alliance of Sudan to protect its civilians from attack. The Senate did not address this matter.

The conference agreement provides that $3,000,000 should be made available to promote freedom of the media in Indonesia. The managers expect these funds will support ongoing programs and activities, including those conducted by Internews.

The conference agreement does not include a Senate provision that $2,000,000 shall be made available for economic development programs conducted by Indonesian universities. However, the managers expect funding should be provided for this purpose.

The managers expect USAID to provide sufficient funding for democracy building activities in Indonesia, and request USAID to consult with the Committees on this matter.

The managers also expect currently unobligated funds for police training in Indonesia to be fully utilized before fiscal year 2005 Economic Support Fund resources are used for that purpose.

The conference agreement does not include Senate language providing assistance to the Rosary Sisters Hospital in Jordan. The managers understand the concerns of the Government of Jordan regarding the impact this proposed activity would have on the assistance program for Jordan and recommend that USAID and the Department of State review a proposal from the hospital for possible funding from other sources within this Act. The House bill did not address this matter.

The conference agreement does not include Senate language that would have authorized up to $4,500,000 for scholarship programs for students from countries with significant Muslim populations at accredited American institutions of higher education. The House bill did not address this matter. The managers note that sufficient authority exists to fund such scholarships at the present time, and endorse the House report language on this matter. The managers direct the Department of State to review such a proposal and, based on such review, to recommend, as part of the President's fiscal year 2006 budget request, how such a program (including elementary and secondary school students) could be most effectively funded and managed by the United States Government.

The conference agreement does not include $2,500,000 for technical assistance to implement the Kimberley Process Certification Scheme. However, $1,750,000 should be made available for this purpose, as identified in the table establishing funding levels for this account.

The conference agreement does not include Senate language providing funding for environment initiatives in the East Asia and Pacific region. However, $1,750,000 should be made available for this purpose as indicated in the table establishing funding levels for this account. The House bill did not address this matter.

The conference agreement does not include Senate provisions providing specific funding levels for Kenya and Liberia. Amounts

for these countries are identified in the table establishing funding levels for this account. The House bill did not address this matter.

The conference agreement does not include a Senate provision that directed not less than $500,000 should be made available for the Commission to Investigate Illegal Groups and Clandestine Security Apparatus in Guatemala (CICIACS). However, the managers intend that if CICIACS is established not less than $500,000 should be made available to support the Commission. The House bill did not address this matter.

The conference agreement does not include Senate language providing funding for the Foundation for Security and Sustainability. The managers provide $3,000,000 for the Foundation as identified in the table establishing funding levels for this account. The House bill did not address this matter.

The conference agreements includes $5,000,000 for the provisions of wheelchairs for needy persons in developing countries instead of $10,000,000 as proposed by the Senate. The House bill did not address this matter.

INTERNATIONAL FUND FOR IRELAND

The conference agreement appropriates $18,500,000 as proposed by the House. The Senate did not address this matter.

ASSISTANCE FOR EASTERN EUROPE AND THE BALTIC STATES

The conference agreement appropriates $396,600,000 instead of $410,000,000 as proposed by the Senate and $375,000,000 as proposed by the House.

Funds in this account are allocated in the following table and, as stipulated in section 595, any change to these allocations is subject to the regular reprogramming procedures of the Committees on Appropriations:

Assistance for Eastern Europe and the Baltic States

[Budget Authority in thousands of dollars]

	Conference Agreement
Albania	$28,000
Bosnia-Herzegovina	41,000
Bulgaria	27,000
Croatia	20,000
Kosovo	75,000
Macedonia	34,000
Romania	27,000
Serbia	73,600
Montenegro	20,000
Regional Programs	51,000
Total AEEB	396,600

The conference agreement contains language similar to that in the Senate amendment that provides that $2,000,000 should be made available to enhance safety at nuclear power plants. The managers understand that additional funding for this purpose will not be required in subsequent fiscal years.

The conference agreement does not include language proposed by the Senate to reduce assistance for Serbia by an amount equal to the amount of financial and other support that Serbia has provided to Slobodan Milosevic and other indicated war criminals and

their families during calendar year 2004. The managers request the State Department to promptly consult with the Committees on the amounts, if any, Serbia has provided to these individuals. The House bill did not address this matter.

The conference agreement does not include a House provision requiring the Administrator of USAID to provide prior written approval for grants and loans for the economic revitalization program in Bosnia and Herzegovina. The Senate did not address this matter.

The conference agreement includes House language that requires separate accounts for local currencies and cash transfers made available under this heading. The Senate did not address this matter.

The managers have included House language authorizing the President to withhold funds for Bosnian economic revitalization if Bosnia is not in compliance with article III of annex 1–A of the Dayton Accords and has not terminated intelligence cooperation with state sponsors of terrorism and terrorist organizations.

The managers note the language of both the House and Senate reports endorsing the American Bar Association's rule of law programs, and also support implementing them through cooperative agreements.

The managers recommend funding for the Russian, Eurasian, and East European Research and Training Program (Title VIII) at the fiscal year 2004 level. The managers also encourage the use of Title VIII funds to include comparative research and language training concerning Eurasian countries critical in the war on terrorism.

The managers note that USAID, the Kosovo Business Finance Fund, and the American Council for International Education have recently entered into a partnership to expand professional educational opportunities in Kosovo. Given the static or declining aid levels for Eastern Europe and Eurasia, the managers encourage the State Department and USAID to work with various Enterprise Funds to develop further post graduate partnership programs and opportunities for professional education.

ASSISTANCE FOR THE INDEPENDENT STATES OF THE FORMER SOVIET UNION

The conference agreement appropriates $560,000,000 as proposed by the Senate, instead of $550,000,000 as proposed by the House.

Funds in this account are allocated in the following table and, as stipulated in section 595, any change to these allocations is subject to the regular reprogramming procedures of the Committees on Appropriations:

Assistance for the Independent States of the Former Soviet Union

[Budget Authority in thousands of dollars]

	Conference Agreement
Armenia	$75,000
Azerbaijan	38,000
Belarus	6,500
Georgia	92,000
Kazakhstan	27,000

	Conference Agreement
Kygryz Republic	32,000
Moldova	17,500
Russia	90,000
Tajikistan	25,000
Turkmenistan	6,000
Ukraine	70,000
Uzbekistan	36,000
Regional Programs	45,000
Total	560,000

The conference agreement includes $3,859,000 for health and other assistance needs of victims of trafficking in persons, instead of $1,500,000 as proposed by the House and $8,000,000 as proposed by the Senate.

The conference agreement includes language providing not less than $17,500,000 for the Russian Far East, instead of $20,000,000 as proposed by the Senate. The managers endorse Senate report language recognizing the important contributions to development activities in this region by the University of Alaska.

The conference agreement does not include a Senate provision making available assistance for an emergency operations center in Kazakhstan.

The conference agreement provides that of the funds made available for assistance for Ukraine, $5,000,000 should be made available for nuclear reactor safety initiatives. The managers expect that of this amount, $3,000,000 should be provided for simulator-related projects. The Senate amendment included a similar provision. The House bill did not address this matter.

The conference agreement includes not less than $55,000,000 for child survival, environmental and other health activities, and programs to reduce the incidence of HIV/AIDS, tuberculosis, and other infectious diseases. The House bill would have provided $57,000,000 for these purposes. The Senate amendment did not address this matter.

The managers do not include a Senate provision specifying funding for the Russia programs of the National Endowment for Democracy or for democracy, human rights, and rule of law programs in Belarus. The House bill did not address these matters. The managers request that of the funds provided for assistance for Russia, $3,500,000 should be made available to the National Endowment for Democracy for democracy and human rights activities in Russia, including political party development programs.

The conference agreement assumes $6,500,000 for assistance for Belarus, which should be used to implement programs and activities authorized under the Belarus Democracy Act of 2004. Funds may also be used for anti-trafficking programs and programs to combat HIV/AIDS.

The conference agreement assumes that of the funds allocated for regional programs, at least $3,000,000 should be provided to address ongoing humanitarian needs in Nagorno-Karabakh.

INDEPENDENT AGENCIES

INTER-AMERICAN FOUNDATION

The conference agreement appropriates $18,000,000 instead of $19,000,000 as proposed by the Senate and $16,238,000 as proposed by the House.

AFRICAN DEVELOPMENT FOUNDATION

The conference agreement appropriates $19,000,000 instead of $20,000,000 as proposed by the Senate and $18,579,000 as proposed by the House.

PEACE CORPS

The conference agreement appropriates $320,000,000, instead of $330,000,000 as proposed by the House and $310,000,000 as proposed by the Senate. The managers encourage the Peace Corps to consider new programs in Cambodia and elsewhere in Asia, provided sufficient funds are available.

MILLENNIUM CHALLENGE CORPORATION

The conference agreement appropriates $1,500,000,000 for the Millennium Challenge Corporation (MCC) instead of $1,250,000,000 as proposed by the House and $1,120,000,000 as proposed by the Senate.

The conference agreement makes available up to $50,000,000 for administrative expenses instead of $30,000,000 as proposed by the House. The Senate amendment did not address this matter. Additionally, the managers include House language providing up to 10 percent of funds for the threshold countries. The Senate included similar language in section 5093 of the Senate amendment.

The conference agreement includes a number of provisions in the House bill that were not addressed by the Senate amendment including: requirement for a written justification before funds are made available, requesting a report on the threshold country program, extension of section 605(e)(4) of the Millennium Challenge Act of 2003, and requiring that the MCC fully fund multi-year compacts for fiscal years 2004 and 2005.

The conference agreement includes in section 534 of the general provisions a provision similar to the Senate amendment that amends the eligibility criteria of the MCC. The managers have included a definition of the "investments in the people" criteria that is inclusive of government policies of a potentially eligible country that promote the health, education, and other factors that contribute to the well-being and productivity of their people, such as decent, affordable housing.

The managers direct the MCC to consult with the Committees on Appropriations and other appropriate committees if the MCC plans to propose an expansion of the "investment in the people" criteria beyond the areas of health and education for purposes of country eligibility. In the event of such a proposed expansion, the managers direct the MCC to provide this consultation not later than 21 days prior to the release of the report on the criteria and methodology for determining eligibility. The consultation shall in-

clude a justification, including supporting documents, that the proposed expansion will meet requirements and expectations of country coverage, transparency and availability, objectivity and reliability, an appropriate inclusion in the eligibility methodology, and a link to economic growth and poverty reduction that merits the provision of eligibility incentives.

DEPARTMENT OF STATE

GLOBAL HIV/AIDS INITIATIVE

The conference agreement appropriates $1,385,000,000 for the Global HIV/AIDS Initiative instead of $1,450,000,000 as proposed by the Senate and $1,260,000,000 as proposed by the House. The managers include a total of $2,296,300,000 for HIV/AIDS, tuberculosis, and malaria, $99,300,000 over the President's request and $690,145,000 over the fiscal year 2004 level. This figure does not include significant funding anticipated to be appropriated for the Department of Health and Human Services.

HIV/AIDS, TB, and Malaria, fiscal year 2005

[Budget Authority in thousands of dollars]

	Conference Agreement
Child Survival and Health Programs Fund (CSH)	867,800
HIV/AIDS	(350,000)
Other Infectious Diseases (TB & malaria)	(170,000)
Global ATM Fund	(337,800)
Global HIV/AIDS Initiative	1,385,000
Other bilateral accounts for HIV/AIDS, TB, malaria	53,500
Total	2,296,300

The conference agreement provides, of the $2,296,300,000 included for HIV/AIDS, TB, and malaria in this Act, not less than $1,960,100,000 for programs for the prevention and treatment of HIV/AIDS, and for care and support of those infected and affected by the disease. $1,385,000,000 for HIV/AIDS is included in the Global HIV/AIDS Initiative account. An additional $539,100,000 is funded through the Child Survival and Health Programs Fund, including $189,100,000 as a conservative estimate of the amount from this Act that will be allocated for HIV/AIDS by the Global Fund using historic Fund disbursement trends. An estimated $36,000,000 is provided through other accounts, such as the Economic Support Fund, International Disaster and Famine Assistance, Foreign Military Financing, and regional accounts for Eastern Europe and the former Soviet Union. The estimate of $1,960,100,000 for HIV/AIDS does not include the United States share of HIV/AIDS assistance through the World Bank Group.

The managers note that all funding for the 15 Global HIV/AIDS Initiative "focus" countries is appropriated in this account. The managers strongly encourage the Office of the Global AIDS Coordinator to continue its policy of providing additional funding to "non-focus" countries. The managers also support the procurement of cost-effective commodities that are appropriate for use in developing and least developed countries, including rapid strip-based HIV tests that address the threat of all strains of HIV, including Group O.

The conference agreement does not include a Senate provision regarding capacity building for nongovernmental organizations and governments. The House bill did not address this matter.

The managers request the Office of the Global AIDS Coordinator to submit a report not later than 180 days following enactment of this Act describing efforts to build the capacity of focus-country governments and nongovernmental organizations in those countries to develop and implement sustainable HIV/AIDS programs. The report should detail efforts, with funding allocations, to train local health care personnel, including nurses, and to build the infrastructure necessary for effective prevention, care and treatment programs. The report should describe how these programs fit into the country's national health care system and, if relevant, national HIV/AIDS plan. The report should also describe efforts undertaken by the Office of the Global AIDS Coordinator and other parts of the Global HIV/AIDS Initiative to coordinate capacity building efforts with other relevant initiatives and organizations, such as the Global Fund, the World Bank, and the World Health Organization. The managers encourage the Office of the Global AIDS Coordinator to consolidate reports requested under this title, as appropriate.

Funding for the United States contribution to the Global Fund has been included in two places within the President's annual budget submission: the request for USAID and the request for the Department of Health and Human Services. The managers request the Office of the Global AIDS Coordinator to provide a detailed and consolidated description of United States participation in and coordination with the Global Fund. This description should include the levels of United States government contributions to the Global Fund, efforts to coordinate United States government and Global Fund efforts in "focus" countries, and cost estimates of future Global Fund operations, including projections of the cost of grant renewals versus new grants. At a minimum, the forecast should break out these estimated costs for fiscal years 2006, 2007, and 2008 and describe how the Administration is working with the international community to garner support for the Fund.

The conference agreement does not include a Senate provision making funds available for a specific HIV/AIDS education and outreach program. The House bill did not address this matter. The managers endorse Senate report language regarding Voice for Humanity.

The managers recommend $53,500,000 in this Act from the Economic Support Fund, Foreign Military Financing, and regional accounts for Eastern Europe and the Baltic States and the former Soviet Union, for HIV/AIDS, TB, and malaria programs. The conference agreement does not include a Senate provision making available from specified regional and programmatic accounts $42,000,000 for HIV/AIDS, TB, and malaria programs. The House bill did not address this matter.

The managers include not less than $27,000,000 from this account for the Joint United Nations Programme on HIV/AIDS (UNAIDS). The Senate amendment included funding for UNAIDS in the Child Survival and Health Programs Fund, and the House bill did not address this matter.

The conference agreement does not include a House provision providing $26,000,000 for the International AIDS Vaccine Initiative (IAVI). The managers include funding for IAVI under the heading "Child Survival and Health Programs Fund", similar to a Senate provision.

INTERNATIONAL NARCOTICS CONTROL AND LAW ENFORCEMENT

The conference agreement appropriates $328,820,000 for International Narcotics Control and Law Enforcement (INCLE), the same level as proposed by the House and the Senate.

The conference agreement provides $40,000,000 for assistance to Mexico and $10,500,000 for ongoing programs in Africa. Additionally, the conference agreement provides $10,000,000 for demand reduction programs, similar to the House bill. The Senate did not address this matter.

The conference agreement provides $3,000,000 for the purchase of helicopters for Malta, as proposed by the Senate. The House did not address this matter.

The conference agreement includes a modified Senate provision that makes $4,000,000 available under this heading for the Philippines. The managers recognize the importance of the United States-Philippines relationship and support an increase in funding for the Philippines above the requested level under "Child Survival and Health Programs Fund", "Development Assistance", "Anti-Terrorism Assistance" and "International Military Education and Training". The managers expect to be consulted on assistance for the Philippines not later than 60 days after enactment of this Act.

The conference agreement provides $11,900,000 for the International Law Enforcement Training Academies (ILEA), and the managers expect the academies, with the exception of ILEA/Latin America, to be funded at the budget request. The managers request the State Department to consult with the Committees on plans to establish an academy in the Middle East.

The conference agreement does not include a provision providing $15,000,000 for anti-trafficking programs as proposed by the Senate. The managers expect that $5,000,000 of funds under this heading will be used for this purpose.

The managers do not include funds for police training in Indonesia under this heading and expect the State Department to consult with the Committees prior to using ESF funds in this or prior year Acts for these purposes. The managers request the State Department to submit a report to the Committees not later than 180 days after enactment of this Act on current and planned police training activities in Indonesia, including funding sources, obligations, and expenditures.

The conference agreement does not include $1,000,000 for police training in Timor-Leste as proposed by the Senate. However the managers expect that under the heading "Economic Support Fund", of the $22,000,000 provided for Timor-Leste, that not less than $1,000,000 will be used for these purposes.

The conference agreement makes available $30,300,000 for administrative expenses instead of $26,117,000 as proposed by the House and the Senate.

The conference agreement does not include an amendment, proposed by the Senate, providing $1,500,000 to the International Foundation of Hope (IFH) for alternative crop development programs in Nangarhar Province, Afghanistan. The managers recognize the security threat posed by narcotics production in Afghanistan and recommend the State Department consider funding the IFH program.

The conference agreement does not include a Senate provision that $5,000,000 be made available to combat the piracy of United States intellectual property. The managers commend the work of the State Department on this issue, expect $3,000,000 to be made available in fiscal year 2005, and urge the State Department to request funds for this purpose next year. The managers support the reporting requirement concerning this program contained in the Senate report.

The managers endorse House report language on "Anti-Corruption Compacts" and expect the Department of State to work with the MCC to identify possible threshold country program funding for this purpose.

ANDEAN COUNTERDRUG INITIATIVE

The conference agreement appropriates $731,000,000 for the Andean Counterdrug Initiative as proposed by the House and the Senate. The managers emphasize that there are other funds for Andean nations in this Act.

The conference agreement provides that not less than $264,600,000 shall be made available for alternative development and institution building activities by USAID, the Department of Justice, and the Department of State of which $237,000,000 shall be directly apportioned to USAID, including $125,700,000 for Colombia.

The conference agreement provides that not less than $6,000,000 should be made available for judicial reform in Colombia, not less than $6,000,000 shall be made available to USAID for organizations and programs to protect human rights and $2,000,000 should be made available for biodiversity and indigenous reserves protection in Colombia.

The conference agreement again includes conditions, similar to current law and the same as the Senate bill, on aerial spraying. The House bill did not address this matter.

The conference agreement includes the House language prohibiting funds for the resumption of flights in support of a Peruvian air interdiction program until a system of enhanced safeguards are in place. The Senate did not address this matter.

The conference agreement includes Senate language providing that assistance should be made available to the Bolivian military and police only if the Bolivian military and police are respecting human rights and cooperating with investigations and prosecutions of alleged violations of human rights.

The conference agreement does not include Senate conditions on assistance to support the demobilization of illegal armed groups in Colombia. The managers are aware that the Colombian Government is engaged in demobilization negotiations with such groups, which have been designated foreign terrorist organizations (FTOs)

by the State Department. Leaders of these FTOs have been indicted by the Justice Department for drug trafficking and these groups have been implicated in widespread human rights violations. The managers note that according to the Justice Department, United States law forbids the provision of United States assistance to members of terrorist organizations. The managers further note that USAID included $3,250,000 in its fiscal year 2005 budget justification for "Peace Initiatives" in Colombia, including demobilization/integration. The conference agreement requires consultation with and notification to the Committees prior to the obligation of fiscal year 2005 funds for such activities. The managers believe that the costs of demobilizing illegal armed groups should be borne by the Colombian Government, not the United States. The managers are concerned that the demobilization process is being undertaken without adequate safeguards to ensure the dismantling of such FTOs, to deter members of such groups from resuming illegal activities, or to prosecute and punish those involved in drug trafficking and human rights violations.

The managers do not believe the Administration should request funds in fiscal year 2006 for the demobilization/reintegration of members of such FTOs unless it is for limited activities that are determined by the Justice Department to be consistent with United States anti-terrorism laws, and the following conditions can be met: (1) The FTO is respecting a ceasefire and the cessation of illegal activities; (2) the Government of Colombia has not adopted any law or policy inconsistent with its obligations under the United States-Colombian treaty on extradition, and has committed to the United States that it will continue to extradite Colombian citizens to the United States, including members of such illegal armed groups, in accordance with that treaty; (3) the Colombian legal framework governing the demobilization of such groups provides for prosecution and punishment, in proportion to the crimes committed, of those responsible for gross violations of human rights, violations of international humanitarian law, and drug trafficking, for reparations to victims, and for the monitoring of demobilized individuals; (4) the Government of Colombia is implementing a policy of effectively dismantling such groups, including the seizure of financial and property assets; and (5) the Government of Colombia is taking actions to enable the return of stolen assets, including real property, to their original owners.

The managers are also aware that the Administration has used fiscal year 2004 funds to support the Organization of American States (OAS) Mission in Colombia. The managers request that, prior to the provision of additional funds to the OAS for this purpose, the Secretary of State report to the Committees that the OAS Mission is strictly adhering to its verification role, FTOs are concentrated in zones for demobilization, the legal framework governing the demobilization conforms with (3) above, and the Inter-American Commission for Human Rights is providing advice to the OAS Mission.

The conference agreement makes available $16,285,000 from this account for administrative expenses of the Department of State as proposed by the House and the Senate and $7,800,000 for

administrative expenses of USAID instead of $4,500,000 as proposed by the House and the Senate.

The conference agreement includes a provision proposed by the Senate that requires that the Administrator of USAID, in consultation with the Assistant Secretary of State for International Narcotics and Law Enforcement Affairs, shall have responsibility for the use of funds under this heading that are directly apportioned to USAID. The conference agreement does not include a provision in section 515 of the general provisions, as proposed by the Senate, requiring that all reprogrammings of funds under this and the previous heading shall be subject to review and approval by the Deputy Secretary of State. The House did not address either matter.

Funds in this account are allocated in the following table and, as stipulated in section 595, any change to these allocations is subject to the regular reprogramming procedures of the Committees on Appropriations:

Andean Counterdrug Initiative

[Budget Authority, dollars in thousands]

	Conference Agreement
Bolivia:	
Interdiction/Eradication	49,000
Alternative Development/Institution Building	42,000
Colombia:	
Interdiction/Eradication	313,200
USAID Alternative Development/Institution Building	125,700
Rule of Law	27,600
Ecuador:	
Interdiction/Eradication	11,000
Alternative Development/Institution Building	15,000
Peru:	
Interdiction/Eradication	62,000
Alternative Development/Institution Building	54,300
Panama	6,000
Brazil	9,000
Venezuela	3,000
Guatemala	1,000
Nicaragua	1,000
Air Bridge Denial	11,200
Total, ACI	731,000

MIGRATION AND REFUGEE ASSISTANCE

The conference agreement appropriates $770,000,000 for the Migration and Refugee Assistance account (MRA) instead of $756,000,000 as proposed by the House and $775,000,000 as proposed by the Senate.

The conference agreement makes available $22,000,000 for administrative expenses as proposed by the Senate instead of $21,000,000 as proposed by the House. The managers expect the additional administrative funds to be used for refugee admissions and emergency situations.

The conference agreement also includes Senate language providing not less than $50,000,000 for refugees from the former Soviet Union and Eastern Europe and other refugees resettling in Israel. The House bill did not address this matter.

The conference agreement does not include a Senate provision that makes funds available for assistance for international organi-

zations for refugees from North Korea. The House did not address this matter. The managers strongly support the provision of funds for such purposes, and request the State Department to review methods to provide sufficient assistance to safeguard the human rights and dignity of North Korean refugees. The managers request the State Department to report to the Committees not later than 90 days after enactment of this Act on programs and activities regarding North Korean refugees supported during calendar years 2003 and 2004.

The conference agreement does not include Senate language providing that funds under this and the following heading be made available to NGOs located in Thailand for humanitarian assistance inside Burma. The managers expect NGOs working in Thailand on Burmese refugee issues to be funded at amounts above the fiscal year 2004 level from these accounts. The managers endorse Senate report language regarding funding levels for the Burma Border Consortium.

The managers are deeply concerned with reports of the misuse of facilities managed by the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) and UNRWA-owned vehicles for terrorist activities and the recent statement by UNRWA's Commissioner General that the agency employs members of the terrorist organization Hamas. The managers note that continued United States support for UNRWA depends on its compliance with United States law prohibiting assistance to terrorist organizations. The managers direct the State Department to work closely with the United Nations and UNRWA to develop effective standards and practices to ensure that UNRWA resources are not diverted for terrorist purposes, and that the agency is not employing terrorists. The managers direct the Secretary of State to transmit a report on these new standards to the Committees on Appropriations no later than 180 days after the enactment of this Act.

The managers are aware of potential tensions between Sudanese refugees in Chad and the citizens of Chad. The managers recommend funding for programs to mitigate conflict between refugees and hosting communities and to provide technical assistance to local organizations for assistance to refugees, including refugee registration and protection.

UNITED STATES EMERGENCY MIGRATION AND REFUGEE ASSISTANCE FUND

The conference agreement appropriates $30,000,000 for the United States Emergency Migration and Refugee Assistance Fund (ERMA), instead of $20,000,000 as proposed by the House and $50,000,000 as proposed by the Senate.

The conference agreement includes language from the Senate amendment that provides the funds notwithstanding section 2(c)(2) of the Migration and Refugee Assistance Act of 1962.

NONPROLIFERATION, ANTI-TERRORISM, DEMINING AND RELATED PROGRAMS

The conference agreement appropriates $402,000,000 for Nonproliferation, Anti-terrorism, Demining and Related Programs, in-

stead of $382,000,000 as proposed by the House and $415,200,000 as proposed by the Senate.

Funds in this account are allocated in the following table and, as stipulated in section 595, any change to these allocations is subject to the regular reprogramming procedures of the Committees on Appropriations:

Nonproliferation, Anti-Terrorism, Demining and Related Programs

[Budget Authority in thousands of dollars]

	Conference Agreement
Nonproliferation and Disarmament Fund	$32,000
Export Control and Border Security assistance	38,000
Nonproliferation of WMD Expertise	50,500
International Atomic Energy Agency—Voluntary Contribution	53,000
CTBT/International Monitoring System	19,000
Anti-terrorism Assistance	120,000
Counterterrorism financing	7,500
Terrorist Interdiction Program	5,000
CT Engagement with Allies	500
Humanitarian Demining	59,500
International Trust Fund for Demining	10,000
Small Arms/Light Weapons Destruction	7,000
NADR Total	402,000

The conference agreement does not contain language from the Senate amendment that would have authorized not to exceed $250,000 for the support of public-private partnerships for mine action by grant, cooperative agreement, or contract. Language authorizing these activities for fiscal year 2004 and subsequent years was contained in Public Law 108–199. The House bill did not address this matter.

The conference agreement contains Senate language that provides that funds available for the CTBT Preparatory Commission that are not necessary to make the United States contribution to the Commission shall be made available to the International Atomic Energy Agency and shall be available until September 30, 2006.

The conference agreement does not include a Senate provision providing that $10,000,000 be made available to destroy MANPADS. The House bill did not address this matter. The managers support efforts to curtail the proliferation of MANPADS and note that more than $10,000,000 from this and other appropriations Acts is being made available to achieve this objective.

The conference agreement does not contain Senate language that would have authorized $10,000,000 for mobile combat systems and radiation detection technology to combat international terrorism. While this appropriation account is not the appropriate place to fund such activities, the managers support efforts to develop such systems and note that more than $10,000,000 from other appropriations Acts is being made available to achieve this objective.

The conference agreement contains Senate language that provides 2–year availability of funds appropriated for anti-terrorism assistance and export control and border security.

CONFLICT RESPONSE FUND

The conference agreement does not include Senate language authorizing activities under the Conflict Response Fund, or

$20,000,000 for the Fund, as proposed by the Senate. The House bill did not address this matter.

DEPARTMENT OF THE TREASURY

INTERNATIONAL AFFAIRS TECHNICAL ASSISTANCE

The conference agreement appropriates $19,000,000 for the International Affairs Technical Assistance program of the Department of the Treasury as proposed by the House instead of $17,500,000 as proposed by the Senate.

DEBT RESTRUCTURING

The conference agreement appropriates $100,000,000 for Debt Restructuring, instead of $105,000,000 as proposed by the House and $95,000,000 as proposed by the Senate. The conference agreement provides $20,000,000 for the Tropical Forest Conservation Act Program, and at least $10,000,000 for bilateral debt relief for the Democratic Republic of Congo and the flexibility to provide more from available funds if necessary.

The conference agreement includes House language limiting the use of the United States contribution to the HIPC Trust Fund and endorses the House report language on this issue. The managers note that the fiscal year 2004 and 2005 funds are subject to the regular notification procedures of the Committees on Appropriations.

TITLE III—MILITARY ASSISTANCE

INTERNATIONAL MILITARY EDUCATION AND TRAINING

The conference agreement provides that funding for Nigeria, Haiti, and the Democratic Republic of Congo shall be subject to the regular notification procedures of the Committees on Appropriations. The House bill would have required notification for Nigeria and Guatemala, while the Senate amendment would have required notification for Cambodia, Haiti, the Democratic Republic of Congo, Nigeria, and Guatemala.

The conference agreement does not include $2,000,000 in International Military Education and Training (IMET) assistance for Greece, as proposed by the Senate. However, the managers request the Secretary of State to consider providing up to $2,000,000 in IMET assistance for Greece. The House bill did not address this matter.

In order to increase cooperation in the war on international terrorism, the managers support additional funding above the budget request in IMET assistance for Egypt.

FOREIGN MILITARY FINANCING PROGRAM

The conference agreement appropriates $4,783,500,000 for the Foreign Military Financing Program.

The managers have included language providing $2,220,000,000 for Israel and $1,300,000,000 for Egypt as proposed in both the House and Senate bills. The conference agreement includes language similar to that proposed in the Senate amendment

that provides that $206,000,000 should be made available for assistance for Jordan.

Funds in this account are allocated in the following table and, as stipulated in section 595 any change to these allocations is subject to the regular reprogramming procedures of the Committees on Appropriations:

Foreign Military Financing Program

[Budget Authority, dollars in thousands]

	Conference Agreement
Africa:	
Botswana	$500
Djibouti	4,000
Eritrea	500
Ethiopia	2,000
Ghana	500
Kenya	7,000
Liberia	3,000
Nigeria	500
Senegal	500
Uganda	2,000
Africa Coastal/Border Security Program	4,000
Military Health Affairs	2,000
Subtotal—Africa	26,500
East Asia and the Pacific:	
Cambodia	1,000
East Timor	1,000
Fiji	250
Indonesia	1,000
Mongolia	1,000
Tonga	250
Philippines	30,000
Thailand	1,500
Subtotal—East Asia and the Pacific	36,000
Europe and Eurasia:	
Albania	3,000
Armenia	8,000
Azerbaijan	8,000
Bosnia	2,500
Bulgaria	7,000
Czech Republic	6,000
Estonia	5,000
Georgia	12,000
Hungary	6,000
Kazakhstan	5,000
Kyrgyz Republic	2,000
Latvia	5,000
Lithuania	5,500
Macedonia	5,250
Moldova	450
Poland	66,000
Romania	11,000
Slovakia	5,000
Slovenia	1,500
Tajikistan	500
Turkey	34,000
Turkmenistan	700
Ukraine	3,000

	Conference Agreement
Uzbekistan	11,000
Subtotal—Europe and Eurasia	213,400
Near East:	
Bahrain	19,000
Egypt	1,300,000
Israel	2,220,000
Jordan	206,000
Morocco	15,250
Oman	20,000
Tunisia	10,000
Yemen	10,000
Subtotal—Near East	3,800,250
South Asia:	
Afghanistan	400,000
Bangladesh	250
Nepal	1,500
Pakistan	150,000
(by transfer)	(150,000)
Sri Lanka	500
Subtotal—South Asia	552,250
Western Hemisphere:	
Argentina	1,000
Bahamas	100
Belize	200
Bolivia	2,000
Chile	500
Colombia	100,000
Dominican Republic	1,000
Ecuador	1,000
El Salvador	1,500
Guyana	100
Haiti	300
Honduras	1,000
Jamaica	600
Nicaragua	500
Panama	1,000
Peru	1,000
Suriname	100
Uruguay	400
Eastern Caribbean	1,000
Subtotal—Western Hemisphere	113,300
Global:	
Enhanced Peacekeeping Capabilities	1,800
FMF Administrative Costs	40,000
Subtotal—Global	41,800
Total	4,783,500

The conference agreement provides that not less than $580,000,000 shall be made available for procurement in Israel of defense articles and services, as proposed by the House. The Senate proposed similar language.

The conference agreement does not include language proposed by the Senate that would have allowed for the transfer of up to $5,000,000 to "Nonproliferation, Anti-Terrorism, Demining and Related Programs". The House bill did not address this matter.

The conference agreement includes $400,000,000 in military assistance for Afghanistan.

The conference agreement stipulates that not less than $206,000,000 should be provided from this account for assistance to Jordan, similar to a Senate provision. The House bill did not address this matter.

The managers have not included Senate provisions specifying funding levels for Tunisia, Armenia, Liberia, and Georgia. Information on funding levels as a basis for notification for these and other countries and programs is found in the table included in the Statement of Managers.

The conference agreement includes a provision, similar to Senate language, which conditions up to $2,000,000 in assistance for Uganda on progress by the Government of Uganda in human rights, the protection of civilians, and the professionalization of Ugandan armed forces. The House bill did not address this matter.

The conference agreement includes a House provision that permits up to $150,000,000 from prior year Foreign Military Financing Program and Economic Support Fund accounts to be transferred to the FMF account in this Act for assistance to Pakistan. The Senate included similar language, but did not designate Pakistan as the recipient of the transferred funds.

The conference agreement includes Senate language prohibiting funding from this account for Sudan and Guatemala. The House bill also included Indonesia in the funding prohibition.

The conference agreement includes Senate language that requires a notification for assistance for Haiti. The House bill did not address this matter.

The conference agreement does not include a House provision prohibiting funding from this account for activities related to the clearance of unexploded ordnance from United States Armed Forces testing or training centers, except on San Jose Island, Republic of Panama. The Senate amendment did not address this matter.

PEACEKEEPING OPERATIONS

The conference agreement does not include a Senate provision authorizing the transfer of funding from the Department of Defense to the Department of State for military or security assistance to enhance the capability of foreign countries to participate in international peacekeeping or peace enforcement operations. The House bill did not address this matter.

TITLE IV—MULTILATERAL ECONOMIC ASSISTANCE

INTERNATIONAL FINANCIAL INSTITUTIONS

GLOBAL ENVIRONMENT FACILITY

The conference agreement appropriates $107,500,000 for the Global Environment Facility as proposed by the House instead of $120,678,000 as proposed by the Senate.

CONTRIBUTION TO THE INTERNATIONAL DEVELOPMENT ASSOCIATION

The conference agreement appropriates $850,000,000 for the International Development Association, the concessional lending facility of the World Bank, as proposed by the House instead of $820,000,000 as proposed by the Senate.

The managers note that the World Bank promised $313,000,000 in grant assistance and $3,000,000,000 in loans to the people of Iraq. Of this commitment, only one training program totaling $3,600,000 has been completed, which represents less than .01 percent of total funds pledged. The managers request the Secretary of Treasury to submit a report not later than January 1, 2005 on World Bank loan disbursement and the deployment of World Bank international staff to Iraq.

CONTRIBUTION TO THE ENTERPRISE FOR THE AMERICAS MULTILATERAL INVESTMENT FUND

The conference agreement appropriates $11,000,000 for past due payments by the United States to the Multilateral Investment Fund instead of $25,000,000 as proposed by the House and $15,000,000 as proposed by the Senate.

CONTRIBUTION TO THE ASIAN DEVELOPMENT FUND

The conference agreement appropriates $100,000,000 for the United States contribution to the Asian Development Fund, instead of $112,212,465 as proposed by the House and $59,691,000 as proposed by the Senate.

CONTRIBUTION TO THE AFRICAN DEVELOPMENT BANK

The conference agreement appropriates $4,100,000 for the African Development Bank instead of $5,100,000 as proposed by the House and $1,100,000 as proposed by the Senate.

CONTRIBUTION TO THE AFRICAN DEVELOPMENT FUND

The conference agreement appropriates $106,000,000 for the African Development Fund instead of $118,000,000 as proposed by the House and $67,000,000 as proposed by the Senate.

INTERNATIONAL ORGANIZATIONS AND PROGRAMS

The conference agreement appropriates $328,394,000 for voluntary contributions to International Organizations and Programs instead of $323,450,000 as proposed by the House and $328,925,000 as proposed by the Senate.

The managers continue to support the work of the World Food Program and have provided $6,000,000 for a voluntary contribution under section 534 of this Act as included in the House bill and the Senate amendment.

The managers expect that of funds under this heading subject to section 307(a) of the Foreign Assistance Act of 1961, an additional $350,000 will be made available for United Nations Center for Human Settlements for a total of $500,000 in fiscal year 2005. As with all funds subject to section 307(a), these funds are subject to notification.

Funds in this account are allocated in the following table and, as stipulated in section 595, any change to these allocations is subject to the regular reprogramming procedures of the Committees on Appropriations:

International Organizations and Programs

[In thousands of dollars]

UN Fund for Tech. Cooperation in Human Rights	$1,500
UN Voluntary Fund for Victims of Torture	7,000
OAS Fund for Strengthening Democracy	3,000
UNDP	109,000
UNIFEM	2,000
UNIFEM Trust Fund	1,000
UNICEF	125,000
OAS Development Assistance	4,900
WTO	1,000
ICAO Aviation Programs	1,000
UNEP	11,000
IMO Maritime Security	100
Montreal Protocol	21,500
International Conservation Programs (CITES/ITTO/IUCN/Ramsar/CCD)	6,400
IPCC/UNFCCC	6,000
International Contributions for Scientific Educational & Cultural Activities	844
World Meteorological Organization	2,000
UN Center for Human Settlements	150
Reserve to be allocated	25,000
Total	328,394

TITLE V—GENERAL PROVISIONS

(Note.—If House and Senate language is identical except for a different section number or minor technical differences, the section is not discussed in the Statement of Managers.)

Sec. 505. Limitation on Representational Allowances

The conference agreement includes limitations similar to the House bill of $4,000 for Foreign Military Financing for entertainment expenses and $130,000 for representation allowances; $55,000 for International Military Education and Training for entertainment; $4,000 for representation and entertainment expenses for the Trade and Development Agency; and $115,000 for the Millennium Challenge Corporation (MCC). The House bill included $130,000 for the MCC, and the Senate amendment included $2,000 and $125,000 for Foreign Military Financing for entertainment and representation allowances, respectively; $50,000 for International Military Education and Training; $2,000 for the Trade and Development Agency; and $100,000 for the MCC.

Sec. 515. Notification Requirements

The conference agreement does not include a Senate provision requiring that the International Narcotics Control and Law Enforcement and Andean Counterdrug Initiative accounts be subject to the same reprogramming oversight procedures as the Economic Support Fund account. The House bill did not address this provision.

Sec. 517. Independent States of the Former Soviet Union

Similar to the Senate amendment, the conference agreement does not include House subsection (a) restricting assistance to the governments of certain countries unless they are making progress in implementing economic reforms, and if these governments used United States assistance to facilitate the expropriation or seizure of assets.

Sec. 520. Special Notification Requirements

The conference agreement adds "Pakistan" and "Cambodia" to the list of countries proposed by the House to be subject to the special notification procedures of this section, similar to language proposed by the Senate. Compared to current law, the conference agreement deletes the Democratic Republic of the Congo.

Sec. 522. Child Survival and Health Activities

The conference agreement makes available not less than $441,000,000 for family planning and reproductive health activities from funds appropriated under title II of this Act, rather than $450,000,000 as proposed by the Senate amendment. The House addressed this matter in the House report and included a level of $432,000,000.

Sec. 523. Afghanistan

The conference agreement provides that not less than $980,000,000 of the funds appropriated by titles II and III should be made available for humanitarian, reconstruction, and related assistance for Afghanistan. The House bill included $977,000,000 for such activities. The Senate amendment provided not less than $504,450,000 for humanitarian and reconstruction assistance from this Act.

The conference agreement does not include Senate language that would have directed that not less than $225,000,000 be made available for Afghanistan from the Economic Support Fund. The House bill did not address this matter.

The conference agreement contains language, similar to a Senate provision, providing that not less than $2,000,000 should be made available for the Independent Human Rights Commission and other human rights groups. The House bill did not address this matter.

The conference agreement contains language, similar to that contained in the Senate amendment, which provides that funds for the Afghan National Army should be provided dependent on the vetting of members for involvement in a variety of illicit activities. The House bill did not address this matter.

The conference agreement includes Senate language that provides that not less than $2,000,000 should be provided for reforestation activities in Afghanistan, and these funds would be matched, to the maximum extent possible. The House bill did not address this matter.

The conference agreement contains language, similar to that in both the House bill and the Senate amendment, that provides that $50,000,000 should be made available to support programs that directly address the needs of Afghan women and girls, of which not

less than $7,500,000 shall be made available for small grants to improve the capacity of women-led Afghan nongovernmental organizations.

The conference agreement does not include a Senate provision that not less than $2,000,000 should be made available for assistance for Afghan communities and families that have suffered losses as a result of the military operations. However, the managers support this program and expect not less than $2,000,000 to be made available for medical, rehabilitation, reconstruction, and other appropriate assistance to Afghan communities and families to mitigate such losses. The House bill did not address this matter.

Sec. 525. HIV/AIDS

The conference agreement includes a general provision, "HIV/AIDS", combining elements of section 525 of the House bill and section 5025 of the Senate amendment. The new general provision conditions 25 percent of the appropriation to the Global Fund to Fight AIDS, Tuberculosis and Malaria, subject to a waiver, on managerial and process changes at the Fund to improve its efficiency and transparency. The managers have also included language authorizing a "Working Capital Fund" to strengthen the ability of the Office of the Global AIDS Coordinator, USAID, and other agencies of the United States Government to negotiate the lowest possible prices for safe, effective pharmaceuticals and commodities.

Sec. 526. Democracy Programs

The conference agreement provides $19,000,000 under the Economic Support Fund for activities to support democracy, human rights and the rule of law in the People's Republic of China and Hong Kong, instead of $35,000,000 as proposed by the Senate, of which $15,000,000 is provided to the State Department's Human Rights and Democracy Fund (HRDF) and $4,000,000 to the National Endowment for Democracy (NED). Subject to a matching requirement, funds are made available for the conduct of such programs in Taiwan.

The conference agreement provides $15,000,000 under the ESF account, instead of $25,000,000 as proposed by the Senate, for programs to foster democracy, human rights, and other programs in countries with significant Muslim populations and where such programs would be important to respond to, deter, or prevent acts of international terrorism. Of this amount, $11,000,000 is provided to the HRDF and $4,000,000 to the NED. The agreement provides $3,000,000 for programs that provide professional training for journalists, including organizations such as Internews, and $3,000,000 for activities to advance democracy and human rights in Iran. The managers support the use of funds for a conference to bring together Iranian dissidents and advocates of freedom and justice in Iran to explore opportunities for furthering democracy in that country. Authority is provided to conduct such programs for Syria.

The conference agreement provides $4,500,000 to support NED programs in sub-Saharan Africa, $500,000 less than the level proposed by the Senate.

The conference agreement does not include a provision proposed by the Senate that provides $10,000,000 to American educational institutions for programs in China relating to environment, democracy and the rule of law. This matter is addressed in section 534.

Assistance provided under this section is subject to regular notification procedures.

The managers request the State Department, in consultation with USAID, to submit a report to the Committees not later than 90 days after enactment of this Act on: the standard definition of "democracy and governance programs" funded by the United States Government; a summary, including budgetary totals, of USAID's democracy and governance programs categorized by grants, cooperative agreements and contracts in fiscal years 2003 and 2004; and, additional information on how the proposed United Nations Democracy Fund could complement ongoing, United States-funded democracy building activities.

The conference agreement addresses Tibet in section 581, in a separate general provision as proposed by the Senate. The House bill addressed Tibet under this section.

Sec. 531. Burma

The conference agreement includes in this section a requirement, as proposed by the Senate, to instruct the United States Executive Directors to the international financial institutions to oppose loans and assistance for Burma. The House did not address this matter.

Additionally, the conference agreement includes a provision, similar to the Senate amendment, providing $8,000,000 under the heading "Economic Support Fund" for democracy and other activities in Burma and along the Burma-Thailand border.

The conference agreement includes a provision similar to the Senate amendment providing in addition to funds from "Migration and Refugee Assistance" not less than $4,000,000 to USAID for humanitarian assistance for displaced Burmese and host communities in Thailand. The House did not address this matter.

The conference agreement does not include a Senate proposed requirement that none of the funds appropriated by this Act may be made available to the central government of any country that is a major provider of weapons to the State Peace and Development Council (SPDC). The House did not address this matter.

The managers express their concern for the safety and welfare of Burmese democracy leaders Aung San Suu Kyi, U Tin Oo, and other members of the National League for Democracy. The managers call for the immediate, unconditional and safe release of Suu Kyi, as well as all other political prisoners in Burma.

The conference agreement also includes language, similar to section 5097 of the Senate amendment, that provides that contributions from the Global Fund to Fight AIDS, Tuberculosis and Malaria to the SPDC and its affiliate organizations will be withheld according to the provisions of section 202 of Public Law 108–25. The House did not address this matter.

Sec. 534. Special Authorities

In subsection (a), the conference agreement includes House language providing certain authority for assistance for Afghanistan, Pakistan, and Montenegro, assistance to victims of war, and displaced Burmese. The conference agreement adds Lebanon to that list of countries, as in the Senate amendment, but does not include Senate language regarding Iraq and programs to address sexual and gender-based violence. The managers have included such language in section 564, "Community-Based Police Assistance".

In subsection (f), the conference agreement increases the funding ceiling of $25,000,000 in section 451(a) of the Foreign Assistance Act of 1961 to $45,000,000, instead of $50,000,000 as in the Senate amendment.

The conference agreement does not include subsection (j) of the Senate amendment defining "areas outside of the control of the Government of Sudan". The managers have included similar language in section 569, "Sudan".

The managers have included subsection (k) of the Senate amendment, addressing the adjudication of applications from parolees from Indochina.

The conference agreement includes language, similar to subsection (m) as proposed by the Senate, providing $2,000,000 for an endowment to document genocide and crimes against humanity in Cambodia, and $3,750,000 for an endowment to sustain rehabilitation programs for persons suffering from physical disabilities in that country. The conference agreement eliminates language contained in the Senate amendment authorizing funds from future appropriations Acts to be used in these endowments. The managers intend that prior year funds may also be used to support these endowments, and the managers understand that with respect to the endowment to document genocide, an additional $2,000,000 may be made available from fiscal year 2003 funding for a combined total of $4,000,000. The managers request that USAID provide signed copies of the endowment agreements to the Committees on Appropriations and request that the agreements include a disposition of funds upon future liquidation of the endowments. The House bill did not address this matter.

The conference agreement does not include subsection (n) of the Senate amendment making foreign extinction lists applicable to United States fish and wildlife regulations and law. The House bill did not address this matter.

The conference agreement includes subsection (o) of the Senate amendment extending the availability of loan guarantees to Israel from September 30, 2005, to September 30, 2007. The House bill did not address this matter.

The conference agreement includes section (c) of section 5109 of the Senate amendment, "United Nations Resolutions on Israel", requiring the Secretary of State to report how governments vote at the United Nations on resolutions regarding Israel that are opposed by the United States. The House bill did not address this matter.

Subsection (p) of the Senate amendment regarding affordable housing and the MCC is discussed under the heading "Millennium Challenge Corporation".

The managers provide authority for USAID, notwithstanding any other provision of law and subject to the regular notification procedures of the Committees, to provide Development Assistance funds to American educational institutions for programs and activities in the People's Republic of China relating to the environment, democracy, and the rule of law.

Sec. 543. Withholding of Assistance for Parking Fines and Real Property Taxes Owed By Foreign Governments

The conference agreement includes language similar to that proposed by the Senate, which requires withholding of United States assistance to central governments of countries with adjudicated unpaid real property taxes and parking fines in the United States. The House bill did not address the issue of property taxes.

Sec. 547. War Crimes Tribunals Drawdown

The conference agreement includes House language authorizing up to $30,000,000 in drawdowns of commodities or services for the United Nations War Crimes Tribunal for the former Yugoslavia or other future tribunals. The Senate amendment included $32,000,000 for such purposes.

Sec. 549. Haiti

The conference agreement appropriates funding for Haiti at a level not less than $85,000,000 from Child Survival and Health Programs Fund, Development Assistance, and Economic Support Funds, which is $60,512,000 above the budget request. The managers endorse the budget request for Haiti under Peace Corps and Foreign Military Financing and note additional assistance for Haiti is contained in the Global HIV/AIDS Initiative and the Military Construction Appropriations and Emergency Hurricane Supplemental Appropriations Act, 2005.

The managers recognize that improving the health of the Haitian people will necessitate investments in prevention activities, such as health outreach and behavioral change, in order to stem the spread of illness and disease. The managers note the pioneering work of Zanmi Lasante and direct that $2,000,000 should be provided from this account to strengthen and expand that organization's maternal child health activities in Haiti's Central Plateau region. This amount is in addition to other amounts that are provided by USAID to Zanmi Lasante for HIV/AIDS activities under this account, and other headings in the Act.

The conference agreement does not provide $2,000,000 for the Hillside Agriculture Production program. The managers understand that USAID is considering funding this activity at nearly $1,000,000 in FY 2005, and support follow on activities which broaden the program to include both agriculture and environment.

The conference agreement does not provide funding under the INCLE account for police training activities. The managers recommend ESF funding for these purposes. The managers support judicial reform programs to strengthen rule of law in Haiti.

The managers strongly support the holding of credible, inclusive elections in Haiti in 2005, and direct that sufficient funds be made available for election-related activities through the Organiza-

tion of American States. The managers request the State Department to consult with the appropriate committees on plans to support these elections.

The conference agreement does not include a Senate provision requiring a plan for reforestation in Haiti. However, concerns with deforestation in Haiti were reinforced by the May 2004 mudslides that caused widespread death and destruction. The managers request the Administrator of USAID to consult with the Secretaries of State, Agriculture, and Energy, with Haitian officials, nongovernmental organizations and communities, and with appropriate international donor agencies, to devise a reforestation strategy for areas that are vulnerable to erosion. The managers request the Administrator of USAID submit a report not later than 180 days after enactment of this Act containing such a strategy including funding requirements.

The managers also request that the Secretary of State submit a report within 90 days after enactment of this Act containing a multi-year assistance strategy for Haiti, with a focus on security, employment, elections, health, education, and the rule of law.

The managers were disappointed by the Haitian Government's mishandling of the trial of Louis Jodel Chamblain and note with growing concern the deteriorating security and human rights situation in Haiti.

The managers support the work of the Cooperative Association of States for Scholarships program and recommend additional funding to expand its activities in Haiti.

Sec. 554. Cambodia

The conference agreement includes a provision, similar to a Senate amendment, regarding assistance for Cambodia. The managers remain concerned with the slow pace of political, legal and economic reforms in that country, and the absence of transparency and accountability on behalf of the Royal Government of Cambodia (RGC).

The managers commend a recent USAID-funded assessment of corruption in Cambodia, and are troubled by the lack of political will demonstrated by the RGC and the Cambodian People's Party in tackling the issues of lawlessness and impunity in that country. The conference agreement provides that $4,000,000 may be made available for activities to support democracy in that country, and the managers have included an exception for rule of law programs.

The conference agreement provides $1,000,000 in FMF assistance for Cambodia, and conditions IMET assistance on the provision of a list to the Committees, compiled by the Secretary of State, of those individuals who have been credibly alleged to have ordered or carried out the attack against the Khmer Nation Party in 1997. This list may be provided in classified form, if necessary. The managers expect FMF assistance to strengthen border control and counterterrorism efforts in Cambodia, and request that the Committees be consulted prior to initiating any FMF related activities. The managers recommend that the Secretary of State consult with relevant United States Government agencies and international nongovernmental organizations in compiling the IMET-required list.

The conference agreement provides that assistance may be made available for a Khmer Rouge genocide tribunal if the Secretary of State makes a number of determinations regarding the credibility and independence of Cambodia's judicial system and the proposed tribunal.

Sec. 555. Palestinian Statehood

The conference agreement includes language similar to that proposed by the House providing Presidential waiver authority in circumstances "vital" to national security. The Senate amendment would have provided such waiver authority in circumstances "important" to national security.

Sec. 556. Colombia

The conference agreement includes a provision similar to current law that conditions the provision of assistance to the Colombian Armed forces, but includes a Senate proposed change in subsection (2)(E) requiring a certification that the Colombian Government is dismantling paramilitary leadership and financial networks. The House bill and current law required the Colombian Armed Forces to meet this condition.

The conference agreement does not include a Senate provision requiring prior consultation with the Office of the United Nations High Commissioner for Human Rights in Colombia, with the International Committee of the Red Cross, and with the appropriate congressional committees. The managers expect the Secretary of State, prior to making the certifications required by this section, to consider the opinion of the Office of the United Nations High Commissioner for Human Rights in Colombia regarding the conditions in section 556(2)(A) through (E) of this Act and to consult with the Committees on Appropriations.

Sec. 559. West Bank and Gaza Program

The conference agreement does not include a Senate provision creating a new subsection "Certification". The agreement does include a new Senate subsection "Prohibition" that prohibits funds under this program from recognizing or honoring individuals who commit acts of terrorism. The House did not address either of these matters.

Sec. 560. Contribution to the United Nations Population Fund

The conference agreement provides $34,000,000 for the UN Population Fund (UNFPA) for fiscal year 2005, as recommended by the Senate. Of this amount, $25,000,000 is to be made available from funds appropriated under "International Organizations and Programs" (designated in the table as "Reserve to be allocated") and the balance of $9,000,000 is to be made available from funds appropriated under "Child Survival and Health Programs Fund".

The conference agreement includes language that mandates the reprogramming of $12,500,000 in fiscal year 2004 funds, originally appropriated under "International Organizations and Programs" in P.L. 108–199 for UNFPA, for anti-trafficking programs and $12,500,000 in fiscal year 2004 funds, originally appropriated under "International Organizations and Programs" in P.L. 108–199

for UNFPA, for family planning, maternal, and reproductive health activities.

The conference agreement also includes language similar to a Senate provision which requires that funds appropriated under "International Organizations and Programs" in this Act that are available for UNFPA (designated in the table as "Reserve to be allocated"), that are not made available for UNFPA because of the operation of any provision of law, shall be transferred to "Child Survival and Health Programs Fund" and shall be made available for family planning, maternal, and reproductive health activities. If transferred to "Child Survival and Health Programs Fund", these funds would be administered by USAID subject to the Committees' regular notification procedures. The purpose of this provision is to eliminate any ambiguity regarding the managers' intent that funds appropriated for UNFPA that are not provided to UNFPA as a result of the operation of any provision of law are to be made available to USAID for family planning, maternal, and reproductive health activities.

Sec. 563. Funding for Serbia

The conference agreement includes Senate language that conditions assistance for the central government of Serbia, after May 31, 2005, on certain specified conditions. The House bill contained current law on this matter.

Sec. 564. Community-Based Police Assistance

The managers have included a general provision similar to Senate proposed language expanding the authorities in current law to allow USAID to participate in programs that improve community policing. The House bill limited the authority to Jamaica and El Salvador, the same as current law. The expanded authorities in this section are limited to improving the effectiveness and accountability of civilian police authority through training and technical assistance in human rights, the rule of law, strategic planning, and through assistance to foster civilian police roles that support democratic governance. The section includes a consultation requirement that the managers expect to be invoked at the preliminary planning stages of such programs. The section further provides that the notification of the Committees on Appropriations is required before any obligation of funds using the authority of this section. The House bill included a provision similar to current law.

Sec. 565. Special Debt Relief for the Poorest

The conference agreement includes language similar to the Senate amendment providing the President authority to reduce debt owed to the United States as a result of obligations to pay for purchases of United States agricultural commodities under export credit guarantee programs. The House bill did not include this authority.

Sec. 567. Basic Education

The conference agreement includes language proposed by the House that provides not less than $400,000,000 for basic education from title II of this Act shall be available. The Senate amendment

would have provided that not less than $335,000,000 from title II of this Act should be for such purposes.

Sec. 568. Reconciliation Programs

The conference agreement provides $12,000,000 from the Economic Support Fund account for such programs similar to the House bill. The Senate amendment provided $15,000,000 for such purposes.

Sec. 569. Sudan

The conference agreement includes a new provision, similar to section 531 of the House bill, that provides not less than $311,000,000 from this Act for Sudan. As in the House bill, no funds from this Act may be available for assistance for the Government of Sudan or to alleviate the sovereign debt of that government unless specific steps are taken to improve security and humanitarian assistance in Darfur. In addition to the notification procedures required for Sudan in section 520, this general provision limits the amount of "International Disaster and Famine Assistance" and "Transition Initiatives" funds that may be spent without notification outside of Darfur to $45,000,000. The section also provides the Administration the authority to continue current projects and programs in Sudan.

This section also includes modified language from sections 5103 and 5105 of the Senate amendment providing $75,000,000 in emergency appropriations for "Peacekeeping Operations" to support peace and humanitarian intervention operations for Sudan, and an additional $18,000,000 for "International Disaster and Famine Assistance" for humanitarian assistance and related activities for Sudan. The managers intend that the additional Peacekeeping Operations funding will be used to support the African Union operation in Darfur.

Language is included designating the entire amount as an emergency. The Secretary of State is instructed to consult with the Committees on Appropriations regarding the proposed uses of these funds within 30 days of enactment of this Act.

For purposes of Section 402(a)(2) of S. Con. Res. 95 (108th Congress), as made applicable to the House of Representatives by H. Res. 649 (108th Congress), funds made available pursuant to this section are provided in response to a situation which poses a direct threat to life and property, is sudden, is an urgent and compelling need, is unpredictable, and is not permanent in nature.

Sec. 570. Trade Capacity Building

The managers recommend that not less than $507,000,000 should be made available for trade capacity building assistance from several accounts in title II of this Act. The House bill recommended $517,000,000 for this purpose and the Senate did not address this matter.

In this section, the conference agreement provides $20,000,000 for capacity building activities under "Economic Support Fund" related to the free trade agreement between the United States and the countries of Central America and the Dominican Republic. The managers expect that such activities should include labor coopera-

tion, capacity building priorities on fundamental labor rights and the elimination of child labor, and improvements in labor administration. Additionally, the managers note that these activities should also include programs relating to the environment, specifically technical assistance on the development and enforcement of environmental laws and regulations, environmental management systems, partnerships to enhance environmental efforts, and market-related and economically sustainable conservation programs. Prior to the obligation of funds for these purposes, the managers request that the Department of State consult with the Committees on Appropriations.

Sec. 572. Indonesia

The conference agreement includes language similar to that of the Senate amendment regarding assistance for Indonesia under the accounts "International Military Education and Training" (IMET) and "Foreign Military Financing Program" (FMF).

The managers note the recent election of Indonesia President Susilo Bambang Yudhoyono and look forward to a cooperative relationship on a broad range of issues including anti-terrorism and military reform. The managers note the opportunity for improved and enhanced military-to-military relations.

However, the managers remain concerned with the slow pace of military reforms in that country, and that members of the Indonesian Armed Forces continue to avoid justice in cases involving gross violations of human rights, including those committed in East Timor. The managers condition FMF assistance and licenses for the export of lethal defense articles on a certification by the Secretary of State.

The conference agreement again conditions IMET assistance on the Indonesian Armed Forces cooperation with the FBI's investigation into the August 31, 2002 murders of two American citizens and one Indonesian citizen. Expanded IMET assistance is not subject to this condition. The managers strongly encourage the Indonesian Government to redouble efforts to resolve this case in a credible and professional manner.

The House bill included language similar to that of the Senate on the provision of IMET assistance. The House bill did not address the issue of FMF assistance for Indonesia in this section, but prohibited assistance in the bill language under that account.

Sec. 573. Limitation on Contracts

The conference agreement includes language, similar to that in the House bill, which prohibits funds from this Act from being used to fund any contract contravening section 8(d)(6) of the Small Business Act, which requires certain reporting and certification requirements from government subcontractors. The Senate did not address this matter.

Sec. 574. Limitation on Economic Support Fund Assistance for Certain Foreign Governments that are Parties to the International Criminal Court

The conference agreement includes language in subsection (a) prohibiting the use of funds appropriated under the Economic Sup-

port Fund for assistance to any government of a country that is a party to the International Criminal Court (ICC) and has not entered into an agreement with the United States pursuant to Article 98 of the Rome Statute preventing the ICC from proceeding against United States personnel present in such country.

In subsection (b), the President is given the authority, without prior notice to Congress, to waive the prohibition of subsection (a) with respect to a North Atlantic Treaty Organization (NATO) member country, a major non-NATO ally (as specified in this subsection), or Taiwan if he determines and reports to the appropriate congressional committees that it is important to the national security interests of the United States.

In subsection (c), the President is given the authority, without prior notice to Congress, to waive the prohibition in subsection (a) for a particular country if he determines and reports to the appropriate congressional committees that such country has entered into an agreement with the United States pursuant to Article 98.

In subsection (d) language is included that exempts assistance under the Millennium Challenge Act from the prohibition of this section, notwithstanding section 606(a)(2)(B) of such Act.

The House bill included the same language as contained in subsection (a). The Senate amendment did not address this matter.

Sec. 575. Prohibition against Direct Funding for Saudi Arabia

The conference agreement includes language that prohibits assistance to Saudi Arabia, but allows for assistance to be provided if the President certifies to the Committees on Appropriations, 15 days prior to the obligation of funds for assistance for Saudi Arabia, that Saudi Arabia is cooperating with efforts to combat international terrorism and that the proposed assistance will help facilitate that effort. The House bill did not contain a waiver provision. The Senate amendment did not address this matter.

Sec. 576. Environment Programs

The conference agreement provides that $165,000,000 in development assistance shall be made available for biodiversity programs, of which $8,000,000 should be made available to implement a new regional strategy for biodiversity conservation in countries comprising the Amazon basin of South America, which is additional to the amounts requested for biodiversity activities in the Amazon basin in fiscal year 2005. The Senate proposed $15,000,000. The managers note that $7,000,000 in unobligated fiscal year 2004 funds are also available for this purpose. The managers request to be consulted prior to the obligation of funds.

The conference agreement does not include a Senate provision that not less than $17,500,000 should be made available for the Congo Basin Forest Partnership, of which not less than $2,500,000 should be made available for the Great Apes Conservation Fund administered by the United States Fish and Wildlife Service for use in Central Africa. However, the managers support these conservation programs and expect these amounts to be made available for these purposes.

The conference agreement includes language similar to a Senate provision making $180,000,000 available for clean energy and

other climate change policies and programs in developing countries. Of this amount, $100,000,000 should be made available to promote and deploy energy conservation, energy efficiency, and renewable and clean energy technologies. The managers are concerned that funding for these energy activities, and for USAID's Office of Energy and Information Technology, has decreased in recent years, and have therefore provided $15,000,000 above the amount allocated by USAID in fiscal year 2004 for these purposes. The managers request USAID to submit a report not later than 90 days after enactment of this Act, describing activities funded and funding amounts for each type of energy program. The managers request that the Caribbean be considered by USAID for support for solar, hydro and other renewable energy technologies, in addition to the regions listed in the Senate report.

The conference agreement includes in this section the same language as Senate section 5101 that requires the Secretary of Treasury to inform the international financial institutions (IFIs) that it is United States policy not to provide assistance for natural resource extraction and export until a number of transparency guidelines are met with respect to revenues and expenditures. Additionally the section requires a report describing assistance by the IFIs for natural resource extraction and export. The House did not address this matter.

Sec. 577. Uzbekistan

The conference agreement contains language proposed by the Senate that provides that assistance to the Government of Uzbekistan may be made available only if the Secretary of State determines and reports that the Government is making substantial progress in meeting its bilateral commitments in the Declaration of Strategic Partnership with the United States. The House bill did not address this matter.

Sec. 578. Central Asia

The conference agreement contains language proposed by the Senate that provides that assistance to the Government of Kazakhstan may be made available upon a determination and report by the Secretary of State that Kazakhstan has made significant improvements in the protection of human rights during the preceding six months. The Senate provision includes a national security waiver. It also requires the Secretary of State to submit periodic reports on the provision of defense articles, services, and financial assistance to the countries of Central Asia. The House bill did not address this matter.

Sec. 579. Disability Programs

The managers strongly support the rights of people with disabilities and direct funding be made available to support policies and programs on behalf of people with disabilities in developing countries. The managers note that USAID has already designated a Disability Coordinator, and expect the USAID Disability Coordinator and the State Department to work together to devise a plan for their respective roles in administering these funds, in consultation with the Committees on Appropriations.

The managers have provided authority to use a portion of the funds for an international conference on the needs of people with disabilities, including disability rights, advocacy and access. USAID and the Department of State are to consult with the Committees on Appropriations regarding any plan to sponsor such a conference.

Sec. 580. Zimbabwe

The conference agreement includes language the same as current law and similar to section 5073 of the Senate amendment that requires the Secretary of the Treasury to take certain punitive measures against the Government of Zimbabwe. The House bill did not address this matter.

Sec. 581. Tibet

The conference agreement contains language similar to that contained in the House bill in section 526, and in the Senate amendment in section 5074, that provides that of the funds appropriated to the Economic Support Fund, not less than $4,000,000 should be made available to nongovernmental organizations which preserve cultural traditions and promote sustainable development and environmental conservation in Tibetan communities. In addition, the conference agreement provides that $250,000 should be made available for human rights and democracy programs through the National Endowment for Democracy.

Sec. 582. Nigeria

The conference agreement includes Senate language requiring a report (which should be provided within 90 days of enactment) on the involvement of the Nigerian Armed Forces in an incident in Benue State, the steps being taken to prosecute those involved, and whether such units have received United States assistance. The House bill did not address this matter.

Sec. 583. Discrimination against Minority Religious Faiths in the Russian Federation

The conference agreement includes Senate language prohibiting any funds from this Act for the Government of the Russian Federation after 180 days from enactment of this Act, unless the President determines and certifies that the Government of the Russian Federation has implemented no government action discriminating against religious groups or communities. The House bill did not address this matter.

Sec. 584. Central America

The conference agreement includes a new general provision providing funds for countries of Central America. Subsection (a) provides that of the funds appropriated by this Act under the headings "Child Survival and Health Programs Fund" and "Development Assistance", not less than the amount of funds initially allocated pursuant to section 653(a) of the Foreign Assistance Act of 1961 for fiscal year 2004 should be made available for El Salvador, Guatemala, Nicaragua and Honduras. The managers note that the total funding levels for these countries are as follows: $35,755,000 for El Salvador, $22,499,000 for Guatemala, $35,144,000 for Hon-

duras, and $35,011,000 for Nicaragua. The House bill did not address this matter, and the Senate amendment addressed only Nicaragua and Guatemala.

Subsection (b) includes a provision similar to the Senate amendment conditioning $3,227,000 of funds provided in prior years Acts for the Guatemala Military Assistance Program. The House did not address this matter.

Subsection (c) includes a provision identical to Senate section 5088 that amends section 527 of the Foreign Relations Authorization Act for fiscal years 1994 and 1995 to exempt the government of Nicaragua from sanctions as a result of expropriation of property claims after a certain date set by the Secretary of State.

The managers note that the Procuraduria de la Republica in Nicaragua and the Fiscalia de Anti-corrupcion in Guatemala have played leading roles in the fight against corruption in Central America. Both have assembled impressive track records of investigations, arrests and convictions involving the misuse of government funds that are unprecedented in each country. The managers endorse Senate report language recommending $250,000 for the Procuraduria and $250,000 for the Fiscalia in fiscal year 2005.

Sec. 585. War Crimes in Africa

The conference agreement includes a Senate provision conditioning funding to the central government of any country where specific war criminals are living on a determination by the Secretary of State that such government is making efforts to cooperate with specified criminal tribunals and special courts. Funding for "Peacekeeping Operations" and projected economic assistance are exempt from this restriction.

Sec. 586. Admission of Refugees

The conference agreement provides language similar to section 5081 of the Senate amendment that advises the Secretary of State to use private voluntary organizations with relevant expertise in the processing, identification, and referral of refugees and advises the Secretary of State to develop a system for accepting referrals from local private, voluntary organizations, and outlines categories of special consideration for admission. The provision does not include a report required in the Senate language. The House bill did not address this matter.

Sec. 587. Code of Conduct

The conference agreement continues previous year language that prohibits refugee and humanitarian assistance funding under the heading "Migration and Refugee Assistance" and "Office of Transition Initiatives" to an organization that has not adopted a code of conduct consistent with the Inter-Agency Standing Committee Task Force on Protection From Sexual Exploitation and Abuse in Humanitarian Crises six core principles. Additionally the provision advises the Secretary of State and the Administrator of USAID to incorporate policies and programs to identify the needs of, and threats to, women and children at the various stages of a complex humanitarian emergency. The provision is similar to the Senate amendment. The House bill did not address this matter.

Sec. 588. United States Agency for International Development Hiring Authority

The conference agreement provides authority for USAID to use up to $37,500,000 to hire 175 Foreign Service Limited employees. The Senate provided $25,000,000 for an USAID pilot management initiative and $12,500,000 in hiring authority. For many years, USAID has used multiple personnel authorities, such as Personal Services Contracts (PSCs), Participating Agency Service Agreements (PASAs), Resources Support Service Agreements (RSSAs) and other mechanisms to obtain the services of individuals necessary to carry out USAID's programs.

Many of these individuals have unique skills that USAID will require only for a limited duration, although in most other respects these individuals are indistinguishable from USAID employees. USAID estimates it has over 800 of these individuals now working in Washington and in overseas missions. The salary and support costs of these individuals are currently included in appropriations for program accounts.

Prior to using the authority, USAID must meet several conditions, including: a comprehensive work force analysis and a one for one reduction in the number of PSCs, PASAs, RSSAs and other staff. The managers expect this authority to help rationalize USAID's personnel practices and make more transparent the costs of program implementation. It will lead to budget savings as USAID is now required to pay other agencies and entities overhead costs of as much as 30 and 40 percent when it uses outside staff.

The conference agreement includes language under this section similar to section 5083 of the Senate amendment, which allows USAID to use program funds to cover the costs of staff working to mitigate the effects of natural disasters. The managers note that this authority should be used sparingly and only when necessary to enable USAID to cope with the consequences of natural disasters, such as those on the scale of Hurricane Mitch in Central America in 1999.

Sec. 589. Overseas Private Investment Corporation and Export-Import Bank Restrictions

The conference agreement includes a provision identical to the Senate amendment and current law that prohibits the use of funds by OPIC and the Export-Import Bank to finance investments in connection with a project involving diamonds in a country that is not implementing the requirements developed by the Kimberley Process, or is not undertaking other measures that the Secretary of State determines to contribute to the elimination of the trade in conflict diamonds.

Sec. 590. Security in Asia

The conference agreement does not include Senate language that would have specified military assistance for a number of countries in Asia. Funding for these countries is addressed in the Statement of the Managers in the table under the heading "Foreign Military Financing Program". The House bill did not address these matters.

The conference agreement provides FMF assistance to a number of Asian countries not included in the 2005 budget request, including Cambodia, Indonesia, Fiji, Tonga, and Bangladesh, and additional assistance above the request for Mongolia, Thailand and Nepal. The managers endorse Senate report language regarding terrorism in Southeast Asia.

The conference agreement provides FMF assistance for the Indonesian navy in order to enhance maritime security, subject to a report by the Secretary of State that the navy is not violating human rights and is cooperating with civilian judicial authorities on cases involving human rights violations. The provision of such assistance is subject to notification.

The conference agreement also provides that FMF assistance for Cambodia may be made available notwithstanding section 554 of this Act, subject to notification.

The managers deplore and condemn atrocities committed by Maoist insurgents in Nepal, and commend the Government of Nepal for recognizing the need for a political solution to this conflict. The conference agreement conditions FMF assistance on a number of determinations by the Secretary of State regarding the Government of Nepal's efforts to promote and protect human rights, and includes a national security waiver.

Sec. 591. HIPC Debt Reduction and Trust Fund

The conference agreement includes a section identical to Senate section 5093 that authorizes not more than $150,000,000 for contributions to the HIPC Trust Fund. The House did not address this matter.

Sec. 592. Compliance with the Algiers Agreement

The conference agreement includes language similar to a Senate provision restricting United States assistance, with certain exceptions and a waiver provision, to the central governments of Ethiopia or Eritrea unless the Secretary of State certifies that such governments are taking steps to comply with the Algiers Agreements. The House did not address this matter.

Sec. 593. Administrative Provisions Related to Multilateral Development Banks

The conference agreement includes language similar to Senate section 5099 related to a number of environmental provisions for the multilateral development banks. The House did not address this matter.

Sec. 594. Vietnamese Refugees

The conference agreement includes language similar to section 5100 of the Senate amendment which makes certain potential Vietnamese refugees eligible to be considered refugees "of special humanitarian concern" and to be resettled in the United States.

Sec. 595. Joint Explanatory Statement

The conference agreement includes a new general provision requiring that funds in the following accounts be allocated as indicated in the respective tables in the statement of the managers ac-

companying this Act: Economic Support Fund, Assistance to Eastern Europe and the Baltic States, Assistance for the Independent States of the Former Soviet Union, Nonproliferation, Anti-terrorism, Demining and Related Programs, Andean Counterdrug Initiative, Foreign Military Financing Program, and International Organizations and Programs. Any change to these allocations is subject to the regular reprogramming procedures of the Committees on Appropriations.

PROVISIONS NOT ADOPTED BY THE CONFEREES

The conference agreement does not include section 5025 of the Senate bill, "HIV/AIDS Working Capital Fund". The contents of the section are included in section 525 of the conference agreement "HIV/AIDS". The House did not address this matter.

The conference agreement does not include section 569 of the House bill or section 5095 of the Senate amendment, "Debt Restructuring Authority" authorizing funds from the Iraq Relief and Reconstruction Fund to be used for the costs of debt relief for Iraq or Senate language amending the sectoral allocations for the Iraq Relief and Reconstruction Fund as specified in the fiscal year 2004 Emergency Supplemental for Iraq and Afghanistan. The provisions of this section were enacted in Public Law 108–309, the continuing resolution for fiscal year 2005. Senate language in this section providing the Overseas Private Investment Corporation authorization to work in Iraq during fiscal year 2005 is included under title I of this Act.

The conference agreement does not include section 572 of the House bill or section 5091 of Senate amendment, each regarding Cuba.

The conference agreement does not include section 573 of the House bill, "Office of the Inspector General of the CPA". A similar provision was enacted in Public Law 108–375, the Defense Authorization Act, 2005. The Senate amendment did not address this matter.

The conference agreement does not include section 574 of the House bill, "Oversight of Iraqi Reconstruction". The provisions of this section were enacted in Public Law 108–309, the continuing resolution for fiscal year 2005. The Senate amendment did not address this matter.

The conference agreement does not include section 576 of the House bill, "Limitation on Attendance at Conferences Outside the United States". The Senate amendment did not address this matter.

The conference agreement does not include section 5076 of the Senate amendment, "University Programs". The House bill did not address this matter.

The conference agreement does not include section 578 of the House bill, "Prohibition on Use of Funds for Certain Purposes". The Senate amendment did not address this matter.

The conference agreement does not include section 579 of the House bill, "Prohibition on Use of Funds to Request the United Nations to Assess the Validity of Elections in the United States". The Senate amendment did not address this matter.

The conference agreement does not include section 580 of the House bill, "Limitation on Provision by the Export-Import Bank of Credit to Entities Reincorporating Overseas". The Senate amendment did not address this matter.

The conference agreement does not include section 5083 of the Senate amendment regarding "Disaster Surge Capacity". This matter is addressed in section 588, "USAID Hiring Authority". The House bill did not address this matter.

The conference agreement does not include Senate section 5084 requiring a report by the Secretary of State setting forth procedures and guidelines for (1) implementing the President's Proclamation dated January 12, 2004, which established a policy of denying entry into the United States to corrupt current and former public officials and certain members of their families; and (2) for making public the names of those individuals who have been denied entry as a result of such Proclamation. However, the managers request the Secretary of State to submit this report to the Committees on Appropriations not later than 60 days after enactment of this Act.

The conference agreement does not include section 5085 of the Senate amendment regarding "Assistance for Victims of Torture". This matter was addressed in the House report.

The conference agreement does not include section 5086 of the Senate amendment regarding "United States Agency for International Development Pilot Management Initiative". This matter is addressed in section 588 "USAID Hiring Authority". The House bill did not address this matter.

The conference agreement does not include section 5088 of the Senate amendment regarding "Certain Claims for Expropriation by the Government of Nicaragua" but the contents of the section are included in section 584 "Central America". The House bill did not address this matter.

The conference agreement does not include section 5093 of the Senate amendment regarding "Assistance to Millennium Challenge Candidate Countries". This matter is addressed under the heading "Millennium Challenge Corporation" where the House bill addresses this matter.

The conference agreement does not include section 5094 of the Senate amendment regarding the "Chernobyl Nuclear Power Plant". The House did not address this matter. The managers expect the Government of the Russian Federation to pledge and contribute funds for the construction of a new shelter over the Chernobyl nuclear power plant, and will continue to closely follow developments in this matter.

The conference agreement does not include section 5097 of the Senate amendment regarding "North Korea and Burma". The provisions regarding Burma are addressed in section 531, "Burma", of the conference agreement. The House bill did not address this matter.

The conference agreement does not include section 5098 of the Senate amendment regarding "Thailand". The House bill did not address this matter. The managers urge the Government of Thailand to promote reconciliation and peace in Burma and to respect the human rights and dignity of Burmese refugees and displaced

persons residing in Thailand. The managers also request the Government of Thailand to address the situation in southern Thailand in a manner consistent with Thai laws and international obligations, including those ensuring the protection of human rights. The conference agreement provides $1,000,000 in ESF for programs to promote democracy and press freedoms. The managers request the State Department to consult with the Committees on the use of these funds.

The conference agreement does not include section 5102 of the Senate amendment regarding "Assistance for Foreign Nongovernmental Organizations". The House bill did not address this matter.

The conference agreement does not include section 5104 of the Senate amendment regarding "Additional Funds for the Global Fund to Fight AIDS, Tuberculosis and Malaria". The conference agreement appropriates funding for a contribution to the Global Fund under the heading "Child Survival and Health Programs Fund", as in the House bill.

The conference agreement does not include section 5105 of the Senate amendment regarding "Support for African Union Mission in Darfur, Sudan". The conference agreement addresses this issue in section 569, "Sudan". The House bill did not address this issue.

The conference agreement does not include section 5106 of the Senate amendment regarding "Improving Security in Haiti". The conference agreement addresses Haiti in section 549, as in the House bill.

The conference agreement does not include section 5107 of the Senate amendment regarding "Report on Global Poverty and National Security". The House did not address this matter. The managers direct the Secretary of State, in consultation with other relevant agencies, to fulfill the reporting requirements of this provision not later than 180 days after enactment of this Act.

The conference agreement does not include section 5108 of the Senate amendment regarding "Report on Education Reform in Pakistan". The House did not address this matter. The managers direct the Secretary of State to fulfill the reporting requirements of this provision not later than 90 days after enactment of this Act.

The conference agreement does not include section 5109 of the Senate amendment regarding "United Nations Resolutions on Israel". The conference agreement includes language under section 534 requiring the Secretary of State to report how governments vote at the United Nations on resolutions related to Israel that are opposed by the United States. The House bill did not address this matter.

The conference agreement does not include section 5110 of the Senate amendment regarding "Sense of the Senate on Violations of Religious Freedom in Saudi Arabia". The House bill did not address this matter.

The conference agreement does not include section 5111 of the Senate amendment regarding "Support for the Political Independence of Lebanon". The House bill did not address this matter.

CONFERENCE TOTAL—WITH COMPARISONS

The total new budget (obligational) authority for the fiscal year 2005 recommended by the Committee of Conference, with compari-

sons to the fiscal year 2004 amount, the 2005 budget estimates, and the House and Senate bills for 2005 follow:

[In thousands of dollars]

New budget (obligational) authority, fiscal year 2004	$38,717,018
Budget estimates of new (obligational) authority, fiscal year 2005	21,360,830
House bill, fiscal year 2005	19,428,145
Senate bill, fiscal year 2005	19,653,500
Conference agreement, fiscal year 2005	19,839,960
Conference agreement compared with:	
New budget (obligational) authority, fiscal year 2004	−18,877,058
Budget estimates of new (obligational) authority, fiscal year 2005	−1,520,870
House bill, fiscal year 2005	+411,815
Senate bill, fiscal year 2005	+186,460

DIVISION E—DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS ACT, 2005

The conference agreement on the Department of the Interior and Related Agencies Appropriations Act incorporates some of the provisions of both the House passed and the Senate reported versions of the bill. Report language and allocations set forth in either House Report 108–542 or Senate Report 108–341 that are not changed by the conference are approved by the committee of conference. The statement of the managers, while repeating some report language for emphasis, does not negate the language referenced above unless expressly provided herein.

TITLE I—DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT

MANAGEMENT OF LANDS AND RESOURCES

The conference agreement provides $848,939,000 for management of lands and resources instead of $840,401,000 as proposed by the House and $855,689,000 as proposed by the Senate.

Land Resources.—Changes to the House level for land resources include increases of $500,000 for the National Center for Invasive and Plant Management and $500,000 for Idaho weed control, and a reduction of $3,947,000 to reflect a transfer to the wild horse and burro program.

Wildlife and Fisheries.—The change to the House level for wildlife and fisheries is a reduction of $603,000 to reflect a transfer to the wild horse and burro program. The managers agree to the House-proposed funding level for the National Fish and Wildlife Foundation and direct the Foundation to use the funding increase above fiscal year 2004 for projects that support sagebrush ecosystem conservation on public and private lands.

Threatened and Endangered Species.—The change to the House level for threatened and endangered species is a reduction of $576,000 to reflect a transfer to the wild horse and burro program.

Recreation Management.—Changes to the House level for recreation management include an increase of $1,000,000 for the Undaunted Stewardship Program and decreases of $1,000,000 for nationwide recreation management, and $1,039,000 to reflect a

transfer to the wild horse and burro program. The managers urge the Bureau to comply with the provisions of the Steens Act and allow landowner, lessee and inholder access to their property within the boundary of the Steens Mountain Cooperative Management and Protection Area. Unless funding is provided for land acquisitions or exchanges, landowners should be afforded full access to their property.

Energy and Minerals.—Changes to the House level for energy and minerals include an increase of $1,000,000 for oil and gas management and $250,000 for coal management.

Alaska Minerals.—The change to the House level for Alaska minerals is an increase of $1,768,000.

Realty Ownership and Management.—Changes to the House level for realty and ownership management include increases of $9,500,000 for Alaska conveyance, $300,000 for GIS mapping in Utah, $750,000 for the Alaska public lands database, and $1,000,000 for recordable disclaimer applications in Alaska, and a decrease of $144,000 to reflect a transfer to the wild horse and burro program.

Resource Protection and Maintenance.—Changes to the House level for resource protection and maintenance include an increase of $1,500,000 for monitoring, and decreases of $600,000 for nationwide law enforcement and $1,309,000 to reflect a transfer to the wild horse and burro program.

Transportation and Facilities Maintenance.—Changes to the House level for transportation and facilities maintenance are an increase of $1,500,000 for capping oil wells in the National Petroleum Reserve Alaska, and a decrease of $2,145,000 to reflect a transfer to the wild horse and burro program. The managers agree to the House level on deferred maintenance, which shifts the funding for the infrastructure improvement program into the deferred maintenance program. These two funding sources address identical project types and this shift will consolidate and streamline maintenance budget activities in the Bureau.

Land and Resource Information Systems.—The change to the House level for land and resource information systems is a decrease of $493,000 to reflect a transfer to the wild horse and burro program.

Workforce and Organizational Support.—Changes to the House level for workforce and organizational support include increases of $583,000 for e-government initiatives, $208,000 for Quickhire, and $570,000 for competitive sourcing, and decreases of $291,000 for Safecom and $244,000 to reflect the transfer to the wild horse and burro program.

Challenge Cost Share.—The managers agree to the House level for the challenge cost share program.

Bill Language.—The conference agreement does not include language carried in previous years concerning the management of wild horses and burros.

WILDLAND FIRE MANAGEMENT

The conference agreement provides $743,099,000 for wildland fire management as proposed by both the House and the Senate.

Hazardous Fuels.—The change to the House level for hazardous fuels is a decrease of $5,000,000.

State and Local Fire Assistance.—The change to the House level for State and local fire assistance is an increase of $5,000,000.

The managers note that the conference agreement provides an additional $100,000,000 in Title IV of this bill for urgent wildfire suppression activities.

The managers remain concerned about the need to control suppression costs. The managers are concerned that effective performance measures are not in place on an inter-agency basis to report on suppression costs. It is imperative that the Secretaries establish appropriate performance metrics promptly. This includes the integration of reporting systems, implementation of polices through the Wildland Fire Leadership Council for cost reporting, and responding to findings of the independent cost control review panel established under Public Law 108–287. The managers direct the Secretaries to submit a report no later than June 30, 2005, on performance measures planned for implementation in fiscal year 2006 to be used on an inter-agency basis.

The managers direct the Bureau to continue the native plant materials development effort at the fiscal year 2004 level.

CENTRAL HAZARDOUS MATERIALS FUND

The conference agreement provides $9,855,000 for the central hazardous materials fund as proposed by the House and the Senate. The managers do not agree with the budget proposal to transfer unobligated funds to the EPA. The managers reiterate that the Bureau?s liability does not extend beyond past payments.

CONSTRUCTION

The conference agreement provides $11,500,000 for construction instead of $15,000,000 as proposed by the House and $8,976,000 as proposed by the Senate.

Changes to the House level for construction include increases of $1,500,000 for construction of the California Trail Interpretive Center in Nevada, which completes the Department of the Interior?s contribution to this project, $750,000 for the Sand Hollow Recreation MOU with the State of Utah, and $750,000 for the White Sandy Beach on Houser Lake in Montana, and a decrease of $6,500,000 for general construction projects.

The managers are concerned about the relatively low level of construction funding provided to the Bureau compared to other land management agencies and urge the Administration to place more emphasis on providing adequate funding for large deferred maintenance construction projects on public lands.

LAND ACQUISITION

The conference agreement provides $11,350,000 for land acquisition instead of $4,500,000 as proposed by the House and $22,850,000 as proposed by the Senate.

The managers agree to the following distribution of funds:

Area (State)	*Amount*
Blackfoot River Watershed (MT)	$5,000,000
Boise Front ACEC (ID)	1,000,000

Area (State)	*Amount*
California Wilderness (CA)	750,000
Chain-of-Lakes RMA/Lewis and Clark NHT (MT)	3,500,000
Colorado Canyons NCA (CO)	1,500,000
Grande Ronde National Wild and Scenic River (OR/WA)	500,000
Snake River Breaks ERMA (Swede's Landing) (OR)	150,000
Henrys Lake ACEC (ID)	750,000
Rio Grande Natl. Wild & Scenic River (NM)	2,700,000
Sandy River/Oregon NHT (OR)	1,000,000
Use of unobligated balances	−10,000,000
Subtotal	6,850,000
Acquisition Management	3,000,000
Emergency/Inholdings	1,500,000
Land Exchange Equalization Payment	0
Total	11,350,000

The managers expect the Bureau to ensure that acquisitions associated with the Blackfoot Challenge are consistent with Federal appraisal standards. The Bureau should not pay more than the fair market value determined by those appraisals.

OREGON AND CALIFORNIA GRANT LANDS

The conference agreement provides $109,057,000 for Oregon and California grant lands instead of $111,557,000 as proposed by the House and $113,558,000 as proposed by the Senate. The change to the House level is a decrease of $2,500,000 for judgment fund repayment.

RANGE IMPROVEMENTS

The conference agreement provides an indefinite appropriation for range improvements of not less than $10,000,000 as proposed by both the House and the Senate.

SERVICE CHARGES, DEPOSITS, AND FORFEITURES

The conference agreement provides an indefinite appropriation for service charges, deposits, and forfeitures, which is estimated to be $24,490,000 by both the House and the Senate.

MISCELLANEOUS TRUST FUNDS

The conference agreement provides an indefinite appropriation of $12,405,000 for miscellaneous trust funds as proposed by both the House and the Senate.

UNITED STATES FISH AND WILDLIFE SERVICE

RESOURCE MANAGEMENT

The conference agreement provides $977,205,000 for resource management instead of $970,494,000 as proposed by the House and $966,265,000 as proposed by the Senate. The changes described below are to the House recommended funding level.

Ecological Services.—Changes to ecological services programs, including Endangered Species Act programs and habitat conservation programs, are detailed below.

In Endangered Species Act candidate conservation, there are increases of $150,000 for Kootenai River burbot and $10,000 for

slickspot peppergrass, and a decrease of $750,000 for Alaska sea otter, which is addressed under the recovery program.

In the Endangered Species Act listing program, there is a decrease of $726,000; however, the number that appears in bill language is higher to reflect the recent changes to the Service?s cost allocation methodology as explained below.

In Endangered Species Act consultation, there is a decrease of $750,000 for the natural communities conservation planning program in California.

In Endangered Species Act recovery, there are increases of $2,000,000 for Atlantic salmon grants administered by the National Fish and Wildlife Foundation, $500,000 for Lahonton cutthroat trout, $350,000 for White Sulphur Springs NFH, WV, freshwater mussel recovery, $1,800,000 for eider and sea otter recovery at the Alaska SeaLife Center, and $250,000 for concho water snake delisting efforts in Texas. Decreases include $500,000 in base program funding and $300,000 in wolf monitoring. The Service should use the distribution of wolf monitoring funds proposed by the Senate.

In habitat conservation, changes to the House passed level for partners for fish and wildlife projects are as follows:

[Dollars in thousands]

Project	*Change*
Invasive species/competitive projects (non-specific)	−500
Federal trust species restoration program	−4,000
Walla Walla Basin HCP, WA	−750
Walla Walla Basin fish passage, WA	−250
Restoration in Tunkhannock, Bentley & Bowman's Creek watersheds, PA	−50
West branch of the Susquehanna River fish passage, PA	−500
Georgia stream bank restoration	−500
Wildlife enterprises program at MS State University	+1,000
Thunder Basin initiative, WY	+250
NH Audubon Society study w/FWS on declining wildlife populations on Lake Umbagog NWR	+425
NH Lakes Association/analysis of degradation of surface waters	+55
Invasive species control in Hawaii	+700
Endangered species management & conservation in Hawaii	+750
Vermont Natural Heritage Partners bald eagle restoration	+100
Nevada biodiversity research and conservation	+1,250
Montana Water Center wild fish habitat initiative	+500
Lake Sakakawea invasive species control, ND	+100
GIS mapping of AK NWRs	+1,000
Conservation/restoration work at Don Edwards NWR, CA	+540

In project planning, increases include $550,000 for the Middle Rio Grande (Bosque) research program and $400,000 for Montana wildlife conservation plan development. There is also a decrease of $300,000 for the metropolitan greenspaces program.

In coastal programs, there is a general program decrease of $1,500,000, which still provides an increase above the fiscal year 2004 level.

Refuge Operations and Maintenance.—In refuge operations, there is an increase of $2,500,000 to provide for the Service?s share of the costs associated with the Midway Atoll NWR common infrastructure and airport (the balance of infrastructure and airport operating funds should be borne by the Federal Aviation Administration and other benefiting parties), and decreases of $1,000,000 for

competitive projects on invasive species control (non-specific) and $1,000,000 for invasive species control at Loxahatchee NWR, FL. In refuge maintenance, there is an increase of $500,000.

Law Enforcement Operations.—In law enforcement operations, increases include $450,000 for the Memphis, TN port of entry and $315,000 for space costs at the Atlanta, Louisville and Memphis ports of entry. There are also decreases of $450,000, which negates the general increase proposed by the House, and $450,000 for vehicle replacement.

Fisheries.—In fish and wildlife management, increases include $800,000 for whirling disease research by the National Partnership on the Management of Wild and Native Coldwater Fisheries, for a total of $1,000,000 for the partnership, $350,000 for the Whirling Disease Foundation, $400,000 for the Wildlife Health Center in Montana, and $400,000 for Yukon River Treaty implementation. These increases are partially offset by a decrease of $1,000,000 for non-partner specific whirling disease research. In marine mammals, there is an increase of $1,300,000 and the Service should use the distribution of marine mammal funding proposed by the Senate. Finally, there is an increase of $885,000 to address partially operational shortfalls in the fisheries program. These funds should be reprogrammed to the appropriate line items in the budget and should remain in the base budget for fiscal year 2006 and beyond.

General Administration.—In general administration, there is a decrease of $130,000 for the National Fish and Wildlife Foundation; increases of $750,000 for training activities at the National Conservation Training Center and $387,000 for NCTC maintenance; and an increase of $400,000 for the Caddo Lake Ramsar Center in Texas.

Bill Language.—The conference agreement includes statutory language earmarking $1,000,000 for Natural Community Conservation Planning in California. Language also is included earmarking $16,175,000 for the endangered species listing program instead of $16,226,000 as proposed by the House and $15,500,000 as proposed by the Senate. This earmark reflects the Senate proposed level adjusted upward for $675,000 in space rental costs associated with the recent changes to the Service's cost allocation methodology.

The managers agree to the following:

1. The Service should realign its fiscal year 2005 budget to agree with the recent changes to the Service's cost allocation methodology.

2. Fiscal year 2005 represents the final year of a statutory earmark for Natural Communities Conservation Planning in California. This program is eligible to compete with other programs for funding in future years and for additional funding in fiscal year 2005.

3. The Service should move as quickly as possible to delist the concho water snake. The managers addressed this issue 5 years ago and are dismayed that the Service has yet to resolve it.

4. Additional funds required for invasive species control programs at Loxahatchee NWR, FL, should be addressed in the fiscal year 2006 budget request.

5. The Peregrine Fund activities should be funded at $400,000 in fiscal year 2005.

6. The Department should carefully review the budget requirements for the fisheries program in its fiscal year 2006 request. The managers are concerned that the fiscal year 2005 request did not accurately reflect program shortfalls and consequences associated with fixed cost absorption and proposed program reductions.

7. The Service should reprogram $4,000,000 in the fisheries program from the deferred maintenance account to the annual maintenance account. This reprogramming is necessary to address operational shortfalls.

8. The managers have provided funds in the law enforcement program to provide full staffing at the ports of entry at the Atlanta, Louisville, and Memphis airports. The managers note that, because of the large volume of cargo flowing through these airports, particularly at Louisville and Memphis, these ports of entry are staffed at significantly higher levels than most other ports around the country. The managers have also provided $315,000 specifically for unanticipated space rental costs at these three ports of entry. The funds for additional space needs should be allocated to these three ports of entry, and the House and Senate Committees on Appropriations should be notified as to the distribution of funds. The additional space funds, along with the annual operating funds, should be retained in the base budget for these three ports of entry for fiscal year 2006 and beyond.

9. The funds provided for the Caddo Lake Ramsar Center in Texas are for conservation and education programs directly related to Caddo Lake and may not be used for infrastructure, construction-related projects, legal or management fees, or any other purposes.

10. Funding for E-Training and E-Rulemaking activities are retained. Funds budgeted for Safecom and Disaster Management should be reprogrammed to cover equitably fixed cost increases not funded in the budget request.

11. The managers are concerned by the recent discoveries of the northern snakehead in the Potomac River and its potential impact on native fish populations through predation, food and habitat competition, and the introduction of diseases and parasites. The Service should submit a report to the House and Senate Committees on Appropriations, no later than 180 days after enactment of this Act, on the steps it is taking to identify, contain, and eradicate this species.

CONSTRUCTION

The conference agreement provides $53,400,000 for construction instead of $48,400,000 as proposed by the House and $37,136,000 as proposed by the Senate.

The managers agree to the following distribution of funds:

[Dollars in thousands]

Project	Description	Amount
Alaska SeaLife Center, AK	Seabird Research Facility	$500
Arapaho NWR, CO	Muskrat Dam [p/d/cc]	800
Bayou Sauvage NWR, LA	Visitor Center [p/d]	300
Chase Lake and Arrowwood NWRs, ND	Joint Interpretive Center [p/d]	300
Clark R Bavin Forensics Laboratory, OR	Renovation/upgrade facility [c]	2,682
Clark's River NWR, KY	Maintenance Facility [cc]	750

[Dollars in thousands]

Project	Description	Amount
Craig Brook NFH, ME	Wastewater Treatment Compliance-Phase II [d/ic]	1,950
Eastern MA NWR Complex, MA (Great Meadows)	Visitor Center and Administration Building [p/d/cc]	3,177
Fish Springs NWR, UT	Seismic Safety Rehabilitation of Six Buildings-Phase I [p/d].	115
Garrison NFH, ND	Hatchery Renovation [cc three ponds]	300
Green Lake NFH, ME	Wastewater Treatment Compliance-Phase I [p/d]	658
Hanford Reach NM, WA	Visitor Center	750
Kenai NWR, AK	Visitor Center [water and sewer lines]	2,100
King Salmon FWS Administrative Site, AK	Seismic Safety Rehab. of Office/Storage Building-Phase I [p/d].	65
Klamath Basin NWR Complex, CA	Water Supply and Management-Phase V [c]	1,000
Lacreek NWR, SD	Little White River Dam-Phase III [cc]	4,200
Midway Atoll NWR	Electrical system replacement [cc]	2,700
Midway Atoll NWR	Replace wastewater treatment system w/septic fields [cc].	500
National Conservation Training Center	Waterline construction [cc]	600
Northeast Fishery Center, PA	Raceway rehabilitation and tank installation	795
Northwest Power Planning Area	Fish screens etc.	2,000
Office of Aircraft Services (MBS Programs)	Replacement of Survey Aircraft-Phase II	1,000
Ohio River Islands NWR, WV	Headquarters/Visitor Contact Station Improvements [cc].	835
Okefenokee NWR, GA	Environmental Education Facility [p/d/cc]	600
Servicewide	Bridge Safety Inspections	575
Servicewide	Dam Safety Programs & Inspections	730
Servicewide	Visitor Contact Facilities	4,000
Sevilleta NWR, NM	Laboratory Construction	3,000
Silvio O Conte NWR, VT	Nulhegan Div. visitor contact station [cc]	2,000
Togiak NWR, AK	Visitor Center [p/d]	300
Togue Replacement	Replace fish stocking vessel [cc]	750
Tualatin NWR, OR	Visitor Center and Administration Building [p/d]	700
White Sulphur Springs NFH, WV	Wild Fish Propagation Center [p/d/cc]	650
World Birding Center, TX	Administrative Building/Visitor Center	1,000
Subtotal, Line Item Construction		42,382
Nationwide Engineering Services:		
Cost Allocation Methodology		3,151
Environmental Compliance		1,400
Other, non-project specific services		6,117
Seismic Safety Program		200
Waste Prevention, Recycling, Env. Mgmt		150
Subtotal, Nationwide Engineering Services		11,018
Total		53,400

Bill Language.—The conference agreement includes statutory language allowing for a single contract for the full scope of the Clark R. Bavin Forensics Laboratory, OR renovation.

The managers agree to the following:

1. The Service should develop standardized designs for maintenance facilities so that requirements like that at ACE Basin NWR, SC and other NWRs can be categorized, priorities can be established, and the most critical needs can be funded.

2. The administrative building/visitor center proposal for Bombay Hook NWR, DE should be incorporated into the Service?s priority system and, as appropriate, should be considered within the visitor contact facilities fund.

3. Funding for the Hanford Reach NM, WA, visitor center is provided with the understanding that the Service's total contribution to this effort will not exceed $3,000,000.

4. The managers are concerned with the lack of progress in locating a site and commencing construction of the administrative/visitor center for the Kodiak NWR, AK. The Service should expedite this process in fiscal year 2005 and provide a definitive cost estimate to complete this project.

5. Funding for large game guzzlers at Nevada refuges should be addressed using refuge operations and maintenance funding.

6. Funds for raceway rehabilitation and tank installation at the Northeast Fishery Center, PA, should be supplemented with cost sharing from other benefiting parties.

7. Funding for field and laboratory testing of fishway designs is not included. The Service should work with the U.S. Geological Survey to determine the appropriate bureau and the appropriate means to fund this effort.

8. Funding for the Sevilletta NWR, NM laboratory, construction should not exceed $6,600,000. With the funds provided for fiscal year 2005, the Service will have received $4,500,000.

9. Funds provided for the World Birding Center, TX, represent the second of three payments for this program. The managers understand that the remaining amount for this project will not exceed $1,100,000.

10. Funds are provided for planning and design of a visitor center at Togiak NWR in Dillingham, AK. The managers expect that this facility will be located adjacent to the airport to maximize contact with the public. This center should be a similar size as the visitor center operated by the Service in King Salmon, Alaska.

LAND ACQUISITION

The conference agreement provides $37,526,000 for land acquisition instead of $12,500,000 as proposed by the House and $49,864,000 as proposed by the Senate.

The managers agree to the following distribution of funds:

Area (State)	*Amount*
Archie Carr NWR (FL)	$711,000
Baca NWR (CO)	3,400,000
Back Bay NWR VA)	700,000
Balcones Canyonlands NWR (TX)	900,000
Black Bayou Lake NWR (LA)	625,000
Cache River NWR (AR)	700,000
Cahaba NWR (AL)	550,000
Cape Romain NWR (SC)	850,000
Chickasaw NWR (TN)	750,000
Dakota Tallgrass Prairie WMA (SD/ND)	650,000
Eastern Shore NWR (VA)	500,000
Great Swamp NWR (NJ)	500,000
Great White Heron NWR (FL)	750,000
James Campbell NWR (HI)	2,000,000
Lake Umbagog NWR (NH)	1,500,000
Lower Hatchie NWR (TN)	750,000
Lower Rio Grande Valley NWR (TX)	1,000,000
Massasoit NWR (MA)	575,000
Middle MS River NWR (MO) (Wilkinson Island)	1,300,000
Northern Tallgrass Prairie (MN/IA)	500,000
Palmyra Atoll NWR	600,000
Patoka River NWR (IN)	250,000
Rachel Carson NWR (ME)	500,000
Rhode Island refuge complex (RI)	500,000
San Diego NWR (CA)	1,000,000
Silvio O. Conte NWR, (NH, VT, CT)	1,000,000

Area (State)	*Amount*
Tensas NWR (LA)	2,000,000
Togiak NWR (AK)	1,500,000
Upper MS River NFWR (MN, WI, IA, IL)	400,000
Waccamaw NWR (SC)	1,250,000
Walkill NWR (NJ)	700,000
Yukon River Delta NWR (AK)	1,000,000
Use of unobligated balances	−7,000,000
Subtotal	22,911,000
Acquisition Management	8,365,000
Inholdings	1,500,000
Exchanges	1,750,000
Emergencies/Hardships	1,000,000
Cost Allocation Methodology	2,000,000
Total	37,526,000

Bill Language.—The conference agreement makes a technical modification to the language proposed in the Senate bill earmarking $750,000 for the Yukon Flats NWR (AK)/ Doyon land exchange. The conference agreement retains the language proposed in the Senate bill providing that none of the funds in this or any other Act may be used for acquisition of land to be part of Deep Fork NWR (OK).

The managers agree to the following:

1. Acquisitions proposed in the budget requests for the Alaska Peninsula NWR (AK), Canaan Valley NWR (WV), Cypress Creek NWR (IL), and Red River NWR (LA) shall be funded out of the inholdings account.

2. Lands acquired for the James Campbell NWR (HI) must be within the authorized refuge boundary.

LANDOWNER INCENTIVE PROGRAM

The conference agreement provides $22,000,000 for the landowner incentive program instead of $15,000,000 as proposed by the House and $29,000,000 as proposed by the Senate.

PRIVATE STEWARDSHIP GRANTS

The conference agreement provides $7,000,000 for private stewardship grants instead of $5,000,000 as proposed by the House and $7,500,000 as proposed by the Senate.

Bill Language.—The conference agreement includes bill language, as proposed by the House providing for the merger of funds previously appropriated under the "Stewardship Grants" heading. The Senate had no similar provision.

COOPERATIVE ENDANGERED SPECIES FUND

The conference agreement provides $81,596,000 for the cooperative endangered species fund as proposed by the House instead of $82,600,000 as proposed by the Senate.

Bill Language.—The conference agreement earmarks $32,212,000 to be derived from the Cooperative Endangered Species Fund instead of $49,384,000 as proposed by the House and $32,600,000 as proposed by the Senate. The amount derived from the Land and Water Conservation Fund is $49,384,000 as proposed by the House instead of $50,000,000 as proposed by the Senate.

NATIONAL WILDLIFE REFUGE FUND

The conference agreement provides $14,414,000 for the national wildlife refuge fund as proposed by both the House and the Senate.

NORTH AMERICAN WETLANDS CONSERVATION FUND

The conference agreement provides $38,000,000 for the North American wetlands conservation fund as proposed by both the House and the Senate.

NEOTROPICAL MIGRATORY BIRD CONSERVATION

The conference agreement provides $4,000,000 for neotropical migratory bird conservation as proposed by the Senate instead of $4,400,000 as proposed by the House.

MULTINATIONAL SPECIES CONSERVATION FUND

The conference agreement provides $5,800,000 for multinational species conservation fund programs instead of $5,900,000 as proposed by the House and $5,700,000 as proposed by the Senate. Changes to the House recommended level include decreases of $50,000 for African elephants, $50,000 for rhinoceros and tigers, $50,000 for Asian elephants, and $50,000 for great apes, and an increase of $100,000 to initiate the newly authorized marine turtles program. The managers expect the Service to keep the funding for marine turtles in the base budget and to increase funding, as appropriate, for this program in future budget requests.

Bill Language.—The conference agreement includes the statutory citation for the Marine Turtle Conservation Act of 2004.

STATE AND TRIBAL WILDLIFE GRANTS

The conference agreement provides $70,000,000 for State and tribal wildlife grants instead of $67,500,000 as proposed by the House and $75,000,000 as proposed by the Senate. The managers reiterate the importance of comprehensive wildlife conservation strategies toward the conservation of each State's full array of wildlife and their habitats. The strategies, produced in each State and territory plan, are expected to be complete by October 1, 2005. Emphasis should be on those habitats and conservation actions that support the species of greatest conservation need. Program funds should be directed to those actions and habitats that will best implement the comprehensive wildlife conservation strategies and preclude the need to list many more species as threatened or endangered under the Endangered Species Act.

Bill Language.—The conference agreement includes bill language, as proposed by the House, providing for the merger of funds previously appropriated under the "State Wildlife Grants" heading. The Senate had no similar provision.

NATIONAL PARK SERVICE

OPERATION OF THE NATIONAL PARK SYSTEM

The conference agreement provides $1,707,282,000 for operation of the national park system instead of $1,686,067,000 as proposed by the House and $1,688,915,000 as proposed by the Senate.

The managers have provided an additional $52,654,000 for park base operations. Combined with the $22,012,000 in specific park operating increases in the budget request, the parks will have an additional $74,666,000 in park programmatic increases for fiscal year 2005. This is the largest park base programmatic increase ever for the National Park Service and in keeping with the large increases in operating funds provided by the Congress over the past 10 years.

The Administration's budget requests for parks in recent years have not sufficiently addressed growing shortfalls in core operating programs at the parks. Recent budgets have seen increasing emphasis placed on expanding law enforcement and security, facility maintenance, information technology, and natural resource data gathering. Core park operations have also been impacted by the absorption of pay costs within budget requests, Congressionally mandated pay increases in excess of budget requests, and storm damage. New security and anti-terrorism requirements and other new mandates and responsibilities have also been assigned by the Department and the Office of Management and Budget. The managers have been supportive of these requirements and have provided significant increases for security at icon and border parks while consistently including additional park maintenance funding to ensure the maintenance backlog reduction efforts continue on track. However important these new responsibilities, the budget of the National Park Service cannot continue to be limited to a few parks and purposes while core visitor service requirements are going unmet nationwide. All parks need to remain open and accessible to visitors and basic visitor services need to be available at all parks across the system.

Of the additional amount provided for park base operations, $40,000,000 should be distributed to all park units as an across-the-board increase in all budget subactivities within park management to help offset the impact of recent absorptions. This will provide each unit with a minimum increase of approximately 5 percent above their fiscal year 2004 level. Also, $500,000 of the additional amount should be distributed to national trails on a priority basis. The remaining balance of $12,154,000 for additional park operations funding shall be used solely to restore basic visitor services and address resource preservation needs in accordance with National Park Service priorities.

The conference agreement provides $342,967,000 for resource stewardship. Changes to the House level include a reduction of $1,000,000 for inventory and monitoring and an increase of $500,000 for Vanishing Treasures.

The conference agreement provides $326,856,000 for visitor services, the same as the House level.

The conference agreement provides $573,178,000 for maintenance, the same as the House level.

The conference agreement provides $285,946,000 for park support. Changes to the House level include an additional $871,000 for e-government initiatives, $250,000 for wild and scenic rivers, $500,000 for the traditional challenge cost share program and $94,000 for the Lewis and Clark program. The House position on the CCI challenge cost share program is adopted.

Bill language.—The conference agreement retains the House language regarding one year funding for repair and rehabilitation funds. The conference agreement earmarks $2,000,000 for the YCC program.

Report language.—Earmarks within the repair and rehabilitation program are as follows: $450,000 for 26 Williams Street at Dayton Aviation Heritage NHP; $306,000 for rehab of Porter Beach restrooms at Indiana Dunes NL; $500,000 for boat launch ramps at Lake Mead NRA; $300,000 for signage repairs at Fort Stanwix NM; $388,000 for dock, signage and lighting repairs at Amistad NRA; $300,000 to continue cultural landscaping improvements at Gettysburg NMP, $400,000 for Natchez Trace Parkway; $325,000 for rehab of Fort Piute at Mojave National Preserve; $400,000 for rehab of structures at Stiltsville in Biscayne NP; and $200,000 for restoration at International Peace Garden, ND.

The conference agreement continues to earmark one-third of the challenge cost share program for the National Trails System. The managers have retained the House language concerning National Park Service travel. Foreign travel must be pre-approved by the House and Senate Committees on Appropriations.

The managers recognize the successful partnership between the National Park Service and Southeast Community College, KY, in providing important employee training. The managers encourage the Service to consider additional training opportunities with the college.

UNITED STATES PARK POLICE

The conference agreement provides $81,204,000 for the United States Park Police as proposed by the House and the Senate.

It has been three years since the National Academy of Public Administration's comprehensive financial and management review of the U.S. Park Police. As of two months ago, NAPA reported that none of the major reforms had been implemented. The managers expect the Secretary and the Director of the National Park Service to implement fully the major reforms and be prepared to discuss those changes at the fiscal year 2006 hearings.

NATIONAL RECREATION AND PRESERVATION

The conference agreement provides $61,832,000 for national recreation and preservation, instead of $53,877,000 as proposed by the House and $63,023,000 as proposed by the Senate.

The conference agreement provides $551,000 for recreation programs, the same as the House and Senate. Also included is $11,018,000 for natural programs. Changes to the House level include an additional $300,000 for the rivers and trails program. The managers expect that the reforms made to the strategic plan will be closely followed. This is a technical assistance program. Direct grants are not authorized.

The conference agreement provides $20,214,000 for cultural programs. Changes to the House level include increases of $100,000 for the Louisiana Creole Heritage Center and $300,000 for a National Underground Railroad Network grant program, which is authorized.

The conference agreement provides $1,616,000 for International park affairs, the same as the House and Senate.

The conference agreement provides $397,000 for environmental and compliance review, the same as the House and Senate.

The conference agreement provides $1,892,000 for grant administration, the same as the House level.

The conference agreement provides the $500,000 requested in the budget for the partnership office. The managers intend to continue support for the work of NPS regional office partnership and volunteers-in-the-parks coordinators. Funds are to be provided equally to each of the seven regions to supplement existing regional office and park partnership activities, services, and events consistent with identified regional priorities and mission goals.

The conference agreement provides $14,785,000 for nationally designated heritage areas. Included in this amount is $122,000 for administration and $500,000 for heritage areas authorized after enactment of this Act. Individual projects are as follows:

Project	*Amount*
America's Agricultural Heritage Partnership (Silos & Smokestacks)	$750,000
Augusta Canal NHA	400,000
Automobile NHA	500,000
Blue Ridge NHA	900,000
Cache La Poudre River Corridor	45,000
Cane River NHA	900,000
Delaware and Lehigh NHC	800,000
Erie Canalway National Corridor	700,000
Essex NHA	900,000
Hudson River Valley NHA	500,000
John H. Chafee Blackstone River Valley NHC	845,000
Lackawanna Valley NHA	550,000
National Coal Heritage Area	123,000
Ohio and Erie Canal NHC	900,000
Quinnebaug & Shetucket Rivers Valley NHC	850,000
Rivers of Steel NHA	900,000
Schuylkill River Valley National Heritage Area	500,000
Shenandoah Valley Battlefields National Historic District	500,000
South Carolina NHC	900,000
Tennessee Civil War Heritage Area	400,000
Wheeling NHA	900,000
Yuma Crossing NHA	400,000
Subtotal	14,163,000
Administration	122,000
Newly authorized areas	500,000
Total	14,785,000

The conference agreement provides $11,359,000 for statutory or contractual aid, instead of $3,794,000 as proposed by the House and $12,080,000 as proposed by the Senate. The funds are to be distributed as follows:

Project	*Amount*
Alaska National Parks	$750,000
Benjamin Franklin Tercentenary Commission	250,000
Black Jack Battlefield Trust	89,000
Brown Foundation	250,000
Chesapeake Bay Gateway	2,500,000

Project	*Amount*
Flight 93 Memorial	250,000
Ft. Mandan, Ft. Lincoln & No. Plains Foundation	625,000
George Washington Memorial Bridge	100,000
Ice Age National Scientific Reserve	796,000
Jamestown 2007	400,000
Johnstown Area Heritage Association	49,000
Keweenaw NHP—Main Street	800,000
Lamprey W&SR Cooperative Agreements	900,000
Lower Eastside Tenement Museum	250,000
Mississippi Museum of Natural Science	750,000
Mt. Rainier NP—study	700,000
Natchez NHP—Slave Market	150,000
Native Hawaiian Culture and Arts Program	750,000
Sewall-Belmont House	400,000
Sleeping Rainbow Ranch, Capital Reef NP	600,000
Total	11,359,000

The conference agreement includes $400,000 for the Sewall-Belmont House. The managers are concerned that the Service has taken too long to determine an appropriate solution to making the facility handicapped accessible. The managers direct the Service to report to the Committees no later than April 1, 2005, on a final recommendation.

Bill language.—The conference agreement provides $700,000 for a feasibility study for the Train to the Mountain project.

The conference agreement includes the Senate language on the use of funds for the Rivers and Trails program.

The conference agreement has included bill language to change the matching requirements at Keweenaw NHP to 1/1 for one year only.

Report language.—The conference agreement provides $100,000 within available funds to the National Center for Preservation Technology and Training for continued support of the successful competitive heritage education grants program to schools in Louisiana. No more than fifteen percent of this amount may be used to administer the program.

HISTORIC PRESERVATION FUND

The conference agreement provides $72,750,000 for the historic preservation fund instead of $71,533,000 as proposed by the House and $71,250,000 as proposed by the Senate. Changes to the House level include an increase of $1,430,000 for grants-in-aid to States and Territories and an increase of $287,000 for grants-in-aid to Indian Tribes. The conference agreement provides $3,500,000 for Historically Black Colleges and Universities, instead of $4,000,000 as proposed by the House.

Of the $30,000,000 provided for Save America's Treasures, $15,000,000 is for competitive grants. The balance of the funds are to be distributed as follows:

Project/State	*Amount*
Albany Theatre, GA	$150,000
Alyeska Roundhouse, AK	200,000
Bellance Air Service hangar, DE	300,000
Beringer-Crawford museum collections, KY	100,000
Boligee Street Historic perservation, AL	400,000
Bremerton Building 50 Naval Museum, WA	300,000
Bronx Community College Stanford White Complex, NY	200,000
Broome County YWCA, NY	100,000

Project/State	*Amount*
Buckland Preservation, VA	50,000
Church of the Presidents, NJ	100,000
City of Springfield City Hall, MO	300,000
Clarke County Courthouse, MS	200,000
Clinton House, NY	100,000
Cold War sites, ND	250,000
Decatur House, DC	100,000
Dennison Railroad Depot Museum, OH	200,000
Drake Oilwell, PA	150,000
Duluth National Guard Armory, MN	250,000
El Gracia Train Depot, CA	200,000
First Congregational Church, CT	300,000
Ft. Seward Military Post, ND	100,000
Goodwill Theater, NY	50,000
Grand Traverse Civil War Monument, MI	30,000
Grove Arcade, NC	500,000
Harmony Engine Company Firehouse, PA	200,000
Harper House, NC	100,000
Hazlett-Fields House, WV	250,000
Henry Phillips Farmhouse, NJ	150,000
Holland Theatre, OH	200,000
Hoover House, OH	100,000
Hotchkiss Building, NY	200,000
Howe House, OH	100,000
Hoyt Sherman Place Theater, IA	300,000
Hunley Submarine, SC	100,000
Hutmacher Complex, ND	100,000
James Beard Historic Market, OR	300,000
Jefferson Community College, KY	100,000
King Memorial Baptist Church, AL	100,000
Lafayette County Courthouse, MS	200,000
Lake Oswego Historic Iron Smelter, OR	100,000
Lear Theater, NV	400,000
Lee-Fendall House, Va	75,000
Linden Project, MD	250,000
MD House at the Baltimore Zoo, MD	350,000
Moore County Courthouse, TN	50,000
Moravian College Bretheren House, PA	150,000
Morehouse College African American Archival Program, GA	100,000
New Salem Academy, MA	175,000
Nicholson House, NJ	150,000
Northern VA Freedom House	75,000
Oats Park School/Arts Center, NV	200,000
Ohio Wesleyan, OH	50,000
Old Henderson County Courthouse, NC	110,000
Old Mint, CA	300,000
Old Warren County Courthouse, KY	250,000
Orpheum Theatre, IL	250,000
Oscar Howe Murals (Mobridge School District), SD	150,000
Ossining Historic Architecture Protection, NY	150,000
Pawtucket Public Library, RI	300,000
Penland School, NC	100,000
Phoenix Bank, VA	100,000
Rayburn Library, TX	200,000
Rios Caledonia Adobe, CA	200,000
Rye Meeting House, NY	50,000
Sandusky Old Post Office, OH	200,000
Sequoia Presidential Yacht, VA	50,000
Socorro Mission, TX	200,000
Sommerville Courthouse, AL	95,000
Sonnenberg Mansion, NY	370,000
Stabler-Leadbeater Apothecary Museum, VA	50,000
State Theatre, PA	100,000
Stewart County Courthouse, GA	125,000
Town Hall Theater, VT	150,000
Troy High School, PA	250,000
Tryon Palace, NC	150,000

Project/State	*Amount*
Turnblad Mansion, MN	200,000
Union Pacific Dining Lodge, MT	400,000
Universal Preservation Hall, NY	200,000
Washington and Jefferson College Historic Buildings, PA	300,000
Westcott House, OH	200,000
Wilkesboro Courthouse, NC	200,000
Winston Courthouse, AL	95,000
Yawkey House, WI	250,000
Total	150,000,000

Bill language.—The conference agreement does not provide an earmark of $2,000,000 for a new Preserve America grants program as proposed by the Senate.

The conference agreement does not prohibit the use of Save America's Treasures funds for administrative purposes.

The conference agreement includes bill language clarifying the ability of the National Endowment for the Arts to award Save America's Treasures grants based upon the recommendations of the Save America's Treasures grant selection panel.

CONSTRUCTION

The conference agreement provides $307,362,000 for construction instead of $297,628,000 as proposed by the House and $330,019,000 as proposed by the Senate. The funds are to be distributed as follows:

Project	*Amount*
Allegheny Portage RR NHS, PA (rehabilitate historic Trace Corridor Trail)	$861,000
Apostle Islands NL, WI (restore Raspberry Island Light Station)	1,136,000
Big Bend NP, TX (replace Chisos Basin water supply)	2,000,000
Big Cypress NPres, FL (rehabilitate off-road vehicle trails—completes)	569,000
Blue Ridge Parkway, NC (Hemphill Knob visitor center)	3,000,000
Boston NHP, MA (rehabilitate Bldg. 125)	1,187,000
Boston NHP, MA (rehabilitate Commandant's house)	774,000
Cane River Creole NHP, LA (curatorial facility—planning)	100,000
Cane River Creole NHP, LA (stabilize/preserve Magnolia Plantation structures)	1,068,000
Chattahoochee River NRA, GA (reduce resource damage—provide river rec. acc)	2,125,000
Crater Lake NP, OR (rehabilitate historical cafeteria bldg; relocate Rim parking area)	8,741,000
Cumberland Island NS, GA (stabilize Dungeness Ruins)	1,285,000
Cumberland Island NS, GA (Plumb Orchard planning)	264,000
Cuyahoga NP, OH (rehabilitate various historic structures)	2,500,000
Dayton Aviation NHP, OH (Huffman Prairie Hanger)	650,000
Dayton Aviation NHP, OH (Wright-Dunbar Plaza, accessibility & plaza)	275,000
Delaware Water Gap NRA, PA (cabin replacement)	700,000
Denali NP, AK (replace Eielson Visitor Center)	7,420,000
Everglades NP, FL (modify water delivery system)	8,077,000
Fire Island NS, NY (rehabilitate Sailors Haven Marina & ferry dock)	2,374,000
Flight 93 NMem, PA (build starter public facilities & services)	806,000
Fort Larned NHS, KS (fix structural problems at Old Commissary)	869,000
Fort Washington Park, MD (stabilize fort)	3,660,000
Frederick Law Olmsted NHS, MA (upgrade life/safety systems; rehabilitate historical structure)	2,011,000
George Washington Carver NM, MO (rehabilitate/complete visitor center—completes)	3,187,000
George Washington Mem. Pkwy, VA (general maintenance/rehabilitate along parkway)	300,000

Project	*Amount*
Gettysburg NMP, PA (new visitor center)	5,000,000
Gettysburg NMP, PA (Wills House—completes)	5,759,000
Grant Teton NP, WY (visitor center—completes)	5,000,000
Great Smoky Mtns NP, NC (replace Smokemont water/sewer w/ municipal sys)	2,171,000
Great Smoky Mountains NP, TN (Institute at Tremont)	500,000
Hampton NHS, MD (install environmental controls in Hampton Mansion)	1,546,000
Harpers Ferry NP, WV (rehabilitate Bldg 82, The Jackson House)	50,000
Harpers Ferry NP, WV (restoration of Armory Yard—planning)	450,000
Homestead NHS, NE (cont. planning the visitor/heritage center)	1,112,000
Hot Springs NP, AR (rehabilitate/stabilize bathhouses for adaptive reuse)	4,989,000
John H. Chaffee Blackstone R. Valley NHC, RI	500,000
Kalaupapa NHP, HI (preserve historic buildings; correct safety problems)	3,928,000
Kenai Fjords NP, AK (multi-agency center)	950,000
Klondike Gold Rush NHP, AK (build historical resource support center/protect museum collection)	739,000
L.Q.C. Lamar House NHL, MS (restoration)	500,000
Lassen Volcanic NP, CA (replace condemned chalet w/improved visitor service facility.)	10,051,000
Lincoln Library, IL (cont. Library/Museum construction)	5,000,000
Little Rock Central High School NHS, AR (design visitor facility—planning)	733,000
Manassas NBP, VA (rehabilitate historic Brawner Farm for visitor use)	2,317,000
Martin Luther King, Jr. NHS, GA (restore Ebenezer Baptist Church, Ph. II)	2,459,000
Moccasin Bend NAD (CHCH), TN (erosion & DCP—planning)	400,000
Monocacy NB, MD (relocate flood-prone visitor center to Best Farm)	3,539,000
Morris Thompson Visitor & Cultural Center, AK (completes)	6,000,000
New Bedford Whaling NHP, MA (Corson building)	3,000,000
New River Gorge NR, WV	2,275,000
Olympic NP, WA (remove salmon obstructions; build bridge/culvert)	1,940,000
Olympic NP, WA (restore Elwha River ecosystem & fisheries)	13,450,000
Organ Pipe Cactus NM, AZ (construct vehicle barrier—completes)	6,600,000
Petersburg NB, VA (consolidate, rehabilitate/replace maintenance facilities)	812,000
Point Reyes NS, CA (restore Lifeboat Station Marine Railway)	1,885,000
Pu'uhonua o Honaunau NHP, HI (remove/replace admin. buildings from arch. site)	1,112,000
Rock Creek Park, DC (preserve/protect Meridian Hill Park)	3,007,000
San Francisco Maritime NHP, CA (C.A. Thayer)	2,123,000
Saratoga NHP, NY (planning for visitor access to Victory Woods)	295,000
Shenandoah NP, VA (Old Rag parking lot & connecting trail)	600,000
Southwest Pennsylvania Heritage Comm., PA (rehabilitate/preservation grants)	2,500,000
Timucuan Ecological & HPres, FL (Kingsley Plantation Hs/Kitchen Hs work)	388,000
Tuskegee Airmen NHS, AL (continue federal project planning—site develop/utilities)	1,000,000
Utah Public Lands Artifact Preservation Act, UT	5,000,000
Vicksburg NMP, MS (Pemberton House)	750,000
Washington Office, DC (emergency storm damage reconstruction—various)	14,000,000
Weir Farm NHS, CT (replace maintenance, curatorial & admin. facilities)	3,536,000
Western Arctic NParklands, AK (build NW AK Heritage Ctr & Admin HQ)	2,500,000
White House, DC (structural & utility rehabilitate—Exec. Residence & Pres. Park)	9,938,000
Wrangell-St. Elias NP&Pres, AK (build museum—preserve/interpretive AHTNA cult.)	1,135,000

Project	*Amount*
Yellowstone NP, WY (restoration of Old House, Old Faithful Inn, Ph II)	9,801,000
Yellowstone NP, WY (reconstruct West Entrance Station)	1,487,000
Yellowstone NP, WY (replace admin winter snowcoaches/improve infrastructure)	1,000,000
Yellowstone NP, WY (replace existing court facilities w/ new courthouse)	2,655,000
Use of unobligated balances	−20,000,000
Subtotal, Line Item	192,421,000
Emergency/Unscheduled Projects	4,000,000
Housing replacement	8,000,000
Dam safety	2,700,000
Equipment replacement	38,344,000
Construction planning	21,220,000
Construction program management	27,364,000
General management planning	13,313,000
Total Construction	307,362,000

Bill language.—House language on partnership projects has been slightly modified to remove the requirement for "written" approval from the Committees. Approval of the House and Senate Committees on Appropriations still applies.

The conference agreement includes the following: (1) House provision regarding Flight 93 NMem; (2) Senate provision regarding how funds are provided for the Modified Water Deliveries project; (3) Senate provision earmarking funds for the L.Q.C. Lamar House NHL from the Historic Preservation Fund (funds must be matched); and (4) Senate provision regarding construction at Old Rag Mountain trail in Shenandoah Mountain NP.

Partnerships.—The managers reiterate the concerns voiced by both the House and Senate regarding the management of partnership construction projects. The National Park Service has developed interim guidance to govern the development of partnership construction proposals and the managers expect all levels of the Service to comply with the new procedures. The managers expect the Service and its partners to work collaboratively on the appropriateness, scope, and costs of contemplated projects, with careful consideration given to both the capital development and long-term operational and life-cycle costs. At a time of increased attention and emphasis on park operation budgets, the Service and its partners must not pursue new facility investments that are unrealistic and unachievable in their expectations. The managers expect the Service's review of all partnership construction proposals to make difficult decisions, where necessary, to defer or suspend a project that is not the right project, for the right reason, at the right size, and at the right time. Additionally, any partnership construction project for which there is to be a Federal contribution towards the cost must be budgeted for and included in the Service's five-year construction program. In the event a partnership construction proposal assumes funding from another Federal agency, the Service must seek the agreement of the appropriate agency including funding in the agency's budget request. The managers expect the Service to provide a status report regarding partnership construction projects no later than February 15, 2005.

Language regarding partnership projects at Moccasin Bend NAD, Great Smoky Mountains NP (Tremont), Delaware Water Gap

NRA (Pocono Environmental Education Center), Flight 93 NMem, and Dayton Aviation NHP (Wright Dunbar Plaza) was included in the House and Senate committee reports, and is reinforced by the managers. Partnership construction projects that have not followed the interim guidance, the requirements of Director's Order 21, or been reviewed by the Development Advisory Board, will not be considered for approval by the Committees.

Funds provided for the Cane River Creole NHP are to initiate pre-design and planning for a curatorial storage facility. The managers understand that this facility will be for Service collections, and will be constructed and managed by the Service. The scope and cost of this facility are subject to further refinement using the Service's planning model, but are expected to be less than the $3 million project previously proposed as a partnership with the university.

The conference agreement provides $700,000 for cabin restoration at the Delaware Water Gap NRA, consistent with the direction provided in the House report. The funds are to be used for cabin restoration, or replacements in kind, consistent with the programming levels allowed in the General Management Plan. As discussed in the House Report, the Service needs to complete the site plan and value analysis requested in fiscal year 2004. The park and the partner are reminded that any significant facility investments that go beyond existing program levels must follow the interim guidance regarding partnership construction projects. The managers expect the Service to report by February 1, 2005, on a plan and schedule for the expenditure of the funds for fiscal year 2005. The managers are very concerned that the Service has not followed directions in previous conference reports.

Funding has not been provided to the following projects due to various delays in awarding contracts: C&O Canal NHP, Saugus Iron Works NHS, Yellowstone NP (Madison wastewater facility), and Fire Island NS (west ranger station). The Pinnacles NM project was supplanted by an urgent land acquisition need. Boston Harbor NRA, Fort Larned NHS and Point Reyes NS are strongly encouraged to resubmit in the next fiscal year's budget.

Report language.—The managers direct the Service to initiate the Waco Mammoth site and the Manhattan Project new area studies, which are authorized.

The managers expect the Service to initiate a preliminary resource assessment of Tunica River Park, MS and the surrounding area, and to provide technical assistance as necessary to cooperating entities.

Funds for the Natchez Trace Parkway, MS, have been removed from construction and addressed in park operations.

LAND AND WATER CONSERVATION FUND

(RESCISSION)

The conference agreement rescinds the contract authority provided for fiscal year 2005 by 16 U.S.C. 460l–10a as proposed by both the House and the Senate.

LAND ACQUISITION AND STATE ASSISTANCE

(INCLUDING TRANSFER OF FUNDS)

The conference agreement provides $148,411,000 for land acquisition and State assistance instead of $107,500,000 as proposed by the House and $155,831,000 as proposed by the Senate.

The managers agree to the following distribution of funds:

Area (State)	*Amount*
Appalachian National Scenic Trail (High Top Mtn.) (VA)	$1,380,000
Big Thicket National Preserve (TX)	4,541,000
Blue Ridge Parkway (Roanoke) (VA)	750,000
Civil War Battlefield Sites (Grants)	5,000,000
Congaree NP (SC)	6,000,000
Cumberland Gap (Fern Lake) (KY)	1,000,000
Ft. Clatsop NM (OR)	5,000,000
Guilford Courthouse NMP (NC)	250,000
Harpers Ferry NHP (WV)	2,900,000
Ice Age NST (WI)	1,000,000
Mojave National Preserve (relocation) (CA)	1,600,000
Mount Rainier NP (WA)	1,000,000
National Capital Parks (DC)	2,479,000
New River Gorge NSR (WV)	2,000,000
Niobrara NSR (easements) (NE)	200,000
Pinnacles NM (CA)	2,600,000
Pu'uhonua O Honaunau NHP (HI)	4,600,000
Shenandoah Valley Battlefields NHD (VA)	1,500,000
Sleeping Bear Dunes NL (MI)	1,500,000
Valley Forge NHP (PA)	1,500,000
Wilson's Creek NB (MO)	4,500,000
Wrangell-St. Elias NP (AK)	1,500,000
Use of unobligated balances	−12,400,000
Subtotal	40,400,000
Acquisition Management	10,511,000
Emergencies/Hardships	2,500,000
Inholdings/Exchanges	2,500,000
Stateside Grants	91,000,000
Stateside Administration	1,500,000
Total	$148,411,000

Bill Language.—The conference agreement retains the language proposed by the Senate providing that, in lieu of State assistance program indirect costs (as described in OMB Circular A–87), not to exceed five percent apportionments under the State assistance program may be used by States, the District of Columbia, and insular areas to support program administration costs. The conference agreement retains the language proposed in the Senate bill providing that $250,000 provided for Civil War battlefield protection be available for transfer to the National Recreation and Preservation account.

Report Language.—The managers support land acquisition efforts at Jean Lafitte National Historical Park and Preserve in Louisiana, but understand that there are not purchases currently ready for completion. The managers will look favorably upon future acquisitions at the park, should parcels become available.

The Committee is anxious to see progress on efforts to locate and build a boathouse with access to the Potomac River near the George Washington Memorial Parkway in Arlington, Virginia. The Committee encourages the Service to continue exploring options

that would facilitate the possible acquisition of suitable land by Arlington County to construct the boathouse.

ADMINISTRATIVE PROVISIONS

Bill language.—The conference report includes statutory language, with minor modifications, regarding concession contracts. This language was originally included in the House bill.

UNITED STATES GEOLOGICAL SURVEY

SURVEYS, INVESTIGATIONS, AND RESEARCH

The conference agreement provides $948,921,000 for surveys, investigations, and research instead of $944,498,000 as proposed by the House and $939,486,000 as proposed by the Senate.

Mapping, Remote Sensing and Geographic Investigations.—The change to the House level for mapping, remote sensing and geographic investigations is a decrease of $2,355,000 for The National Map. The managers understand that this decrease will be partially offset by anticipated buyout savings. The managers expect that the Alaska digital data mapping program will continue from within base funding at no less than the fiscal year 2004 enacted level.

The managers reiterate their concern with the equipment failure on the Landsat 7 satellite, which occurred well over a year ago, and the issues that have arisen as a result. Despite repeated requests from both the House and Senate Committees on Appropriations, a clear plan has yet to be submitted by the Administration regarding long term USGS satellite operations, nor has an interim solution been offered to address the current funding issues surrounding Landsat 7. The managers are dismayed that the Administration has been unable to provide specific guidance and coordination on an issue that crosses multiple agencies and jurisdictions. Further, the managers object to the notion of continuing to redirect funds from other valuable Survey activities in order to maintain the status quo for a program that is no longer fully functional. The managers expect to see a fiscal year 2006 budget submission that contains a detailed proposal to address the Landsat issue. If, however, a clear plan regarding mission and funding options is not received by June 30, 2005, the managers direct the Department of the Interior to submit a plan for shutdown of the Landsat program. In the meantime, to the extend that buyout savings may be required to contribute to EROS Data Center operations during fiscal year 2005, the mapping program should reserve these funds to do so. The managers expect the Survey to be extremely cautious in expanding its mapping programs or entering into additional cooperative agreements with these monies until it is clear how the Landsat issue will be resolved.

The managers agree that long-term remote sensing data is vital to many aspects of the government and private sector in the nation. Once again, the managers encourage the Administration to work with NASA and other Federal agencies to place the next generation Landsat sensor in orbit as soon as possible to reduce future gaps in data.

Geologic Hazards, Resources and Processes.—Changes to the House level for geologic hazards, resources and processes include

increases of $3,242,000 for the base volcano monitoring program, $1,150,000 for the Alaska mineral resource assessment program, and $100,000 for the Alaska Geological Materials Center and decreases of $500,000 for the Advanced National Seismic System program, $400,000 for the earth observation monitoring program, $1,482,000 for the Alaska minerals-at-risk project that has been completed, $250,000 for the landslide hazards program, and $250,000 for geothermal assessments. Other projects that are continued in fiscal year 2005 at their fiscal year 2004 funding levels include a North Carolina coastal erosion study, South Carolina/Georgia coastal erosion and monitoring studies, and subsidence studies at the University of New Orleans.

The managers agree that the volcano monitoring program is vital to both the safety of citizens living near these areas and the protection of commercial aircraft. Within the funds provided in the conference agreement, the Survey shall continue its ongoing volcanic research and monitoring activities at no less than the fiscal year 2004 enacted level, and should direct increased funding to areas of recent and imminent volcanic activity.

The managers agree that the amount of funding provided for conducting inquiries into the economic conditions affecting mining and materials processing industries is $15,499,000. This number will no longer appear in bill language.

Water Resources Investigations.—Changes to the House level for water resources investigations include increases of $1,481,000 for collaborative research with the University of Oklahoma, $518,000 for the toxic substances hydrology program, $50,000 for the Potomac River groundwater assessment study, $198,000 for the Berkeley Pit study with Montana Tech, $295,000 for Lake Champlain basin toxic materials, $444,000 for monitoring water resources in Hawaii, and $889,000 for the coal bed methane study of the Tongue River, and decreases of $400,000 for the water availability pilot project and $400,000 for the Klamath basin study. Funds remain in the base to continue the US/Mexico border initiative at the fiscal year 2004 level. The managers agree that, from within base funds, up to $889,000 may be designated for the Survey's continued participation in the Long Term Estuary Assessment program. The managers agree that the reduction to the Klamath basin funding will be offset by an internal reprogramming in the current fiscal year. The managers agree that the Potomac River groundwater assessment projects in the House and Senate bills address similar issues and they have been combined into one project.

Biological Research.—Changes to the House level for biological research include increases of $250,000 for northern prairie carbon sequestration, $741,000 for the Mark Twain National Forest mining study, $790,000 for molecular biology at Leetown Science Center, $300,000 for pallid sturgeon research, $198,000 for a diamondback terrapin study, $988,000 to complete the Northern Continental Divide Ecosystem study in Montana, $296,000 for a multidisciplinary water resource study at Leetown Science Center, $250,000 for the Delaware River Basin Study, and decreases of $250,000 for ecological systems mapping, $250,000 for the deepwater fisheries vessel program, $500,000 for invasive species,

$400,000 for Klamath basin studies, $170,000 for equipment at the Anadromous Fish Research Center, and $250,000 for cooperative research units. The managers understand that the reduction to the Klamath basin study is offset by an internal reprogramming in the current fiscal year. The managers direct the Survey to continue to pursue ongoing chronic wasting disease research nationwide and to continue to work with the Southeastern Cooperative Wildlife Disease Study. Within the funds available for invasive species studies, the managers expect the Survey to continue its cooperative program with Mississippi State University at no less that the fiscal year 2004 enacted level.

Enterprise Information.—Changes to the House level for enterprise information include increases of $500,000 for certification and accreditation of information technology systems, $300,000 for accessible data transfer and $50,000 for the enterprise services network.

Science Support.—The change to the House level for science support is a decrease of $1,000,000 for financial management improvements.

Facilities.—There are no changes to the House funding level for facilities activities. The conference agreement also retains language proposed in the House bill designating $1,600,000 from within amounts provided to remain available until expended for deferred maintenance and capital improvement projects exceeding $100,000. The managers have not agreed to provide base funding to the Lake Pontchartrain restoration project.

Other.—The managers note that, unless otherwise specified, funding levels for ongoing projects included in the conference agreement as proposed by the Senate should reflect reductions that resulted from fiscal year 2004 rescissions.

ADMINISTRATIVE PROVISIONS

The conference agreement includes language proposed by the House that provides work injury and travel benefits to students.

MINERALS MANAGEMENT SERVICE

ROYALTY AND OFFSHORE MINERALS MANAGEMENT

The conference agreement provides $169,175,000 for royalty and offshore minerals management instead of $171,575,000 as proposed by the House and $171,175,000 as proposed by the Senate. The managers agree to the following changes to the House recommendations:

1. The leasing and environmental program includes an earmark of $150,000 within available funds for the Alaska Whaling Commission as proposed by the Senate.

2. Resource evaluation includes increases of $900,000 for the Center for Marine Resources, MS and $900,000 for the Marine Mineral Technology Center, AK as proposed by the Senate.

3. The regulatory program includes an increase of $600,000 as proposed by the Senate for the Offshore Technology Research Center, TX, and $1,000,000 for hurricane related studies and for extra expenses of deepwater helicopter operations.

4. Compliance and asset management is reduced by $5,800,000. The managers understand that the agency will realize

savings in this program for fiscal year 2005 such that this reduction will not reduce program capability. Compliance and asset management is reduced accordingly, but approximately $1,000,000 should be designated for section 202/205 cooperative audits with the States.

5. The MMS should reprogram funds for e-government initiatives relating to disaster management and "SAFECOM" to the environmental studies program to help fund fixed costs.

Bill Language.—The managers accept the Senate proposed bill language which deletes "pilot" in referring to the royalty-in-kind program, allows payments to States under the Mineral Leasing Act, and allows the MMS to recover certain portions of the royalty-in-kind sales for costs directly related to this program.

OIL SPILL RESEARCH

The conference agreement provides $7,105,000 for oil spill research as proposed by both the House and the Senate.

OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT

REGULATION AND TECHNOLOGY

The conference agreement provides $109,905,000 for regulation and technology as proposed by the Senate instead of $108,905,000 as proposed by the House. This total includes an indefinite appropriation estimated to be $100,000. The agreement includes $1,000,000 as proposed by the Senate to contract with the National Research Council for a review of coal reserves, research, and technologies. The agreement also directs the OSM to reprogram funds for e-government initiatives relating to disaster management and "SAFECOM" to help fund fixed costs.

ABANDONED MINE RECLAMATION FUND

The conference agreement provides $190,863,000 for the abandoned mine reclamation fund as proposed by the Senate instead of $194,106,000 as proposed by the House. The agreement directs the OSM to reprogram funds for e-government initiatives relating to disaster management and "SAFECOM" to help fund fixed costs. The managers note that bill language within Title I, general provisions, provides an extension until June 30, 2005, of the Secretary's authority to collect fees pursuant to the Surface Mining Control and Reclamation Act.

ADMINISTRATIVE PROVISION

The conference agreement includes bill language recommended in the request which allows funds available for the technical innovation and professional services program to be used to transfer title for certain computer devices to State and Tribal regulatory and reclamation programs.

BUREAU OF INDIAN AFFAIRS

OPERATION OF INDIAN PROGRAMS

The conference agreement provides $1,955,047,000 for the operation of Indian programs instead of $1,935,033,000 as proposed by the House and $1,951,798,000 as proposed by the Senate.

Tribal Priority Allocations.—Changes to the House level for tribal priority allocations include increases of $3,000,000 for contract support costs and $2,000,000 for welfare assistance.

Other Recurring Programs.—Changes to the House level for other recurring programs include increases of $10,500,000 for tribally controlled community colleges, $98,000 for the Alaska Sea Otter Commission, $790,000 for the Bering Sea Fishermen's Association, $87,000 for the Intertribal Bison Council, $346,000 for the Chugach Regional Resources Commission, and a decrease of $2,000,000 for the administrative cost grant fund.

Non-recurring Programs.—Changes to the House level for non-recurring programs include increases of $500,000 for the Rocky Mountain Technology Foundation, $750,000 for the rural Alaska fire program, $1,250,000 for the Salish and Kootenai College nursing program (housing project), $392,000 for Alaska legal services, and $1,000,000 for the Denali Commission.

Central Office Operations.—Changes to the House level for central office operations include decreases of $2,000,000 for the workforce initiative and $1,000,000 for information resources technology.

Special Programs and Pooled Overhead.—Changes to the House level for special programs and pooled overhead include increases of $500,000 for the United Tribes Technical College, $450,000 for the United Sioux Tribes Development Corporation, $442,000 for the Crownpoint Institute, $1,250,000 for the Western Heritage Center distance learning program, $750,000 for the Alaska native aviation program, and $409,000 for e-government initiatives, and $500,000 for the enterprise services network.

Bill Language.—There is a statutory earmark of $1,000,000 for administrative cost grants to tribes for transitional costs instead of $3,000,000 as proposed by the House and no funding as proposed by the Senate.

CONSTRUCTION

The conference agreement provides $323,626,000 for construction instead of $348,626,000 as proposed by the House and $283,126,000 as proposed by the Senate. Changes to the House level include increases of $2,500,000 for the tribal school demonstration program, $2,500,000 for facilities maintenance of detention centers and a decrease of $30,000,000 for school replacement construction.

The managers have included bill language directing the Bureau to provide $4,500,000 to the Eastern Band of Cherokee education facility at the Ravensford tract, $4,000,000 for the Sac and Fox Meskwaki settlement school and $4,000,000 for the Twin Buttes elementary school on the Fort Berthold Reservation within the Tribal School Demonstration Program.

The managers have retained language included in the Senate bill that allows the Secretary of the Interior to assume control of construction projects if the tribes have not completed planning, design, and initial construction within 18 months of the appropriation of funds.

The managers have included bill language that allows the Office of Special Trustee for American Indians to reimburse the appropriate share of construction costs for space expansion needs identified as a result of trust reform implementation.

The managers are aware of the significant problems with Bureau owned detention centers, and have provided additional funding for facilities and deferred maintenance of these facilities. The managers urge the Department to address the operations and maintenance of detention centers in future budget submissions.

INDIAN LAND AND WATER CLAIM SETTLEMENTS AND MISCELLANEOUS PAYMENTS TO INDIANS

The conference agreement provides $44,771,000 for Indian land and water claim settlements and miscellaneous payments to Indians as proposed by the House instead of $34,771,000 as proposed by the Senate.

The managers have agreed to $10,032,000 for the Quinault Indian Nation settlement. The managers have retained the Senate bill language which contained minor technical differences from the House.

The managers recognize that the Department of the Interior is working with Northwest Indian tribes and the shellfish industry to complete the historic Washington State shellfish settlement agreement and secure funding for it. This agreement represents nine years of hard, cooperative work by the Tribes and the shellfish industry. The managers support this effort and encourage the Department and all parties to continue working together to finalize the settlement in a timely manner. The managers agree that the Administration should provide funding for settlements such as these in the annual budget submission as the managers do not foresee having funds above the requested level for new settlements.

INDIAN GUARANTEED LOAN PROGRAM ACCOUNT

The conference agreement provides $6,421,000 for the Indian guaranteed loan program as proposed by both the House and the Senate. The managers have retained the House bill language which contained minor technical differences from the Senate.

ADMINISTRATIVE PROVISIONS

Bill Language.—The conference agreement includes language that allows certain tribes to continue to receive contract support as a supplement to administrative cost grants.

DEPARTMENTAL OFFICES

INSULAR AFFAIRS

ASSISTANCE TO TERRITORIES

The conference agreement provides $76,255,000 for assistance to territories instead of $74,935,000 as proposed by the House and $74,255,000 as proposed by the Senate. Changes in funding levels from the House recommendation include the Senate recommendations for an additional $320,000 to continue judicial, court education, and court administration training, and $1,000,000 for Marshall Islands health care. The managers agree to the following:

1. Although the agreement does not include bill language proposed by the Senate designating a specific funding level for a grant to the Close Up Foundation, the managers do support this effort and expect the Secretary to designate approximately $750,000 for this program.

2. The OIA should reprogram funds for e-government initiatives relating to disaster management and "SAFECOM" to help fund fixed costs.

3. The conference agreement includes $1,000,000 for payments to replace the Prior Service Trust Fund as proposed by the House. The managers direct the Department to work with the Prior Service Benefits Board of Directors to reach an agreement as soon as possible, but no later than October 1, 2005, to replace the Prior Service Trust Fund. Such agreement shall provide for: (a) the pension systems of Palau, CNMI, RMI and FSM to assume responsibility for the enrollees of the Prior Service Benefits Trust Fund; (b) the allocation of potential future U.S. funding, if appropriated, among these four pension systems and payment of their benefits; (c) a reasonable transition overhead rate; (d) appropriate changes in benefits, if any; and (e) for the termination of certification and enrollment of new beneficiaries by March 31, 2005. The managers also direct that this $1,000,000 in funding should be reprogrammed for general technical assistance uses if no agreement can be reached.

4. The conference agreement includes $1,000,000 to assist health care programs on the Marshall Islands as proposed by the Senate. These instructions replace the Senate direction. These funds shall first be used to provide primary health care to members of the Enewetak, Bikini, Rongelap and Utrik communities who currently reside on Enewetak Atoll, Kili island, Mejetto island, Rongelap Atoll following resettlement, and Utrik Atoll. Such primary medical care shall consist of a clinic with at least one doctor and an assistant, and necessary supplies and logistical support. If excess funds are available, these funds may be used to augment primary healthcare for members of these communities who get primary healthcare services from the facilities in Ebeye and Majuro.

5. The managers have included $1,000,000 to continue work on water system rehabilitation in the CNMI. The managers note that the Army Corps of Engineers has completed a comprehensive water infrastructure study that has identified and prioritized over $200,000,000 in essential needs. The magnitude of this need far exceeds any possible resolution from funds made available to the In-

terior and Related Agencies Subcommittee on Appropriations. Existing programmatic expertise of other Federal agencies is not being used fully, as evidenced in the delays in completing the Kagman water project by the Department of Agriculture. Accordingly, the managers direct the Secretary of the Interior to prepare, in consultation with the Interagency Group on Insular Areas, a comprehensive, coordinated and detailed implementation program for the plans developed by the Army Corps of Engineers by July 31, 2005. To develop this program the Secretary shall look to authorities of the Corps of Engineers under the Secretary of the Army, the Bureau of Reclamation within the Department of the Interior, the various programs under the Secretary of Agriculture, authorities available to the Administrator of the Environmental Protection Agency, and authorities available under any other agency dealing with water infrastructure. The Secretary shall provide the House and Senate Committees on Appropriations with an implementation plan that fully utilizes and coordinates those authorities to ensure that the goals of the plan are achieved in a timely, cost-effective manner. The managers expect the implementation plan to identify projects, responsible agency, funding needs, implementation schedule, any statutory or other changes necessary to implement the program, and a specific timetable for full completion.

COMPACT OF FREE ASSOCIATION

The conference agreement provides $5,499,000 for the compact of free association as proposed by the House instead of $5,400,000 as proposed by the Senate. The conference agreement follows the funding recommendations made by the House.

DEPARTMENTAL MANAGEMENT

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

The conference agreement provides $90,855,000 for departmental management instead of $79,551,000 as proposed by the House and $81,608,000 as proposed by the Senate. The changes described below are to the House recommended funding level.

Management and Coordination.—Increases include $750,000 for the financial and business management system, $10,500,000 to restore partially funds cut on the House floor for motor vehicle lease, purchase or services costs, and $54,000 for E-government initiatives.

Bill Language.—The conference agreement retains the language proposed in the Senate bill directing the transfer of $13,500,000 from unobligated balances in the Central Hazardous Materials Fund. The conference agreement modifies the language proposed in the House bill reducing amounts otherwise appropriated for motor vehicle lease, purchase or service costs. The modification changes $13,500,000 to $3,000,000.

PAYMENTS IN LIEU OF TAXES

The conference agreement provides $230,000,000 for payments in lieu of taxes as proposed by the Senate instead of $226,000,000 as proposed by the House.

OFFICE OF THE SOLICITOR

SALARIES AND EXPENSES

The conference agreement provides $52,384,000 for the office of the solicitor instead of $51,356,000 as proposed by the House and $53,053,000 as proposed by the Senate. The changes described below are to the House recommended funding level.

Legal Services.—Increases include $446,000 for paralegal and support positions, $300,000 for legal staff support, and $186,000 for fixed costs.

General Administration.—Increases include $15,000 for E-government initiatives and $78,000 for fixed costs.

Ethics Office.—Increases include $3,000 for fixed costs.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

The conference agreement provides $37,800,000 for office of inspector general, instead of $37,655,000 as proposed by the House and $38,100,000 as proposed by the Senate. The changes described below are to the House recommended funding level.

Audits.—Changes include an increase of $237,000 for fixed costs and a decrease of $100,000 for non-traditional audit staff.

Investigations.—Changes include an increase of $165,000 for fixed costs and a decrease of $172,000 for law enforcement equipment replacement.

Administrative Services and Information Management.—Changes include increases of $105,000 for fixed costs and $10,000 for E-government initiatives, and a decrease of $100,000 for IT standardization.

OFFICE OF SPECIAL TRUSTEE FOR AMERICAN INDIANS

FEDERAL TRUST PROGRAMS

The conference agreement provides $196,267,000 for Federal trust programs as proposed by both the House and the Senate. The managers have retained language contained in the Senate bill that caps the amount of funding that can be used for historical accounting activities at $58,000,000.

INDIAN LAND CONSOLIDATION

The conference agreement provides $35,000,000 for Indian land consolidation programs instead of $42,000,000 as proposed by the House and $50,000,000 as proposed by the Senate. The managers are concerned about recent events in the courts that will likely slow the process of Indian land consolidation and reduce the ability of the Department of the Interior to obligate funds for acquisition of lands. The land consolidation program has the potential to re-

solve many of the contentious issues surrounding Indian trust management. The actions of the court concerning notifying Indian landowners of ongoing litigation will undoubtedly slow the process of consolidation of lands.

Bill Language.—The managers have retained bill language included by the Senate that allows Indian land consolidation funds to be transferred to the Bureau of Indian Affairs and Departmental Management accounts. The House had no similar provision.

NATURAL RESOURCE DAMAGE ASSESSMENT AND RESTORATION

NATURAL RESOURCE DAMAGE ASSESSMENT FUND

The conference agreement provides $5,818,000 for the natural resource damage assessment fund as proposed by both the House and the Senate.

GENERAL PROVISIONS—DEPARTMENT OF THE INTERIOR

Sec. 101. The conference agreement modifies the text of Senate section 101 correcting the reference to the budget agreement in providing Secretarial authority to transfer program funds for emergencies. The House had a similar provision in section 101 of the House bill.

Sec. 102. The conference agreement modifies the text of Senate section 102 correcting the reference to the budget agreement in providing for expenditure or transfer of funds by the Secretary for natural disasters. The House had a similar provision in section 102 of the House bill.

Sec. 103. The conference agreement retains the language proposed in section 103 of the House bill providing for use of appropriated funds for operation of garages, shops, warehouses, and similar facilities. The Senate had a similar provision in section 103 of the Senate bill.

Sec. 104. The conference agreement retains an identical provision in section 104 of both the House and Senate bills, providing for vehicle and other services.

Sec. 105. The conference agreement retains the language proposed in section 105 of the House bill making permanent the use of appropriated funds to purchase uniforms or to provide a uniform allowance. The Senate had a similar provision in section 105 of the Senate bill.

Sec. 106. The conference agreement retains the language proposed in section 106 of the House bill making permanent a provision that contracts issued for services and rentals with appropriated funds be in effect for a period not to exceed 12 months. The Senate had a similar provision in section 106 of the Senate bill.

Sec. 107–109. The conference agreement retains identical provisions in sections 107–109 of both the House and Senate bills, prohibiting the expenditure of funds for Outer Continental Shelf (OCS) leasing activities in certain areas.

Sec. 110. The conference agreement retains a provision in section 110 of the House bill prohibiting the National Park Service from reducing recreation fees for non-local travel through any park unit. The Senate had no similar provision.

Sec. 111. The conference agreement retains the language proposed in section 111 of the House bill that makes permanent a provision limiting the investment of Federal funds by tribes or tribal organizations. The Senate had a similar provision in section 110 of the Senate bill.

Sec. 112. The conference agreement retains a provision in section 112 of the House bill permitting the transfer of funds between the Bureau of Indian Affairs and the Office of Special Trustee for American Indians. The Senate had an identical provision in section 111 of the Senate bill.

Sec. 113. The conference agreement retains a provision in section 113 of the House bill continuing a provision allowing the hiring of administrative law judges to address the Indian probate backlog. The Senate had an identical provision in section 112 of the Senate bill.

Sec. 114. The conference agreement retains a provision in section 114 of the House bill continuing a provision permitting the redistribution of tribal priority allocation and tribal base funds to alleviate funding inequities. The Senate had an identical provision in section 113 of the Senate bill.

Sec. 115. The conference agreement retains a provision in section 115 of the House bill continuing a provision requiring the allocation of Bureau of Indian Affairs postsecondary schools funds consistent with unmet needs. The Senate had an identical provision in section 114 of the Senate bill.

Sec. 116. The conference agreement retains the language proposed in section 115 of the Senate bill that makes permanent a limitation on the use of the Huron Cemetery in Kansas. The House had a similar provision in section 116 of the House bill.

Sec. 117. The conference agreement retains a provision in section 117 of the House bill continuing a provision permitting the conveyance of the Twin Cities Research Center of the former Bureau of Mines for the benefit of the National Wildlife Refuge System. The Senate had an identical provision in section 116 of the Senate bill.

Sec. 118. The conference agreement retains the language proposed in section 119 of the House bill making permanent a provision permitting the Bureau of Land Management to retain funds from the sale of seeds and seedlings. The Senate had a similar provision in section 117 of the Senate bill.

Sec. 119. The conference agreement retains a provision in section 120 of the House bill continuing a provision authorizing the Secretary of the Interior to use helicopters or motor vehicles to capture and transport horses and burros at the Sheldon and Hart National Wildlife Refuges. The Senate had an identical provision in section 118 of the Senate bill.

Sec. 120. The conference agreement modifies a provision in section 119 of the Senate bill limiting the implementation of Claims Maintenance and Location Fees and directs the Bureau of Land Management to establish a permit tracking system. The House had no similar provision.

Sec. 121. The conference agreement modifies a provision in section 120 of the Senate bill allowing certain funds provided for land acquisition at the Shenandoah Valley Battlefield NHD and Ice Age

NST to be granted to a State, a local government, or any other land management entity. The House had a similar provision in section 121 of the House bill.

Sec. 122. The conference agreement retains a provision in section 122 of the House bill continuing a provision prohibiting the closure of the underground lunchroom at Carlsbad Caverns NP, NM. The Senate had an identical provision in section 121 of the Senate bill.

Sec. 123. The conference agreement retains a provision in section 123 of the House bill preventing the demolition of a bridge between New Jersey and Ellis Island. The Senate had no similar provision.

Sec. 124. The conference agreement retains a provision in section 125 of the House bill continuing a provision limiting compensation for the Special Master and Court Monitor appointed by the Court in Cobell v. Norton to 200 percent of the highest Senior Executive Service rate of pay. The Senate had an identical provision in section 122 of the Senate bill.

Sec. 125. The conference agreement retains a provision in section 126 of the House bill continuing a provision allowing the Secretary to pay private attorney fees for employees and former employees incurred in connection with Cobell v. Norton. The Senate had an identical provision in section 123 of the Senate bill.

Sec. 126. The conference agreement retains a provision in section 127 of the House bill dealing with the U.S. Fish and Wildlife Service's responsibilities for mass marking of salmonid stocks. The Senate had no similar provision.

Sec. 127. The conference agreement modifies a provision in section 128 of the House bill dealing with paying for operational needs at the Midway Atoll National Wildlife Refuge airport using funds appropriated under the "Departmental Management, Salaries and Expenses" appropriation. The modification changes the word "shall" to "may". The Senate had no similar provision.

Sec. 128. The conference agreement retains a provision in section 129 of the House bill prohibiting the conduct of gaming under the Indian Gaming Regulatory Act (25 U.S.C. 2701 et seq.) on lands described in section 123 of the Department of the Interior and Related Agencies Appropriations Act, 2001, or land that is contiguous to that land. The Senate had an identical provision in section 124 of the Senate bill.

Sec. 129. The conference agreement retains a provision in section 130 of the House bill continuing a provision prohibiting the use of funds to study or implement a plan to drain or reduce water levels in Lake Powell. The Senate had an identical provision in section 125 of the Senate bill.

Sec. 130. The conference agreement retains a provision in section 131 of the House bill allowing the National Indian Gaming Commission to collect $12,000,000 in fees for fiscal year 2006. The Senate had an identical provision in section 126 of the Senate bill.

Sec. 131. The conference agreement retains a provision in section 127 of the Senate bill making funds available to the tribes within the California Tribal Trust Reform Consortium and others and separates this demonstration project from the Department of

the Interior's trust reform organization. The House had a similar provision in section 132 of the House bill.

Sec. 132. The conference agreement modifies a provision in section 128 of the Senate bill dealing with grazing permits in the Jarbidge field office of the Bureau of Land Management. The House had no similar provision.

Sec. 133. The conference agreement modifies a provision in section 130 of the Senate bill restoring mining claims voided due to defective waivers of the mining maintenance fee. The House had no similar provision.

Sec. 134. The conference agreement retains a provision in section 131 of the Senate bill allowing proceeds from the University of Nevada at Las Vegas Foundation's research park leases to be used to carry out the Foundation's research mission. The House had no similar provision.

Sec. 135. The conference agreement modifies a provision in section 132 of the Senate bill extending the authority of the Secretary of the Interior to collect fees pursuant to the Surface Mining Control and Reclamation Act. The House had no similar provision.

Sec. 136. The conference agreement retains a provision in section 133 of the Senate bill authorizing the Secretary of the Interior to acquire lands for the operation and maintenance of facilities in support of transportation of visitors to Ellis, Governors, and Liberty Islands. The House had no similar provision.

Sec. 137. The conference agreement includes a new provision to redesignate the ACE Basin National Wildlife Refuge, SC, as the Ernest F. Hollings ACE Basin National Wildlife Refuge.

Sec. 138. The conference agreement includes a new provision to exempt certain coastal barrier property in South Carolina from financial assistance and flood insurance limitations under the Coastal Barriers Resources Act and the National Flood Insurance Act of 1968.

Sec. 139. The conference agreement includes a new provision resolving a boundary encroachment on lands of the Union Pacific Railroad Company in Tipton, California; requiring the Secretary of the Interior to permit continued use and occupancy of certain privately owned cabins in the Mineral King Valley in the Sequoia National Park; and authorizing the continued use of certain lands within the Sequoia National Park by portions of an existing hydroelectric project.

Sec. 140. The conference agreement includes a new provision to designate certain lands within the Apostle Islands National Lakeshore in the State of Wisconsin as the Gaylord A. Nelson National Wilderness.

Sec. 141. The conference agreement includes a new provision regarding special use grazing permits on the Mojave National Preserve, CA.

Sec. 142. The conference agreement includes a new provision amending Public Law 92–195 concerning the management of wild horses and burros.

Sec. 143. The conference agreement includes a new provision excluding non-native migratory bird species from application of certain prohibitions under the Migratory Bird Treaty Act.

Sec. 144. Includes a new section transferring lands from the Bureau of Land Management to the Department of Veterans Affairs for construction of a new health facility, previously announced by the Department.

Sec. 145. The conference agreement includes a new provision adjusting the boundary of the Cumberland Island Wilderness and authorizing tours of the Cumberland Island National Seashore.

Sec. 146. The conference agreement includes a new provision dealing with the 2004–2005 snowmobile season.

The conference agreement does not include a provision proposed in section 118 of the House bill authorizing a cooperative agreement with the Golden Gate National Parks Association, CA.

The conference agreement does not include a provision proposed in section 124 of the House bill prohibiting posting of clothing optional signs at Canaveral NS, FL.

The conference agreement does not include a provision proposed in section 133 of the House bill limiting the use of the National Mall for special events.

The conference agreement does not include a provision proposed in section 129 of the Senate bill amending Public Law 104–208 to modify the authorized uses of franchise fund proceeds.

TITLE II—RELATED AGENCIES

DEPARTMENT OF AGRICULTURE

FOREST SERVICE

FOREST AND RANGELAND RESEARCH

The conference agreement provides $280,278,000 for forest and rangeland research instead of $280,654,000 as proposed by the House and $279,883,000 as proposed by the Senate. The managers agree to the following changes to recommendations that were proposed by the House:

Project or activity	Conference recommendation	
	Change from House	Project total
General decrease	−$1,800,000	.....
Fixed costs	−1,000,000	$6,109,000
Forest inventory and analysis	4,000,000	56,714,000
Advanced housing research consortium	−300,000	1,300,000
Adelgid research NE station	0	1,500,000
Sudden oak death research	0	2,500,000
Emerald ash borer research in Ohio	−250,000	250,000
Southern pine beetle initiative	0	2,000,000
Olympic Natural Resource Center, WA	0	300,000
Western Carolina Univ. biotechnology	−988,000	0
Watershed condition research initiative	−2,247,000	4,994,000
Invasive species initiative	0	1,081,000
Joe Skeen Inst. Montana St. Univ.	350,000	350,000
Forest Products Lab salvage lumber, WI	600,000	600,000
NE States research cooperative	25,000	2,000,000
Baltimore urban watershed, MD	2,000	200,000
Fernow expt. forest hydrology, WV	230,000	230,000
Morgantown, WV pests & pathogens	6,000	500,000
Sitka, AK lab	14,000	1,130,000
Hardwood tree improvement & regen, IN	921,000	921,000
Coweeta, technology transfer, NC	4,000	300,000

Project or activity	Conference recommendation	
	Change from House	Project total
Bent Cr. cumberland silviculture, NC	4,000	300,000
Joe Skeen Inst. Range. Research, NM	53,000	300,000
Adelgid and insects in east research	0	0
Coweeta hemlock wooly adelgid, NC	0	300,000

The managers also agree to the following:

1. The Forest Service should clearly display in future budget justifications the funding provided for various Congressional priorities, and display what part of the request includes funding for these items.

2. The funding for emerald ash borer research shown in the table above, $250,000, should be utilized in Ohio, and should be in addition to other funding in the budget for ongoing research on this pest at other locations.

3. The funding remaining for the watershed condition initiative should be reprogrammed for other, higher priority fundamental research efforts, not including the FIA program.

4. The previous table provided above supercedes the Senate report instruction concerning funding levels and the across the board cuts.

5. The managers support funding, to the extent practicable, for implementation of the rules and protocols for carbon accounting as part of the climate change initiative.

STATE AND PRIVATE FORESTRY

The conference agreement provides $296,626,000 for State and private forestry instead of $282,446,000 as proposed by the House and $291,169,000 as proposed by the Senate. Funding for this appropriation should follow the House recommendations unless otherwise instructed herein.

Forest Health Management.—The conference agreement provides $55,000,000 for Federal lands forest health management as proposed by the House instead of $46,012,000 as proposed by the Senate. The conference agreement includes $48,300,000 for cooperative lands forest health management instead of $48,000,000 as proposed by the House and $35,214,000 as proposed by the Senate. The change from the House recommendation is the addition of $300,000 for Vermont forest monitoring as proposed by the Senate.

The managers do not agree to the specific allocation providing funding for newly found pests or pathogens which was proposed by the Senate. The managers agree that the Forest Service should withhold a portion of forest health funding from immediate distribution so it is available later in the year to address new problems that may emerge. The managers recommend that the Administration stop proposing an emerging pest fund. The managers strongly encourage the Administration to use the Secretary's authority under Public Law 97–46 to fund the survey, evaluation, control and management of unplanned, emerging pest occurrences from funds available to the agencies or corporations of the Department of Agriculture. This approach has been used in the past for the Forest Service and has been used in previous years for emer-

gency pest projects by the Animal and Plant Health Inspection Service.

Cooperative Fire Assistance.—The conference agreement includes $33,384,000 for State fire assistance instead of $36,384,000 as proposed by the House and $30,000,000 as proposed by the Senate. This allocation includes $5,000,000 as proposed by the House for urgent work near the San Bernardino National Forest and a general program increase of $2,000,000 above the House level. The managers do not agree to the specific allocation proposed by the House for community wildfire protection plans, but the managers do agree that this approach is of utmost importance and urge the Forest Service and the States to give this effort a very high priority.

The conference agreement includes $6,000,000 for volunteer fire assistance as proposed by the Senate instead of $5,443,000 as proposed by the House. The conference agreement also includes additional funds for State fire and volunteer fire assistance as part of the national fire plan funding within the wildland fire management account.

Forest Stewardship.—The conference agreement includes $32,775,000 for forest stewardship instead of $37,000,000 as proposed by the House and $33,000,000 as proposed by the Senate. Changes from the House recommendations include a reduction of $275,000 for Chesapeake Bay forestry for a total of $1,225,000, a reduction of $3,000,000 for community wildfire plans as proposed by the Senate, and a general decrease of $950,000 as proposed by the Senate. Although there is no specific allocation for community wildfire plans, the managers strongly support this activity and encourage the Forest Service and the States to pursue this work. The managers have provided adequate funds within the forest stewardship program to begin an update of the Highlands Regional Study in order to identify high priority areas, including important conservation areas in Pennsylvania, to help ensure the health and sustainability of these sites through management, protection and wise use. The managers note that there is no funding for a grant for the Downeast Lakes forestry partnership and that forest stewardship funds should never be used for land acquisition or acquisition of interests in lands.

Forest Legacy Program.—The conference agreement includes $57,939,000 for the forest legacy program instead of $43,119,000 as proposed by the House and $76,329,000 as proposed by the Senate. These funds are derived from the Land and Water Conservation Fund. The conference agreement includes the following distribution of funds for the forest legacy program:

	State and project	*Conference*
TN	Walls of Jericho	$3,500,000
AL	Mobile Tensaw Delta	1,200,000
MT	Blackfoot—Clearwater	3,300,000
NJ	Raritan River Watershed	3,800,000
MT	North Swan River Valley	3,000,000
WA	Cedar Green Forest	1,600,000
WI	Wolf River	2,000,000
WV	Potomac River Hills	1,000,000
AL	Cumberland Mountain, Miller-Maxwell	1,200,000
DE	Green Horizons	1,000,000
VA	Dragon Run	600,000

State and project	Conference
VI Annaly Bay/Hermitage Valley	500,000
SC Catawba-Wateree Forest	3,000,000
ME Katahdin Forest	4,500,000
NM Horse Springs Ranch	2,500,000
WI Tomahawk—Northwoods—III	2,000,000
CO Banded Peaks	1,600,000
ME Sebago Lands	500,000
MA Stock Mountain North	375,000
WA Carbon River Forest, phase 1	1,300,000
KY Knobs State Forest (Kuhn's tract)	1,200,000
CA Six Rivers to the Sea	2,300,000
IA NE Upper Bluffs	550,000
UT Pioneer Ranch	750,000
NY Tahawus	1,700,000
VT Mt. Holly Wildlife Corridor II	500,000
MN Brainerd Lakes	2,000,000
ID St. Joe Basin, phase 3	3,500,000
MA Muschopauge Brook	400,000
VA The Cove	240,000
TN Scott's Gulf	1,500,000
RI Hoxie Farm	850,000
NH Thirteen Mile Woods II	2,000,000
VT Orange County Headwaters (Meadowsend)	450,000
NH Trout Pond	1,200,000
VT Chittenden	1,220,000
FL New State Start-up	500,000
OH New State Start-up	500,000
TX New State Start-up	500,000
Use of prior year funds	−7,300,000
Forest Legacy Program Administration, Acquisition Management, and Assessment of Need Planning	4,904,000
Total, Forest Legacy	57,939,000

The conference agreement retains bill language proposed by the House requiring notification of the Committees on Appropriations when the Forest Service makes funds available for specific forest legacy projects. The managers note that funds are not provided within the forest legacy program for the Senate proposed Mirror Lake project, NH. However, within the economic action program the conference agreement includes a grant to the Hubbard Brook Foundation to help conserve this area.

Urban and Community Forestry.—The conference agreement includes $32,400,000 for the urban and community forestry program instead of $32,000,000 as proposed by the House and $33,111,000 as proposed by the Senate. Changes from the House recommendation for this activity include a decrease of $100,000 for northeast PA community forestry for a total of $500,000, and inclusion of Senate proposals of $350,000 for the Chicago wilderness program, $150,000 for the urban watershed forestry research and demonstration cooperative in Baltimore, MD, and a $411,000 general program decrease.

The conference agreement replaces instructions in both the House and the Senate committee reports concerning the urban and community forestry allocation methodology. The managers have reviewed the allocation methodology for the urban and community forestry program proposed by the Forest Service in its report to the Committees on Appropriations. The managers have been addressing this issue for several years and are displeased with the slow rate of progress at implementing a better performance based allocation method which also includes a more fair assessment of State

program needs and capability. The managers understand that the timing of this appropriation makes it more difficult for the Forest Service to fully implement a performance based system in FY 2005. Therefore, the managers direct the Forest Service to provide quarterly updates to the House and Senate Committees on Appropriations regarding the establishment of a performance based allocation for the distribution of funds to the regions, and that the new allocation methodology with this modification be fully implemented in fiscal year 2006. The managers expect allocations for fiscal year 2005 to the States to remain at the levels as recommended in the agency's report.

Economic Action Programs.—The conference agreement includes $19,300,000 for the economic action programs instead of $10,000,000 as proposed by the House and $19,975,000 as proposed by the Senate. The managers have provided $500,000 for the Hinkle Creek project, OR, with the understanding that no further funding will be made available for this program. The conference agreement includes bill language concerning a $2,000,000 direct payment for the Kake land exchange, AK and a direct payment of $1,500,000 to Canton, NC for wood products wastewater repairs. The funds for the education and research consortium of western North Carolina should include the Pisgah Forest Institute, and allow expansion of the education initiative to appropriate institutions with natural resources expertise in Pennsylvania and northern California. The conference agreement includes the following distribution of funds:

Program/Project	*Conference*
Economic Recovery Program	$5,000,000
WA state rural technology initiative	600,000
KY mine reforestation	500,000
Syracuse SUNY forestry technology	600,000
Pisgah forest envir. Ed, ERC, NC	2,000,000
NC Inst. Forest Biotech. heritage trees	200,000
Allegheny NF area, PA tourism	250,000
South Lake Tahoe MTBE study, CA NV	500,000
Chugach Avalanche Center, AK	200,000
Ketchikan Wood Tech. Center, AK	750,000
Vermont Wood Products Collaborative	500,000
North Carolina St./Forest res. & wood prods.	500,000
Fuels-in-schools biomass program, MT	1,500,000
Kake Land Exchange, AK	2,000,000
Alabama rural economic action	500,000
Hinkle Creek, OR watershed study	500,000
University of Idaho, Mica Cr.	250,000
Northern Forests Partnership program, NH	200,000
Utah Rural Development Council	400,000
Hubbard Brook Foundation, Mirror Lake, NH	750,000
Canton, NC wood products wastewater repair	1,500,000
New England value added wood products, MA	100,000
Total, Economic Action Programs	$19,300,000

Forest Resource Information and Analysis.—The conference agreement includes $5,028,000 for forest resource information and analysis as proposed by the Senate instead of $9,000,000 as proposed by the House. Additional information concerning the FIA program is under the forest and rangeland research heading.

International Program.—The conference agreement includes $6,500,000 for the International program as proposed by both the

House and the Senate. The managers agree with the Senate comments on forest sustainability and certification, but clarify that the Forest Service is encouraged to fund projects which promote overall environmental benefits provided by the use of credible, sustainable forest management and forest certification programs, and the Forest Service should not give a specific preference for any particular certification program.

NATIONAL FOREST SYSTEM

The conference agreement provides $1,400,260,000 for the national forest system instead of $1,399,599,000 as proposed by the House and $1,387,149,000 as proposed by the Senate.

Funds should be distributed as follows:

Land management planning	$64,057,000
Inventory and monitoring	169,659,000
Recreation, heritage & wilderness	260,969,000
Wildlife & fish habitat management	136,647,000
Grazing management	48,711,000
Forest products	277,097,000
Vegetation & watershed management	192,285,000
Minerals and geology management	56,532,000
Landownership management	93,427,000
Law enforcement operations	87,226,000
Vales Calderas National Preserve, NM	3,650,000
Centennial of Service challenge	10,000,000
Total	1,400,260,000

The following discussion describes funding changes from the House passed bill.

Land Management Planning.—This activity includes $400,000 for the senvironmental training program proposed by the Senate and the Senate proposed general decrease of $400,000.

Inventory and Monitoring.—The agreement does not include a special allocation for multi-party monitoring, although the managers do support this activity. The managers encourage various groups to participate in collaborative planning and engage in monitoring and note that fund transfers for monitoring are not limited to groups which were participants in the planning process.

Recreation, Heritage, and Wilderness Management.—The conference agreement includes a decrease of $1,375,000 below the House recommended level, which is an increase of $3,625,000 above the request and the Senate recommendation. The managers note that the current eruptive activity at Mt. St. Helens National Volcanic Monument has greatly increased the need for visitor services as well as media and science program support and emergency readiness. In addition, the managers note that May 18, 2005, will be the 25th anniversary of the catastrophic blast. The managers encourage the Forest Service to consider the use of $2,000,000 of the increased funding above the request for this activity to support activities at the Monument. The Forest Service should use emergency incident funding sources when needed during eruptive episodes to assure proper and safe management of the public.

Wildlife and Fish Habitat Management.—This activity includes the Senate proposed increase of $250,000 for the Batten Kill River, VT, and a general program decrease of $125,000.

Forest Products.—The managers agree to the Senate proposed earmark in bill language of $5,000,000 for Tongass national forest timber sales preparation. The agreement does not include a special allocation for restoration projects as proposed by the Senate, although the managers agree that this is a very important use of funds and have included an increase above the request which may be used for such purposes. The managers clarify that the required report on timber sale claims proposed by the Senate should deal with those years where the data are available. The managers agree that the forestry work on the Lincoln NF, NM should be done cooperatively with the Mescalero Apache tribe when practicable and consistent with national forest system regulations and procedures.

Vegetation and Watershed Management.—The managers include a total of $1,000,000 for Wayne NF, OH watershed recovery but do not agree with the Colville NF allocation. The agreement includes Senate proposed funding of $1,000,000 for the Tongass national forest, AK, pre-commercial thinning, $350,000 for leafy spurge eradication in North Dakota, and a general decrease of $2,500,000. No specific appropriated allocation is designated for the Lake Tahoe basin.

Law Enforcement.—This activity includes a decrease of $100,000 for Daniel Boone NF, KY, drug control.

Valles Caldera National Preserve.—The conference agreement includes the funding level and bill language as proposed by the Senate. The managers direct the Forest Service and the board of the preserve to provide the House and Senate Committees on Appropriations with an annual report depicting operations, deferred maintenance, and capital infrastructure needs over a 5-year time frame. This should be prioritized, and should explain how the individual projects relate to health and safety and to other aspects of the preserve's goals. The first report should be presented by April 30, 2005, and thereafter, reports should be included in the annual budget justifications, and the reports should include annual summaries of past accomplishments.

WILDLAND FIRE MANAGEMENT

The conference agreement provides $1,727,008,000 for wildland fire management instead of $1,734,865,000 as proposed by the House and $1,703,897,000 as proposed by the Senate. The managers note that Title IV also includes a special allocation of $400,000,000 for urgent wildfire suppression under certain circumstances.

Wildfire Preparedness.—The agreement includes $686,000,000 for preparedness as proposed by the Senate instead of $693,627,000 as proposed by the House. The managers reiterate the direction contained in the House and Senate reports regarding the need to maintain the level of fire readiness accomplished in fiscal year 2004. The managers note that the grounding of large airtankers this past season, and the need to assure the availability of effective aviation firefighting assets in fiscal year 2005 and beyond creates additional demands on limited wildfire preparedness and suppression funding. Accordingly, in order to assure a preparedness level equal to that attained in fiscal year 2004, the managers direct the Forest Service to charge expenses to wildfire suppression for un-

planned costs related to the grounding of airtankers, and for the unplanned additional costs necessary to assure sufficient aviation resources are available to maintain initial attack capability and suppress wildfires.

Wildfire Suppression Operations.—The conference agreement includes $658,000,000 for suppression operations as proposed by the House instead of $658,400,000 as proposed by the Senate. The managers have provided the full amount of the ten year average cost of wildfire suppression, an increase of $60,870,000 above the fiscal year 2004 funding level.

The managers concur with concerns expressed in the House and Senate reports regarding the need to control suppression costs. The managers are concerned that effective performance measures are not in place on an inter-agency basis to report on suppression costs. It is imperative that the Secretaries establish appropriate performance metrics promptly. This includes the integration of reporting systems, implementation of policies through the Wildland Fire Leadership Council for cost reporting, and responding to findings of the independent cost control review panel established under Public Law 108–287. The managers direct the Secretaries to submit a report no later than June 30, 2005, on performance measures planned for implementation in fiscal year 2006 to be used on an inter-agency basis. In the interim, the managers have modified language for reporting wildfire suppression costs in fiscal year 2005 as follows: (1) Average cost per fire using a statistically representative sample, stratified as follows: small (<300 acres), medium (300–20,000 acres), and large (>20,000 acres) fires not contained in initial attack; (2) cost per acre burned, using a statistically representative sample for fires not contained in initial attack stratified by small, medium, and large; and (3) the percentage of fires, using a statistically representative sample, not contained in initial attack that exceed a "stratified fire cost index." This index would take into account known fire characteristics that affect expenditures; specifically, fire intensity, size, Forest Service region and proximity to communities, using historical cost per acre as a basis. In addition, the mangers direct the Forest Service to develop and implement direction for identifying a "most cost effective" wildland fire situation analysis alternative no later than October 1, 2005, and report the percentage of fire events that adopt this alternative under the wildland fire situation analysis computer decision support system beginning in fiscal year 2006.

The managers concur with the Senate direction concerning the preparation of a strategic plan for fire and aviation resources. The managers expect that the plan will indicate the costs associated with determining the useful life of the P–2V air tanker.

Other Wildfire Operations.—The conference agreement includes $383,008,000 for other fire operation activities instead of $383,238,000 as proposed by the House and $359,497,000 as proposed by the Senate. The allocation of this funding is as follows:

Program	*Amount*
Hazardous fuels	$266,238,000
Rehabilitation & restoration	13,000,000
Research & development	22,025,000
Joint fire science	8,000,000
Forest health management—Federal	15,000,000

Program	*Amount*
Forest health management—cooperative	10,000,000
State and community fire assistance	40,745,000
Volunteer fire assistance	8,000,000
Total other wildfire operations	383,008,000

The conference agreement includes $266,238,000 for hazardous fuels treatments as proposed by the House and the Senate, an increase of $32,758,000 over the fiscal year 2004 level. This allocation includes the Senate proposals of $1,000,000 for the Chugach NF, AK and $1,500,000 for the Santa Fe watershed, NM. The managers have not included a specific amount for the Lake Tahoe basin. The managers have not included a specific allocation for the Ecological Restoration Institute, AZ, but the managers understand that the Forest Service plans to work with the Institute on a variety of projects. The managers have included bill language making up to $5,000,000 of hazardous fuels funds available for making grants to promote the economical removal of biomass from national forest lands. The managers direct the Forest Service to develop this program with the clear intent to make grants that will result in increased commercial use of biomass products, and which will thereby result in reduced overall hazardous fuels program costs. The managers further direct that a report detailing the progress of this effort shall be submitted to the House and Senate Committees on Appropriations no later than six months after the enactment of this Act. Bill language proposed by the House concerning hazardous fuels contracting authorities is deleted as recommended by the Senate because these authorities are contained within a Title III general provision.

The conference agreement includes $13,000,000 for rehabilitation and restoration activities as proposed by the House. The managers direct that $2,000,000 be made available to the native plant materials program to be used in conjunction with the similar effort at the Department of the Interior under the joint guidance of the interagency plant conservation alliance.

The conference agreement includes $22,025,000 for research and development activities. Changes from the House proposal include increases of $1,300,000 for the University of Montana landscape analysis center and $200,000 for the related University of Idaho project and a $2,475,000 general program decrease.

The conference agreement includes $15,000,000 for Federal forest health activities and $10,000,000 for cooperative forest health activities as proposed by the House. These funds should be used for high priority work, as part of the national fire plan, to implement activities which restore forests and reduce wildfire danger to natural resources and communities.

The managers have included $40,745,000 for State and community fire assistance. Changes from the House recommendation include increases of $2,100,000 for the Alaska Kenai Peninsula Borough, $1,500,000 to the Municipality of Anchorage, $1,600,000 for the Matanuska-Susitna Borough, AK, $1,000,000 for the Fairbanks North Star Borough, AK, and $300,000 for the Cook Inlet tribal council, AK, and a general program decrease of $5,755,000 below the House level as proposed by the Senate. Of the amount provided to the Municipality of Anchorage, $1,000,000 shall be for

the Anchorage Soil and Water District for its Firewise program, to be used solely for the removal of dead and dying trees and to the maximum extent possible, local contractors should be used. Each of the amounts in this paragraph shall be distributed in the form of an advance direct lump sum payment.

Within the funds for State fire assistance, $200,000 should be provided to Lincoln County, NV. The volunteer fire assistance allocation is $8,000,000 as proposed by the House and the Senate.

CAPITAL IMPROVEMENT AND MAINTENANCE

The conference agreement provides $521,952,000 for capital improvement and maintenance instead of $522,940,000 as proposed by the House and $516,169,000 as proposed by the Senate. The conference agreement provides for the following distribution of funds:

Activity/Project	*Amount*
Facilities:	
Maintenance	$81,531,000
Capital Improvement	95,524,000
Congressional Priorities:	
Allegheny NF, PA	2,800,000
D. Boone NF, recreation improvements, KY	600,000
National Forests of North Carolina	2,500,000
Cherokee NF, TN	900,000
San Bernardino NF, CA	2,000,000
Tongass Admir. NM/Juneau RD admin site, AK	4,283,000
Monongahela NF facilities, WV	1,960,000
Chugach NF Valdez visitor center, AK	500,000
Smith County Lake, MS	500,000
Forest products lab durability test facility, WI	1,000,000
Ouachita NF visitor center and admin, OK	1,500,000
Mystic ranger station and research, additional funds, SD	1,200,000
Log transfer facilities R10, AK	1,500,000
Chugach NF Russian River interagency visitor center, AK	1,000,000
Chugach NF & AK railroad backcountry whistlestop, AK	1,600,000
Daniel Boone NF Fitchburg Furnace, KY	670,000
Subtotal Facilities	201,568,000
Roads:	
Maintenance	146,795,000
Capital Improvement	76,291,000
Congressional Priorities:	
Williams River & Spruce Knob roads, WV	1,500,000
Tongass NF, AK	5,000,000
Subtotal Road	229,586,000
Trails:	
Maintenance	39,013,000
Congressional Priorities:	
FL National Scenic Trail	500,000
Continental Divide Trail	500,000
Pacific Crest National Scenic Trail	500,000
Appalachian Trail	75,000
Nez Perce Trail	400,000
North Country Trail	75,000
Other National and Historic Trails	433,000
Capital Improvement	32,778,000
Congressional Priorities:	
FL National Scenic Trail	500,000
Continental Divide Trail	1,000,000

Activity/Project	*Amount*
Pacific Crest Trail improvements, CA OR WA	1,000,000
Subtotal Trails	76,774,000
Infrastructure Improvement:	
Fish Passage Barriers, R6 & R5	4,000,000
Deferred Maintenance	10,024,000
Subtotal Infrastructure Improvement	14,024,000
Total, Capital Improvement and Maintenance	521,952,000

The managers agree with the overall program direction for this account provided by both the House and the Senate. The funds provided for the Allegheny NF include $230,000 for the Kiasutha campground, $1,085,000 for Kinzua wolf run marina, $285,000 for the Willow Creek ATV site, $200,000 for Marienville district displays, and $1,000,000 for the Bradford administrative site. The funds included for the Daniel Boone NF are for the London Dock boat ramp and completion of the Craigs Creek campground. The North Carolina national forests funding includes $1,000,000 for the Santeetlah phase III project, $500,000 for the Cradle of Forestry roof repairs, and $1,000,000 for the Curtis Creek recreation area, Wilson Creek access project. The Cherokee NF funding includes $400,000 for Chilhowee campground improvements, $350,000 for the Ocoee Whitewater Center maintenance and interpretive upgrades, and $150,000 to complete a management plan, with public involvement, for the Ocoee and Hiawassee Corridor. The funding for the San Bernardino NF is intended for the supervisor's office. The Forest Service should contract with Cook Inlet Regional Corporation, for work on the Russian river interagency center.

The managers expect that the specific allocations provided for the National scenic and historic trails will become part of the base budgets for the forests and the regions which host these important resources so that this detailed level of Committee oversight should not be required in future years. The service should continue annual displays of funding needs and accomplishments of these trails in the budget justification.

The managers note that in several cases specific congressional priority projects involve maintenance, improvement, and construction of a combination of facilities, roads, and trails. Although such congressional priorities are reflected in a single budget line item, the managers expect the agency to comply with congressional intent for completion of the entire project and authorize the agency to move funds between budget lines within the account to complete projects as intended while accurately reflecting project costs.

LAND ACQUISITION

The conference agreement provides $61,866,000 for land acquisition instead of $15,500,000 as proposed by the House and $82,524,000 as proposed by the Senate.

The managers agree to the following distribution of funds:

Area (State)	*Amount*
Alabama National Forests, multiple NFs (AL)	$1,900,000
Arapahoe NF: Arapaho, Miller Property (CO)	1,025,000
Arapahoe NF: Beaver Brook Watershed (CO)	2,000,000
Bonneville Shoreline Trail, multiple NFs (UT)	1,800,000

Area (State)	*Amount*
Chattahoochee-Oconee NF: Georgia Mtns. Riparian Project (GA)	1,000,000
Chequamegon-Nicolet NF: Wisconsin Wild Waterways (WI)	3,200,000
Cherokee NF: Tennessee Mountains (TN)	500,000
Chippewa/Superior NF: Minnesota Wilderness (MN)	375,000
Coconino NF: Sedona/Red Rocks/Oak Creek (AZ)	1,800,000
Columbia River Gorge NSA, multiple NFs (OR/WA)	1,000,000
Custer NF: Schwend Mtn. Ranch (MT)	1,200,000
Daniel Boone NF (KY)	1,000,000
Flathead NF: Swan Valley (MT)	3,000,000
Florida NF: Florida National Scenic Trail (FL)	2,000,000
Florida NF: Suwannee Wildlife Corridor (FL)	2,000,000
Great Lakes/Great Lands, multiple NFs (MI)	1,800,000
Greater Yellowstone Area, multiple NFs (MT/ID)	3,500,000
Green Mountain NF (VT)	1,000,000
Helena & Lolo NFs: Blackfoot Challenge (MT)	10,000,000
Hoosier NF: Hoosier Unique Areas (IN)	435,000
Idaho Wild and Scenic Rivers (Indian Creek Ranch), multiple NFs (ID)	565,000
Lolo NF: Hiawatha Trail (MT)	360,000
Mark Twain NF: Ozark Mountain Streams and Rivers (MO)	500,000
Monongahela NF: Monongahela Historic Areas (WV)	270,000
Okanogan-Wenatchee NF: I–90 Corridor (WA)	3,400,000
Ouachita NF: Ozark St. Francis (AR)	1,000,000
Pacific Northwest Streams, multiple NFs (OR/WA)	1,500,000
San Bernardino NF (CA)	1,500,000
Santa Fe Protection & Watershed, multiple NFs (NM)	1,500,000
Shawnee NF: Illinois Disappearing Habitat (IL)	850,000
Sierra Nevada Inholdings, multiple NFs (CA)	1,500,000
Six Rivers NF: Goose Creek-Smith River (CA)	2,136,000
Wasatch-Cache NF: High Uintas (UT)	1,000,000
White River NF: High Elk Corridor (CO)	750,000
Use of unobligated balances	−11,000,000
Subtotal	46,366,000
Acquisition Management	13,000,000
Critical Inholdings/Wilderness Protection	1,500,000
Land Exchange Equalization Payment	1,000,000
Total	61,866,000

The managers expect the Forest Service to ensure that acquisitions associated with the Blackfoot Challenge are consistent with Federal appraisal standards. The Forest Service should not pay more than the fair market value determined by those appraisals.

ACQUISITION OF LANDS FOR NATIONAL FORESTS SPECIAL ACTS

The conference agreement provides $1,069,000 for the acquisition of lands for national forests special acts as recommended by both the House and the Senate.

ACQUISITION OF LANDS TO COMPLETE LAND EXCHANGES

The conference agreement provides an indefinite appropriation estimated to be $234,000 for the acquisition of lands to complete land exchanges as proposed by both the House and the Senate.

RANGE BETTERMENT FUND

The conference agreement provides an indefinite appropriation estimated to be $3,064,000 for the range betterment fund as proposed by both the House and the Senate.

GIFTS, DONATIONS AND BEQUESTS FOR FOREST AND RANGELAND RESEARCH

The conference agreement provides $65,000 for gifts, donations and bequests for forest and rangeland research as proposed by both the House and the Senate.

MANAGEMENT OF NATIONAL FOREST LANDS FOR SUBSISTENCE USES

The conference agreement provides $5,962,000 for management of national forest system lands for subsistence uses in Alaska as proposed by both the House and the Senate.

ADMINISTRATIVE PROVISIONS, FOREST SERVICE

The managers agree to the following changes to the House recommendations:

1. The Senate language concerning abolishing or moving a regional office is included as in previous years.

2. The House and Senate bill language is deleted which prevented funds from this Act to be used for implementing section 8002 of the Farm Security and Rural Investment Act of 2002 (the Forest Land Enhancement Program). The conference agreement cancels $20,000,000 from this activity instead of no cancellation as proposed by the House and the Senate proposed cancellation of $40,000,000.

3. The Senate proposed language concerning sale of facilities and use of receipts on the Green Mountain NF, VT is included although authority is provided for 2 years.

4. The Senate language is included limiting Older Americans Act staff treatment as Federal employees to December 31, 2005.

5. The Senate language is included concerning school payments for certain dependents of agency personnel in Puerto Rico.

6. The Senate proposal concerning sale of excess buildings on the Wasatch-Cache NF, UT is included but provided for two years.

7. A technical change to the aircraft authority is included which allows leasing of certain firefighting aircraft.

Funds in the budget request for the e-government initiatives "SAFECOM" and disaster management should be reprogrammed to cover fixed costs not funded in the budget.

The managers direct the Secretaries of Agriculture and the Interior to continue the ongoing research on the success of the Resource Advisory Councils established under the 2000 Secure Rural Schools and Community Protection Act.

DEPARTMENT OF ENERGY

CLEAN COAL TECHNOLOGY

(DEFERRAL)

The conference agreement defers the availability of $257,000,000 in clean coal technology funds until October 1, 2005, as proposed by the Senate instead of a deferral of $237,000,000 as proposed by the House. The FutureGen program is not funded in this account, as proposed by the House, but is funded in the fossil energy research and development account.

The managers expect the Department to include a table on the FutureGen program, as outlined in the House Report 108–542, in future budget requests for fossil energy research and development account. The managers make no assumptions on the future use of deferred clean coal technology funds.

FOSSIL ENERGY RESEARCH AND DEVELOPMENT

The conference agreement provides $579,911,000 for fossil energy research and development instead of $601,875,000 as proposed by the House and $542,529,000 as proposed by the Senate. The changes described below are to the House recommended funding level.

FutureGen.—There is an increase of $18,000,000 for the FutureGen power plant initiative.

Clean Coal Power Initiative.—There is a decrease of $55,000,000 for the clean coal power initiative. The managers note that funding will need to be increased substantially in fiscal year 2006 if the program is to remain on a schedule consistent with the President's clean coal initiative.

Innovations for Existing Plants.—There is an increase of $1,300,000 for innovations for existing plants of which $800,000 is for the Research Partnership to Secure Energy for America for domestic fossil fuel research, including a thermoenergy integrated power system to achieve an advanced level of clean, economical power generation from coal, and other exploration and production technologies.

Advanced Systems.—There is a decrease of $2,000,000 for gasification systems technology and an increase of $800,000 for combustion systems to complete the Environmental Control Technology Laboratory project at Western Kentucky University, including research leading to zero emissions for combustion systems.

Fuels.—In transportation fuels and chemicals, there is an increase of $1,000,000 in the coal to liquids program to expand small footprint plant conversion technology and an increase of $3,000,000 in the solid fuels and feedstocks program to build on hydrogen from coal efforts with the University of North Dakota Energy and Environmental Research Center. There is also a general program decrease of $1,500,000 for hydrogen from coal research. In advanced fuels research, there is a decrease of $500,000 for C–1 chemistry.

Advanced Research (Coal).—In coal utilization science, there are increases of $4,000,000 for the Center for Zero Emissions Coal Research, and $1,000,000 for the Arctic Energy Office, which continues that program at last year's level.

Distributed Generation Systems/Fuel Cells.—In advanced research, there is an increase of $5,000,000 for HiTEC, and a general reduction of $3,000,000 below the House proposed level. In systems development, there is a decrease of $2,700,000. Funding provided in systems development completes the molten carbonate fuel cell/hybrid project. In vision 21 hybrids, this will be the last year of funding for the tubular solid oxide fuel cell program. In innovative concepts, there is a $5,000,000 increase to initiate a competitively awarded turbine hybrid integration program.

Natural Gas Exploration and Production.—In natural gas exploration and production, there are increases of $1,500,000 for na-

tional laboratory/industry partnerships and $4,000,000 for the Arctic Energy Office (an increase of $1,000,000 above last year's level), and decreases of $3,000,000 for advanced drilling completion and stimulation and $1,000,000 for liquefied natural gas research.

Natural Gas Infrastructure.—In natural gas infrastructure, there is an increase of $1,371,000 for delivery reliability research.

Effective Environmental Protection (Natural Gas).—In effective environmental protection, there is an increase of $1,000,000 to continue and expand research on coal bed methane, including produced water research.

Oil Technology/Exploration and Production.—In oil technology exploration and production, there is an increase of $1,500,000 for national laboratory/industry partnerships and a decrease of $500,000 for reservoir efficiency. The managers note that the Arctic Energy Office is funded at last year's level of $2,000,000.

Reservoir Life Extension.—There is a decrease of $1,000,000 for domestic resource conservation in the reservoir life extension program.

Effective Environmental Protection (Oil).—There is a decrease of $300,000 for environmental science in the effective environmental protection program.

Other Programs.—In cooperative research and development, there is an increase of $1,065,000. In environmental restoration, there is a decrease of $1,000,000.

Bill Language.—Bill language is included providing for the use of $18,000,000 for the FutureGen program as proposed by the Senate. The House included language under the clean coal technology account.

Language also is included earmarking $50,000,000 for the clean coal power initiative as proposed by the Senate instead of $105,000,000 as proposed by the House. The managers note that funding for the clean coal power initiative will need to be increased substantially in fiscal year 2006 to keep this initiative on schedule.

The managers agree to the following:

1. The table required by the House (under the clean coal technology heading) detailing the history and annual budget request for FutureGen should be included in future budget requests for fossil energy research and development.

2. Within available funds, the director of the National Energy Technology Laboratory, in cooperation with the heads of the Strategic Petroleum Reserve and the Naval Petroleum and Oil Shale Reserves, should evaluate the viability of developing oil shale reserves, with emphasis on available technologies, and on cost and environmental impacts, and report the findings to the House and Senate Committees on Appropriations no later than May 1, 2005.

3. Within the funds provided for sequestration research and development, the Department should consider oxygen fuel technology currently being tested by DOE's Albany Research Center.

4. Research efforts through the National Science Foundation industry-university cooperative research center for fuel cell research, SC, should be considered in the energy conservation account.

NAVAL PETROLEUM AND OIL SHALE RESERVES

The conference agreement provides $18,000,000 for naval petroleum and oil shale reserves as proposed by both the House and the Senate.

ELK HILLS SCHOOL LANDS FUND

The conference agreement provides $36,000,000 to become available on October 1, 2005, for the 7th payment to the Elk Hills School Lands Fund as proposed by both the House and the Senate.

Bill Language.—Bill language is included referencing the settlement agreement of October 11, 1996, between the State of California and the Department of Energy as proposed by the House. The Senate did not reference the specific agreement.

ENERGY CONSERVATION

The conference agreement provides $649,092,000 for energy conservation instead of $656,071,000 as proposed by the House and $854,299,000 as proposed by the Senate. The House bill did not include funding for the weatherization assistance program because funding and jurisdiction for that program were transferred to the Appropriations Subcommittee on Labor, Health and Human Services, Education and Related Agencies in the House of Representatives. The changes described below are to the House recommended funding level.

Vehicle Technologies.—In simulation and validation, there is a decrease of $200,000. In advanced power electronics, there is a decrease of $400,000. In the advanced combustion engine program, there is a decrease of $1,000,000 for combustion and emission control, an increase of $2,300,000 for heavy truck engine research, and an increase of $2,000,000 for turbocharger research in the waste heat recovery program. In materials technology, there is a decrease of $500,000 for the Vulcan Beam Line payment as part of the high temperature materials laboratory program. In fuels technology, there is a decrease of $1,000,000 for advanced petroleum based fuels and, in the non-petroleum fuels and lubes program, there is an increase of $2,400,000 for renewable and synthetic fuels and a decrease of $700,000 for heavy truck research. There is also a decrease of $1,000,000 in the environmental impacts program.

Fuel Cell Technologies.—In distributed energy systems, there is a decrease of $500,000. In stack component research and development, there is a decrease of $1,500,000 for catalyst-specific research and an increase of $7,000,000 for other stack component research.

Weatherization and Intergovernmental Assistance.—There is a decrease of $300,000 for State energy program grants. In gateway deployment, there are decreases of $1,000,000 for Rebuild America and $1,000,000 for building codes training and technical assistance, and an increase of $250,000 for the energy star program.

Funding for the weatherization assistance program is addressed in a separate portion of this Act.

Distributed Energy Resources.—In distributed energy resources, there are decreases of $500,000 for microturbines, $200,000 for advanced materials and sensors, and $800,000 for

thermally activated technology. In applications integration, there is a decrease of $500,000 for fuel flexibility in distributed generation systems, with the understanding that the balance of the funding will be used for combustion work, and an increase of $1,000,000 for the national accounts energy alliance.

Building Technologies.—In residential buildings integration, there is an increase of $1,000,000 for the Building America program and a decrease of $250,000 for residential building energy codes. In commercial buildings integration, there is a decrease of $250,000 for commercial building energy codes. In emerging technologies, there is an increase of $1,500,000 for the solid state lighting initiative and a decrease of $400,000 for space conditioning and refrigeration, and, in the building envelope program, there is a decrease of $400,000 for thermal insulation and building materials and an increase of $750,000 for windows research. In equipment and analysis, there is an increase of $750,000 for appliance standards. There is also an increase of $500,000 for oil heat research.

Industrial Technologies.—In industries of the future (specific), decreases include $1,700,000 for forest and paper products, $1,000,000 for steel, $1,000,000 for aluminum, $52,000 for metal casting, $700,000 for glass, $2,800,000 for chemicals, $700,000 for mining, and $27,000 for supporting industries. In industries of the future (crosscutting) there is a decrease of $550,000 for industrial assessment centers.

Biomass and Biorefinery Systems.—In biomass and biorefinery systems, there is a decrease of $5,000,000 for gasification programs.

Federal Energy Management Program.—There is an increase of $500,000 for the Federal Energy Management Program.

Other.—There is a decrease of $1,000,000 for cooperative programs with States. The managers expect that management of the Rebuild America program will be assumed by the State Technologies Advancement Collaborative in fiscal year 2005 and anticipate that there will be synergies between these programs.

Bill Language.—The conference agreement earmarks $44,798,000 for State energy conservation grants instead of $45,098,000 as proposed by the House and $43,798,000 as proposed by the Senate.

The managers agree to the following:

1. Within the funds provided for fuel cell technology, the Department should consider expanding the Porvair project.

2. The managers are aware of positive test results, provided to the Department, on a non-precious metal, tungsten oxide, PEM fuel cell, cathode catalyst. These results are promising from the standpoints of performance and non-degradation. The Department is strongly encouraged to fund further characterization and optimization of this cathode catalyst.

3. In distributed energy resources, the funding provided for thermally activated technology is to complete the existing residential generator absorber heat exchanger heat pump program.

4. The Rebuild America program is to be managed by the State Technologies Advancement Collaborative. The Department should move quickly to facilitate the transfer of administrative management for this program to STAC. The managers are pleased with

STAC's management of the cooperative programs with the States and believe that the Rebuild America program will benefit from STAC management. The Department should examine other programs for potential STAC involvement in fiscal year 2005.

5. The new solicitation for off-highway research is not meant to eliminate funding for cooperative research and development agreements. The Department should consult with the House and Senate Committees on Appropriations on the appropriate distribution of funds between the new solicitation and CRADAs.

6. Within the funds provided for materials technology in the vehicle technologies program, research should be continued and expanded on thermoplastic composite materials and manufacturing infrastructure.

7. In the industrial materials for the future program, $1,000,000 should continue to be provided to the Metals Processing Laboratory Users Facility.

8. The managers understand that the Department will soon issue an Exceptional Circumstances Determination with regard to solid state lighting core technology research, with the purpose of facilitating favorable access to the resulting intellectual property by members of the Next Generation Lighting Industry Alliance. This access is in exchange for the active work for the Alliance in using its experience and expertise to bring a manufacturing and commercial focus to the solid state lighting project portfolio, as stipulated in the competitive solicitation by which the Alliance was selected. The managers support this arrangement and believe it will facilitate the deployment of solid state lighting technologies and accelerate reductions in electrical energy consumption.

9. The managers support the reprogramming of necessary funds to support program administration costs at the National Energy Technology Laboratory. The Committees approved a reprogramming for this purpose in 2004 and realize that further internal reprogrammings will be necessary in 2005. The Committees expect the Department to realign its budget to reflect the appropriate levels of funding for this purpose in the 2005 funding column of the fiscal year 2006 budget request. The Department should consult with the Committees prior to the budget submission.

STRATEGIC PETROLEUM RESERVE

The conference agreement provides $172,100,000 for the strategic petroleum reserve as proposed by both the House and the Senate.

NORTHEAST HOME HEATING OIL RESERVE

The conference agreement provides $5,000,000 for the northeast home heating oil reserve as proposed by both the House and the Senate.

ENERGY INFORMATION ADMINISTRATION

The conference agreement provides $85,000,000 for the energy information administration as proposed by the House instead of $84,000,000 as proposed by the Senate.

ADMINISTRATIVE PROVISIONS, DEPARTMENT OF ENERGY

The conference agreement retains the House bill language dealing with the use of receipts by the Department of Energy.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

INDIAN HEALTH SERVICE

INDIAN HEALTH SERVICES

The conference agreement provides $2,633,072,000 for Indian health services instead of $2,628,322,000 as proposed by the House and $2,633,624,000 as proposed by the Senate. The changes described below are to the House recommended funding level.

Hospital and Health Clinic Programs.—In hospital and clinic programs, there is a decrease of $3,750,000 for the Indian health care improvement fund and an increase of $500,000 for staffing at the King Cove, AK, clinic.

Contract Health Care.—There is an increase of $8,000,000 for contract health care.

Bill Language.—The conference agreement earmarks $487,085,000 for contract health care instead of $479,085,000 as proposed by the House and $491,085,000 as proposed by the Senate. The conference agreement modifies language, proposed by the Senate, earmarking funds for alcohol control, enforcement, prevention, treatment, sobriety and wellness, and education programs in Alaska. The modification provides $15,000,000 for these programs instead of $16,000,000 and permits the use of 15 percent of funds for administrative overhead instead of 10 percent. The House had no similar provision. The distribution of funds proposed by the Senate is modified to provide $8,000,000 to Alaska Native regional organizations, with $2,000,000 (rather than $3,000,000) to be divided among the remaining organizations as specified in item (5) in the Senate report. Item (a) in the Senate report is revised as follows: (a) $2,000,000 shall be provided as a direct lump sum payment to the State of Alaska Department of Public Safety to distribute on a timely basis to Alaska Native non-profit corporations to operate the Village Public Safety Officer Program.

The managers agree to the following:

1. The Service should reprogram the increases provided for pay cost increases so that there is an equitable distribution across all Federal and tribal programs.

2. The Recruitment of American Indians into Nursing program at the University of North Dakota is funded at last year's level, which includes the $95,000 provided in fiscal year 2003.

3. The Service should provide a report on the use of funds to date for the special alcohol and substance control, enforcement, prevention, treatment, sobriety and wellness, and education programs in Alaska. The report should be provided no later than 60 days after enactment of this Act. This progress report was due to the House and Senate Committees on Appropriations on January 15, 2004, and the managers find the Service's lack of response totally unacceptable.

4. The Alaska Federal Health Care Access Network is funded at last year's level.

INDIAN HEALTH FACILITIES

The conference agreement provides $394,048,000 for Indian health facilities instead of $405,048,000 as proposed by the House and $364,148,000 as proposed by the Senate.

The managers agree to the following distribution of funds:

Project	*Amount*
Barrow Hospital, AK	$3,000,000
Clinton, OK clinic	19,300,000
Eagle Butte, SD clinic	5,000,000
Fort Belknap, MT staff quarters	5,000,000
Joint Ventures (using existing list)	4,800,000
Mobile dental units	1,000,000
New health clinic planning and design	1,000,000
Phoenix Indian Medical Center, AZ	4,000,000
Red Mesa, AZ health center	19,382,000
Sisseton, SD health center	17,300,000
Small ambulatory facilities	5,000,000
Wagner, SD staff quarters	2,538,000
Zuni, NM staff quarters	2,525,000
Subtotal	89,845,000
Other:	
Maintenance and improvement	49,897,000
Sanitation facilities	93,158,000
Facilities and environmental health support	143,567,000
Equipment	17,581,000
Total	394,048,000

Bill Language.—The conference agreement includes language proposed by the Senate permitting the use of funds for the purchase of land for replacement of the health care facility in Barrow, Alaska. The House had no similar provision.

The conference agreement modifies language proposed by the House permitting the use of funds to purchase land for the northern and southern California youth regional treatment centers for alcohol and substance abuse. The modification specifies that such land should be purchased using prior year unobligated funds. The Senate had no similar provision.

Bill language, proposed by the Senate, authorizing the construction of a replacement health care facility in Nome, Alaska is not included but the managers note that this project should be considered in future budget requests.

The managers agree to the following:

1. The funds provided for the Barrow, AK hospital are for land acquisition and planning. The total estimated cost of the facility is $125 million.

2. The Service should finalize the site selections for the northern and southern California youth regional treatment centers for alcohol and substance abuse and, after the sites are selected, include funds in the budget request for construction of these facilities.

3. The funds included for the Eagle Butte, SD, clinic are for site preparation.

4. The total estimated cost of the Fort Belknap, MT, staff quarters project is $8,300,000. The $5,000,000 provided for fiscal year 2005 should be used to construct staff quarters in Harlem, MT. Funding for staff quarters in Hayes, MT, should be included in the fiscal year 2006 budget request.

5. Funds for the Phoenix Indian Medical Center, AZ, are for the design of a southwest clinic and a southeast clinic.

6. The funds for new health clinic planning and design are to initiate design of the San Carlos, AZ, clinic and the Kayenta, AZ, clinic. The Service recently approved the program justification documents for these two facilities.

7. The Service should move quickly to issue a new solicitation for small ambulatory care facilities. There should be a 30-day tribal comment period prior to issuance of the final solicitation.

8. The Service has informed the Committees that the funds provided for the Sisseton, SD, clinic should be sufficient to complete this project.

ADMINISTRATIVE PROVISIONS, INDIAN HEALTH SERVICE

The conference agreement continues language, included in the fiscal year 2004 appropriation, as proposed by the House, prohibiting the imposition of certain staffing restrictions on the Indian Health Service.

The conference agreement modifies language proposed by the House, permitting the use of third party collections for the purchase of land for expansion of the IHS hospital in Tahlequah, OK subject to advance approval by the House and Senate Committees on Appropriations. The modification retains the original text and adds language authorizing permanent service unit status for the Tulsa and Oklahoma City pilot health programs.

OTHER RELATED AGENCIES

OFFICE OF NAVAJO AND HOPI INDIAN RELOCATION

SALARIES AND EXPENSES

The conference agreement provides $5,000,000 for salaries and expenses of the Office of Navajo and Hopi Indian Relocation as proposed by the Senate instead of $11,000,000 as proposed by the House. The managers understand that there are large carryover balances in this program that can be used to continue the program in fiscal year 2005.

INSTITUTE OF AMERICAN INDIAN AND ALASKA NATIVE CULTURE AND ARTS DEVELOPMENT

PAYMENT TO THE INSTITUTE

The conference agreement provides $6,000,000 for payment to the institute as proposed by both the House and the Senate.

Bill Language.—The conference agreement retains Senate language that allows up to $1,000,000 of the funding to be used for the institute's learning center.

SMITHSONIAN INSTITUTION

SALARIES AND EXPENSES

The conference agreement provides $495,925,000 for salaries and expenses of the Smithsonian Institution instead of $496,925,000 as proposed by the House and $490,125,000 as pro-

posed by the Senate. The change to the House level is the result of a reduction to the proposed increase of $1,000,000 for program support and major scientific instrumentation.

FACILITIES CAPITAL

The conference agreement provides $127,900,000 for facilities capital instead of $122,900,000 as proposed by the House and $136,900,000 as proposed by the Senate. The change to the House level is the result of an increase of $5,000,000 for revitalization work at the National Zoological Park. The managers understand that most, if not all, of these funds will be used for the Asia Trail exhibit. Language included in the House bill allowing for the transfer of funds from the former construction and repair, restoration and alteration of facilities accounts to the facilities capital account has been removed in the assumption that all such transfers have been made and the language is no longer necessary.

ADMINISTRATIVE PROVISIONS, SMITHSONIAN INSTITUTION

The conference agreement continues the administrative provisions included in the House bill that place restrictions on the use of funds for (1) the design of new or expanded facilties; (2) Holt House; (3) the purchase of buildings; and (4) compliance with reprogramming procedures. The House provision regarding changes to the Smithsonian's science programs has been amended by omitting reference to the Science Commission's recommendations, which were approved by the Board of Regents, and including a requirement of advance approval from the House and Senate Committees on Appropriations in agreement with current reprogramming guidelines.

NATIONAL GALLERY OF ART

SALARIES AND EXPENSES

The conference agreement provides $93,000,000 for salaries and expenses of the National Gallery of Art as proposed by the House instead of $92,119,000 as proposed by the Senate.

REPAIR, RESTORATION AND RENOVATION OF BUILDINGS

The conference agreement provides $11,100,000 for repair, restoration and renovation of buildings as proposed by the House instead of $11,000,000 as proposed by the Senate.

JOHN F. KENNEDY CENTER FOR THE PERFORMING ARTS

OPERATIONS AND MAINTENANCE

The conference agreement provides $17,152,000 for operations and maintenance of the Kennedy Center as proposed by both the House and the Senate.

Based on recent recommendations from the General Accounting Office, the managers direct the Kennedy Center to annually update the comprehensive building plan as required by the John F. Kennedy Center Act Amendments of 1994 and include the prioritization of projects, individual project status, and detailed

budget information for both planned and ongoing projects. The plan has not been updated since 2002.

The requirement to develop and annually update a comprehensive building plan was intended to help improve management of the Kennedy Center's capital projects, help reduce the public costs of operating and maintaining the facility, and ensure accountability for the cost and schedule of the projects.

CONSTRUCTION

The conference agreement provides $16,334,000 for construction as proposed by the Senate instead of $10,000,000 as proposed by the House.

WOODROW WILSON INTERNATIONAL CENTER FOR SCHOLARS

SALARIES AND EXPENSES

The conference agreement provides $8,987,000 for salaries and expenses of the Woodrow Wilson International Center for Scholars as proposed by both the House and the Senate.

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

NATIONAL ENDOWMENT FOR THE ARTS

GRANTS AND ADMINISTRATION

The conference agreement provides $122,972,000 for grants and administration of the National Endowment for the Arts instead of $130,972,000 as proposed by the House and $120,972,000 as proposed by the Senate. The agreement provides $2,000,000 for the new American Masterpieces initiative.

NATIONAL ENDOWMENT FOR THE HUMANITIES

GRANTS AND ADMINISTRATION

The conference agreement provides $123,877,000 for grants and administration of the National Endowment for the Humanities, instead of $125,877,000 as proposed by the House and $119,386,000 as proposed by the Senate. The change to the House recommended level is a decrease of $2,000,000 to the We the People initiative. When combined with amounts provided within the Matching Grants account that follows, the total recommended funding level for the NEH for fiscal year 2005 is $139,999,000, an increase of $4,689,000 above the current year enacted level.

MATCHING GRANTS

The conference agreement provides $16,122,000 for matching grants as proposed by the House instead of $15,924,000 as proposed by the Senate.

COMMISSION OF FINE ARTS

SALARIES AND EXPENSES

The conference agreement provides $1,793,000 for salaries and expenses of the Commission of Fine Arts as proposed by the House and the Senate.

NATIONAL CAPITAL ARTS AND CULTURAL AFFAIRS

The conference agreement provides $7,000,000 for national capital arts and cultural affairs as proposed by the House instead of $6,000,000 as proposed by the Senate.

ADVISORY COUNCIL ON HISTORIC PRESERVATION

SALARIES AND EXPENSES

The conference agreement provides $4,600,000 for salaries and expenses of the Advisory Council on Historic Preservation as proposed by both the House and the Senate.

NATIONAL CAPITAL PLANNING COMMISSION

SALARIES AND EXPENSES

The conference agreement provides $8,000,000 for salaries and expenses of the National Capital Planning Commission as proposed by the Senate instead of $7,999,000 as proposed by the House.

UNITED STATES HOLOCAUST MEMORIAL MUSEUM

HOLOCAUST MEMORIAL MUSEUM

The conference agreement provides $41,433,000 for the Holocaust Memorial Museum as proposed by the House and the Senate.

PRESIDIO TRUST

PRESIDIO TRUST FUND

The conference agreement provides $20,000,000 for the Presidio Trust Fund as proposed by both the House and the Senate.

TITLE III—GENERAL PROVISIONS

The conference agreement retains identical provisions in sections 301–309 of both the House and Senate bills.

Sec. 310. The conference agreement retains the language proposed in section 310 of the Senate bill providing one-year authority, as in past years, for the collection and use of private funds by the National Endowment for the Arts and the National Endowment for the Humanities. The House had a similar provision in section 310 of the House bill but it extended through 2009.

Sec. 311. The conference agreement retains the one-year authority, similar to previous years, proposed in section 311 of the Senate bill directing the National Endowment for the Arts on funding distribution. The House had a similar provision in section 311 of the House bill but it extended through 2009.

The conference agreement retains identical provisions in sections 312–316 of both the House and Senate bills.

Sec. 317. The conference agreement continues the provision in section 317 of the Senate bill addressing timber sales involving Alaska western red cedar for one year as was done previously. The House had no similar provision.

Sec. 318. The conference agreement modifies language proposed in section 317 of the House bill and in section 332 of the Senate bill concerning the Forest Service reforestation fund. The conference agreement does not contain bill language stating that the four purposes of the reforestation fund are of equal priority but the Forest Service should not give overall priority to one particular purpose over the others. The managers note that the Knutson-Vandenberg Act was amended in 1976 to allow the use of timber purchaser funds for: (1) planting trees, (2) sowing with tree seeds, (3) cutting or removing undesirable trees or other growth to improve future timber growth, and (4) protecting and improving the future productivity of the renewable resources of the forest land, including sale area improvement operations maintenance and construction, reforestation, and wildlife habitat management. The managers stress that, in selecting activities to be funded using the KV fund, the Secretary shall give, to the maximum extent practicable, equal importance to all four of these purposes. The Forest Service should not withhold funding for one or another of these purposes, but rather, decisions should be made forest by forest and project by project as to what are the most important conservation efforts.

Sec. 319. The conference agreement retains a provision in section 318 of the House bill continuing a provision prohibiting the Forest Service from using projects under the recreation fee demonstration program to supplant existing concessions. The Senate had an identical provision in section 318 of the Senate bill.

Sec. 320. The conference agreement retains the language proposed in section 319 of the Senate bill, as was in previous Acts, regarding the Forest Service land management planning revision requirements. The House had a similar provision in section 319 of the House bill.

Sec. 321. The conference agreement retains a provision in section 320 of the House bill continuing a provision limiting preleasing, leasing, and related activities within the boundaries of national monuments. The Senate had an identical provision in section 320 of the Senate bill.

Sec. 322. The conference agreement retains the language proposed in section 321 of the Senate bill extending the Forest Service Conveyances Pilot Program for two more years. The House had a similar provision in section 321 of the House bill. The managers are pleased with the operation of this program by the Forest Service and request that its management continue as in the past.

Sec. 323. The conference agreement replaces a provision in sections 322 of both the House and Senate bills. The new provision makes a technical correction to the Harriet Tubman Special Resource Study Act.

Sec. 324. The conference agreement retains a provision in section 323 of the House bill continuing a provision providing the Secretary of the Interior and the Secretary of Agriculture the author-

ity to enter into reciprocal agreements with foreign nations concerning the personal liability of firefighters. The Senate had an identical provision in section 323 of the Senate bill.

Sec. 325. The conference agreement retains a provision in section 324 of the House bill allowing the Eagle Butte Service Unit of the Indian Health Service to utilize health care funding in a more efficient manner. The Senate had an identical provision in section 324 of the Senate bill.

Sec. 326. The conference agreement retains a provision in section 325 of the House bill continuing a provision prohibiting the transfer of funds to other agencies other than as provided in this Act. The Senate had an identical provision in section 325 of the Senate bill.

Sec. 327. The conference agreement retains a provision in section 326 of the House bill carried in previous years limiting funds for oil or gas leasing or permitting on the Finger Lakes National Forest, NY. The Senate had no similar provision.

Sec. 328. The conference agreement retains the language proposed in section 326 of the Senate bill allowing the Secretary of Agriculture and the Secretary of the Interior to consider local contractors when awarding contracts for certain activities on public lands. The House had a similar provision in section 328 of the House bill.

Sec. 329. The conference agreement retains a provision in section 329 of the House bill continuing a provision which limits the use of funds for filing declarations of taking or condemnations. This provision does not apply to the Everglades National Park Protection and Environmental Act. The Senate had an identical provision in section 327 of the Senate bill.

Sec. 330. The conference agreement modifies a provision in section 328 of the Senate bill concerning judicial review of timber sales in Region 10 of the Forest Service; this authority is provided for one year. The House had no similar provision.

Sec. 331. The conference agreement retains a provision in section 330 of the House bill restricting the Forest Service use of the Recreation Fee Demonstration program to certain developed sites. The Senate had no similar provision.

Sec. 332. The conference agreement modifies the language proposed in section 331 of the House bill providing guidance on competitive sourcing activities and clarifying annual reporting requirements to specify the reporting of the full costs associated with sourcing studies and related activities. The Senate had a similar provision in section 329 of the Senate bill.

Sec. 333. The conference agreement retains a provision in section 332 of the House bill requiring overhead charges, deductions, reserves or holdbacks to be presented in annual budget justifications, with changes presented to the Appropriations Committees for approval. The Senate had an identical provision in section 330 of the Senate bill.

Sec. 334. The conference agreement modifies a provision in section 331 of the Senate bill prohibiting the transfer of funds for SAFECOM and Disaster Management projects. The House had a more restrictive provision in section 333 of the House bill.

Sec. 335. The conference agreement retains a provision in section 334 of the House bill, with a minor technical modification, au-

thorizing the conveyance of land within the San Bernardino National Forest, CA. The Senate had no similar provision.

Sec. 336. The conference agreement retains a provision in section 335 of the House bill encouraging cooperative hazardous fuels projects with the State of Colorado and the Forest Service, and extending this authority to the Bureau of Land Management. The Senate had no similar provision.

Sec. 337. The conference agreement retains a provision in section 333 of the Senate bill allowing the State of Utah, through contracts or cooperative agreements with the Forest Service, to perform certain activities on Forest Service lands. The House had no similar provision.

Sec. 338. The conference agreement modifies a provision in section 335 of the Senate bill requiring that contact centers associated with the national recreation reservation service be located within the United States. The House had no similar provision.

Sec. 339. The conference agreement modifies a provision in section 339 of the Senate bill allowing categorical exclusions for certain Forest Service grazing allotments. The House had no similar provision.

Sec. 340. The conference agreement retains a provision in section 340 of the Senate bill amending Public Law 90–542 regarding certain hunting camps on the Salmon River. The House had no similar provision. The managers note that this provision establishes use and occupancy as of June 6, 2003, for three special use permits. The purpose of this language is to clarify the legislative intent of the Central Idaho Wilderness Act and the inclusion of the three hunting camps as an existing use. The managers understand that all future modifications to these camps will be such that the camps retain their basic characteristics and the modifications do not substantially alter the existing scope of use.

Sec. 341. The conference agreement retains a provision in section 341 of the Senate bill allowing the Eastern Nevada Landscape Coalition to enter into agreements with the Department of the Interior and the Department of Agriculture. The House had no similar provision.

Sec. 342. The conference agreement retains a provision in section 342 of the Senate bill conveying certain lands in the Tongass National Forest to the Community of Elfin Cove, Alaska. The House had no similar provision.

Sec. 343. The conference agreement modifies a provision in section 343 of the Senate bill providing a three-year (versus a permanent) extension of a prohibition on Alaska Native villages assuming administration of health services contracts, and clarifying that Eastern Aleutian Tribes, Inc. be considered an Alaska Native regional health entity for purposes of disbursement of funds. The House had no similar provision.

Sec. 344. The conference agreement modifies a provision in section 344 of the Senate bill providing for the use of previously appropriated funds for the acquisition of lands for the construction of the Seward, Alaska Interagency Center.

Sec. 345. The conference agreement includes a new provision to extend the Forest Service rights-of-way cost recovery authority originally provided in fiscal year 2000.

Sec. 346. The conference agreement includes a new provision to provide for the conveyance of the Sandpoint Federal Building and associated land in Sandpoint, Idaho.

Sec. 347. The conference agreement includes a new provision authorizing the Secretary of Agriculture to carry out a national forest land exchange in the State of Florida.

Sec. 348. The conference agreement includes a new provision designating the Grey Towers National Historic Site in the Commonwealth of Pennsylvania.

Sec. 349. The conference agreement includes a new provision to adjust the boundaries of the Helena, Lolo, and Beaverhead-Deerlodge National Forests in the State of Montana.

Sec. 350. The conference agreement includes a new provision for a $5,000,000 grant to Kendall County, Illinois.

The conference agreement does not include a provision proposed in section 327 of the House bill limiting the use of funds for the planning, design, or construction of improvements to Pennsylvania Avenue in front of the White House.

The conference agreement does not include a provision proposed in section 334 of the Senate bill exempting certain local residents from paying fees under the Recreation Fee Demonstration program on the White Mountain National Forest.

The conference agreement does not include a provision proposed in section 336 of the Senate bill amending the Alaska National Interest Lands Conservation Act to allow for fishery management and enhancement projects in additional wilderness areas in Alaska.

The conference agreement does not include a provision proposed in section 337 of the Senate bill allowing Alaska residents with subsistence rights who are aged, infirm, or disabled to designate another individual to engage in subsistence activities for them and to reimburse such designated person.

The conference agreement does not include a provision on Missouri River water levels proposed by the Senate in section 338 of the Senate bill.

TITLE IV—SUPPLEMENTAL APPROPRIATIONS FOR URGENT WILDLAND FIRE SUPPRESSION ACTIVITIES

The conference agreement includes supplemental appropriations for the Department of the Interior and the Forest Service that provide an additional $500,000,000 in wildland fire suppression funds. This includes $100,000,000 for the Department of the Interior and $400,000,000 for the Department of Agriculture.

The conference agreement does not include the provisions included in Title IV, Chapter 1 of the House bill that provided supplemental appropriations for the Department of the Interior and the Forest Service in fiscal year 2004. These funds were included in the fiscal year 2005 Department of Defense appropriation passed earlier this year (P. L. 108–287, Title X, Chapter 3).

The purpose of this account is to provide funds so firefighting can continue during a severe fire season without the need to borrow from other land management accounts to pay for wildfire suppression. The conference agreement still contains authority for each

Secretary, as appropriate, to utilize funds from other accounts under their jurisdiction, if all firefighting funds are exhausted.

The conference agreement retains language from the Senate bill providing that these funds will become available only if the funds provided in Titles I and II of this Act will be exhausted imminently and the House and Senate Committees on Appropriations and the Budget are notified. The managers understand that the urgent wildland fire suppression funding is only available because the conference agreement provides the full 10-year average cost of fire suppression in Titles I and II.

The conference agreement modifies language contained in the House bill that allows funds in this title to be transferred to other Interior and Forest Service accounts, as appropriate, to repay amounts that have been borrowed during wildland fire suppression crises.

The managers are very concerned about the high cost of fire suppression and have included a number of cost containment measures in this Act. The conference agreement modifies language included in the House bill that directs the Secretary of the Interior and the Secretary of Agriculture to submit a report that outlines the specific cost containment measures that are being implemented to contain wildland fire suppression costs. The managers expect to receive a single, joint report from both Secretaries.

The conference agreement allows unused funds from each Department's fiscal year 2004 wildland fire management appropriation to be used in subsequent years for future urgent wildfire suppression activities.

DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT

WILDLAND FIRE MANAGEMENT

The conference agreement provides an additional amount of $100,000,000 for Wildland Fire Management, for urgent wildfire suppression activities as described above.

DEPARTMENT OF AGRICULTURE

FOREST SERVICE

WILDLAND FIRE MANAGEMENT

The conference agreement includes an additional amount of $400,000,000 for Wildland Fire Management, for urgent wildfire suppression activities as described above.

The conference agreement includes language contained in the Senate bill that establishes an independent cost-control review panel for individual wildfire incidents exceeding $10,000,000 in suppression costs. The conference agreement modifies language contained in the Senate bill that directed the transfer of funds from unobligated balances in the wildland fire management account to the U.S. Treasury if the independent cost-control review panel finds that appropriate actions were not taken to control suppression costs.

TITLE IV—GENERAL PROVISIONS

The conference agreement does not include a provision proposed in section 401 of the House bill prohibiting the use of recreational fee funds for biological monitoring of species listed under the Endangered Species Act. The Department of the Interior has assured the managers that this practice will not be pursued.

The conference agreement does not include a provision proposed in section 402 of the House bill prohibiting the use of funds for the planning, design, study, or construction of forest development roads in the Tongass National Forest for the purpose of private harvest.

The conference agreement does not include a provision proposed in section 403 of the House bill directing the Department of the Interior to submit a report on public access to the Statue of Liberty.

TITLE V—ACROSS-THE-BOARD RESCISSIONS

Sec. 501. The conference agreement includes an across the board reduction of 0.594 percent. This reduction should be applied to each program, project, and activity, except for Miscellaneous Payments to Indians, which has a different application of the rescission as specified in the statutory language.

DEPARTMENT OF INTERIOR AND RELATED AGENCIES
(Amounts in thousands)

	FY 2004 Enacted	FY 2005 Request	Conference	Conference vs. Enacted
TITLE I - DEPARTMENT OF THE INTERIOR				
BUREAU OF LAND MANAGEMENT				
Management of Lands and Resources				
Land Resources				
Soil, water and air management	36,038	34,238	35,238	-800
Range management	72,459	68,204	70,204	-2,255
Forestry management	8,093	9,025	9,025	+932
Riparian management	22,015	21,540	21,540	-475
Cultural resources management	15,479	15,142	15,142	-337
Wild horse and burro management	29,051	39,612	39,612	+10,561
Subtotal, Land Resources	183,135	187,761	190,761	+7,626
Wildlife and Fisheries				
Wildlife management	22,387	25,428	25,428	+3,041
Fisheries management	11,711	12,456	12,056	+345
Subtotal, Wildlife and Fisheries	34,098	37,884	37,484	+3,386
Threatened and endangered species	21,940	21,452	21,452	-488
Recreation Management				
Wilderness management	17,673	16,677	16,677	-996
Recreation resources management	44,603	43,209	44,809	+206
Subtotal, Recreation Management	62,276	59,886	61,486	-790
Energy and Minerals				
Oil and gas	88,195	85,625	88,625	+430
Coal management	9,390	8,944	9,444	+54
Other mineral resources	10,294	9,854	10,104	-190
Subtotal, Energy and Minerals	107,879	104,423	108,173	+294
Alaska minerals	2,453	2,232	4,000	+1,547
Realty and Ownership Management				
Alaska conveyance	41,920	33,068	42,568	+648
Cadastral survey	16,691	13,768	15,818	-873
Land and realty management	34,635	35,563	35,563	+928
Subtotal, Realty and Ownership Management	93,246	82,399	93,949	+703
Resource Protection and Maintenance				
Resource management planning	48,510	50,056	49,556	+1,046
Resource protection and law enforcement	16,283	15,042	17,042	+759
Hazardous materials management	16,497	16,080	16,080	-417
Subtotal, Resource Protection and Maintenance	81,290	81,178	82,678	+1,388
Transportation and Facilities Maintenance				
Operations	6,311	5,151	6,151	-160
Annual maintenance	31,846	31,045	31,045	-801
Deferred maintenance	12,349	11,036	41,772	+29,423
Infrastructure improvement	31,027	28,236	---	-31,027
Subtotal, Transportation/Facilities Maintenance	81,533	76,468	78,968	-2,565
Land and resources information systems	18,757	18,317	18,317	-440
Mining Law Administration				
Administration	32,485	32,696	32,696	+211
Offsetting fees	-32,485	-32,696	-32,696	-211
Subtotal, Mining Law Administration	---	---	---	---
Workforce and Organizational Support				
Information systems operations	18,531	19,928	19,928	+1,397
Administrative support	49,203	50,878	50,878	+1,675
Bureauwide fixed costs	69,331	73,656	73,365	+4,034
Subtotal, Workforce and Organizational Support	137,065	144,462	144,171	+7,106
Challenge cost share	18,176	21,000	7,500	-8,676
Total, Management of Lands and Resources	839,848	837,462	848,939	+9,091

DEPARTMENT OF INTERIOR AND RELATED AGENCIES
(Amounts in thousands)

	FY 2004 Enacted	FY 2005 Request	Conference	Conference vs. Enacted
Wildland Fire Management				
Preparedness	274,303	283,018	262,644	-11,659
Fire suppression operations	192,903	221,523	221,523	+28,620
Borrowing repayment (emergency appropriations)	98,416	---	---	-98,416
Supplemental appropriations (P.L. 108-287)	100,000	---	---	-100,000
Subtotal, Fire suppression operations	391,319	221,523	221,523	-169,796
Other operations				
Hazardous fuels reduction	183,896	209,282	204,282	+20,386
Burned area rehabilitation	24,198	24,276	24,276	+78
State and local fire assistance	9,877	5,000	10,000	+123
Fire facilities	---	---	12,374	+12,374
Joint fire science	---	---	8,000	+8,000
Subtotal, Other operations	217,971	238,558	258,932	+40,961
Total, Wildland Fire Management	883,593	743,099	743,099	-140,494
Central Hazardous Materials Fund				
Bureau of Land Management	9,856	9,855	9,855	-1
Construction				
Construction	13,804	6,476	11,500	-2,304
Land Acquisition				
Land Acquisition				
Acquisitions	13,432	19,000	6,850	-6,582
Emergencies and hardships	988	1,500	1,500	+512
Acquisition management	3,456	3,000	3,000	-456
Land exchange equalization payment	494	500	---	-494
Total, Land Acquisition	18,370	24,000	11,350	-7,020
Oregon and California Grant Lands				
Western Oregon resources management	86,376	97,059	90,058	+3,682
Western Oregon information and resource data systems	2,175	2,181	2,181	+6
Western Oregon transportation & facilities maintenance	10,777	10,782	10,782	+5
Western Oregon construction and acquisition	293	295	295	+2
Jobs in the woods	5,736	5,741	5,741	+5
Total, Oregon and California Grant Lands	105,357	116,058	109,057	+3,700
Range Improvements				
Improvements to public lands	7,873	7,873	7,873	---
Farm Tenant Act lands	1,527	1,527	1,527	---
Administrative expenses	600	600	600	---
Total, Range Improvements	10,000	10,000	10,000	---
Service Charges, Deposits, and Forfeitures				
Rights-of-way processing	9,500	14,500	14,500	+5,000
Adopt-a-horse program	1,225	1,225	1,225	---
Repair of damaged lands	5,000	5,000	5,000	---
Cost recoverable realty cases	515	515	515	---
Timber purchaser expenses	50	50	50	---
Copy fees	3,200	3,200	3,200	---
Subtotal (gross)	19,490	24,490	24,490	+5,000
Offsetting fees	-19,490	-24,490	-24,490	-5,000
Total, Service Charges, Deposits & Forfeitures	---	---	---	---
Miscellaneous Trust Funds				
Current appropriations	12,405	12,405	12,405	---
TOTAL, BUREAU OF LAND MANAGEMENT	1,893,233	1,759,355	1,756,205	-137,028

DEPARTMENT OF INTERIOR AND RELATED AGENCIES
(Amounts in thousands)

	FY 2004 Enacted	FY 2005 Request	Conference	Conference vs. Enacted
UNITED STATES FISH AND WILDLIFE SERVICE				
Resource Management				
Ecological Services				
Endangered species				
Candidate conservation	9,808	8,610	9,520	-288
Listing	12,135	17,226	15,500	+3,365
Consultation	47,146	45,450	46,450	-696
Recovery	67,907	58,154	69,154	+1,247
Subtotal, Endangered species	136,996	129,440	140,624	+3,628
Habitat conservation	87,322	96,843	94,780	+7,458
Environmental contaminants	10,672	10,740	10,740	+68
Subtotal, Ecological Services	234,990	237,023	246,144	+11,154
Refuges and Wildlife				
Refuge operations and maintenance	391,493	387,657	390,427	-1,066
Migratory bird management	32,096	36,668	35,668	+3,572
Law enforcement operations	53,696	51,345	53,260	-436
Subtotal, Refuges and Wildlife	477,285	475,670	479,355	+2,070
Fisheries				
Hatchery operations and maintenance	57,992	57,004	59,504	+1,512
Fish and wildlife management	56,330	46,794	56,684	+354
Operational shortfall	---	---	885	+885
Subtotal, Fisheries	114,322	103,798	117,073	+2,751
General Administration				
Science excellence initiative	---	2,000	---	---
Central office administration	17,062	18,128	18,128	+1,066
Regional office administration	23,494	23,164	23,164	-330
Servicewide administrative support	56,998	58,942	58,942	+1,944
National Fish and Wildlife Foundation	7,575	7,670	7,870	+295
National Conservation Training Center	16,285	15,968	17,105	+820
International affairs	8,077	8,624	9,024	+947
Caddo Lake Ramsar Center	395	---	400	+5
Subtotal, General Administration	129,886	134,496	134,633	+4,747
Total, Resource Management	956,483	950,987	977,205	+20,722
Construction				
Construction and rehabilitation				
Line item construction	48,627	11,093	42,382	-6,245
Nationwide engineering services	11,181	11,018	11,018	-163
Total, Construction	59,808	22,111	53,400	-6,408
Land Acquisition				
Fish and Wildlife Service				
Acquisitions - Federal refuge lands	29,700	29,176	22,911	-6,789
Inholdings	1,481	2,500	1,500	+19
Emergencies and hardships	988	2,000	1,000	+12
Exchanges	494	1,000	1,750	+1,256
Acquisition management	8,395	8,365	8,365	-30
Cost allocation methodology	2,033	2,000	2,000	-33
Total, Land Acquisition	43,091	45,041	37,526	-5,565
Landowner Incentive Program				
Grants to States	29,630	50,000	22,000	-7,630
Private Stewardship Grants Program				
Stewardship grants	7,408	10,000	7,000	-408
Cooperative Endangered Species Conservation Fund				
Grants to States	29,659	37,415	29,659	---
HCP land acquisition	49,384	50,000	49,384	---

DEPARTMENT OF INTERIOR AND RELATED AGENCIES
(Amounts in thousands)

	FY 2004 Enacted	FY 2005 Request	Conference	Conference vs. Enacted
Administration	2,553	2,585	2,553	---
Total, Cooperative Endangered Species Fund	81,596	90,000	81,596	---
National Wildlife Refuge Fund				
Payments in lieu of taxes	14,237	14,414	14,414	+177
North American Wetlands Conservation Fund				
Wetlands conservation	36,030	51,840	36,480	+450
Administration	1,501	2,160	1,520	+19
Total, North American Wetlands Conservation Fund	37,531	54,000	38,000	+469
Neotropical Migratory Bird Conservation Fund				
Migratory bird grants	3,951	---	4,000	+49
Multinational Species Conservation Fund				
African elephant conservation	1,383	1,350	1,400	+17
Rhinoceros and tiger conservation	1,383	1,450	1,500	+117
Asian elephant conservation	1,383	1,350	1,400	+17
Great ape conservation	1,383	1,350	1,400	+17
Marine turtles	---	---	100	+100
Neotropical migratory bird conservation	---	4,000	---	---
Total, Multinational Species Conservation Fund	5,532	9,500	5,800	+268
State and Tribal Wildlife Grants				
State and tribal wildlife grants	69,138	80,000	70,000	+862
TOTAL, U.S. FISH AND WILDLIFE SERVICE	1,308,405	1,326,053	1,310,941	+2,536
NATIONAL PARK SERVICE				
Operation of the National Park System				
Park Management				
Resource stewardship	335,306	343,467	342,967	+7,661
Visitor services	319,763	330,256	326,856	+7,093
Maintenance	559,211	586,093	573,178	+13,967
Park support	282,329	300,570	285,946	+3,617
Additional park base increase	---	---	52,654	+52,654
Subtotal, Park Management	1,496,609	1,560,386	1,581,601	+84,992
External administrative costs	112,951	125,681	125,681	+12,730
Total, Operation of the National Park System	1,609,560	1,686,067	1,707,282	+97,722
United States Park Police				
Park Police	77,888	81,204	81,204	+3,316
National Recreation and Preservation				
Recreation programs	548	551	551	+3
Natural programs	10,875	10,966	11,018	+143
Cultural programs	19,690	19,814	20,214	+524
International park affairs	1,605	1,616	1,616	+11
Environmental and compliance review	396	397	397	+1
Grant administration	1,576	1,892	1,892	+316
Heritage Partnership Programs				
Commissions and grants	14,152	2,378	14,163	+11
Newly authorized areas	---	---	500	+500
Administrative support	122	122	122	---
Subtotal, Heritage Partnership Programs	14,274	2,500	14,785	+511
Statutory or Contractual Aid				
Alaska National Parks	---	---	750	+750
Benjamin Franklin Tercentenary Commission	198	---	250	+52
Black Jack Battlefield trust	---	---	89	+89
Blue Ridge Parkway (Folk Art Center)	741	---	---	-741

DEPARTMENT OF INTERIOR AND RELATED AGENCIES
(Amounts in thousands)

	FY 2004 Enacted	FY 2005 Request	Conference	Conference vs. Enacted
Brown Foundation	198	---	250	+52
Chesapeake Bay Gateway	2,469	---	2,500	+31
Dayton Aviation Heritage Commission	85	---	---	-85
Flight 93 Memorial (Sommerset)	294	---	250	-44
French and Indian War (PA)	494	---	---	-494
George Washington Memorial Bridge (Gravely Point)	---	---	100	+100
Ft. Mandan, Ft. Lincoln, & Northern Plains Foundation	---	---	625	+625
Harry S. Truman Statue	50	---	---	-50
Ice Age National Scientific Reserve	796	---	796	---
Jamestown 2007	197	---	400	+203
Johnstown Area Heritage Association	49	---	49	---
Keweenaw NHP (Main Street)	---	---	800	+800
Lake Roosevelt Forum	50	---	---	-50
Lamprey River	988	---	900	-88
Lower Eastside Tenement Museum	---	---	250	+250
Mandan Interpetive Center and Lodge project	494	---	---	-494
Martin Luther King, Jr. Center	522	---	---	-522
Mississippi Museum of Natural Science	---	---	750	+750
Mt. Ranier National Park (study)	---	---	700	+700
Natchez NHP (Forks of the Road)	---	---	150	+150
Native Hawaiian culture and arts program	731	---	750	+19
New Orleans Jazz Commission	66	---	---	-66
Oklahoma City Memorial	1,581	---	---	-1,581
Office of Arctic Studies	1,481	---	---	-1,481
Roosevelt Campobello International Park Commission	837	---	---	-837
Sewall-Belmont House	---	---	400	+400
Slaeping Rainbow Ranch, Capitol Reef NP	491	---	600	+109
Subtotal, Statutory or Contractual Aid	12,812	---	11,359	-1,453
Total, National Recreation and Preservation	61,776	37,736	61,832	+56
Urban Park and Recreation Fund				
Urban park grants	301	---	---	-301
Historic Preservation Fund				
State historic preservation offices	34,569	34,570	36,000	+1,431
Tribal grants	2,963	2,963	3,250	+287
Save America's Treasures	32,594	30,000	30,000	-2,594
Preserve America	---	10,000	---	---
National trust (endowment)	494	---	---	-494
HBCUs	2,963	---	3,500	+537
Total, Historic Preservation Fund	73,583	77,533	72,750	-833
Construction				
Emergency and unscheduled	5,432	4,000	4,000	-1,432
Housing	7,901	8,000	8,000	+99
Equipment replacement	35,023	39,100	38,344	+3,321
Planning, construction	24,179	21,220	21,220	-2,959
General management plans	13,254	13,313	13,313	+59
Line item construction and maintenance	214,295	214,183	192,421	-21,874
Construction program management	27,128	27,364	27,364	+236
Dam safety	2,667	2,700	2,700	+33
Total, Construction	329,879	329,880	307,362	-22,517
Land and Water Conservation Fund				
(Rescission of contract authority)	-30,000	-30,000	-30,000	---
Land Acquisition and State Assistance				
Assistance to States				
State conservation grants	91,360	91,360	91,000	-360
Administrative expenses	2,469	2,469	1,500	-969
Total, Assistance to States	93,829	93,829	92,500	-1,329
National Park Service				
Acquisitions	27,445	65,784	40,400	+12,955
Emergencies and hardships	1,975	4,000	2,500	+525
Acquisition management	10,370	10,511	10,511	+141

DEPARTMENT OF INTERIOR AND RELATED AGENCIES
(Amounts in thousands)

	FY 2004 Enacted	FY 2005 Request	Conference	Conference vs. Enacted
Inholdings	1,975	4,000	2,500	+525
Total, National Park Service	41,765	84,295	55,911	+14,146
Total, Land Acquisition and State Assistance	135,594	178,124	148,411	+12,817
TOTAL, NATIONAL PARK SERVICE	2,258,581	2,360,544	2,348,841	+90,260
Appropriations	(2,288,581)	(2,390,544)	(2,378,841)	(+90,260)
Rescission	(-30,000)	(-30,000)	(-30,000)	---
UNITED STATES GEOLOGICAL SURVEY				
Surveys, Investigations, and Research				
Mapping, Remote Sensing, and Geographic Investigations				
Cooperative topographic mapping	80,843	71,048	72,399	-8,444
Land remote sensing	33,678	33,132	33,191	-487
Geographic analysis and monitoring	15,238	14,761	14,834	-404
Subtotal, National Mapping Program	129,759	118,941	120,424	-9,335
Geologic Hazards, Resource and Processes				
Geologic hazards assessments	75,283	73,007	77,052	+1,769
Geologic landscape and coastal assessments	78,351	75,230	77,331	-1,020
Geologic resource assessments	80,549	72,517	78,121	-2,428
Subtotal, Geologic Hazards, Resource & Processes	234,183	220,754	232,504	-1,679
Water Resources Investigations				
Hydrologic monitoring, assessments and research				
Ground water resources program	5,967	6,688	7,100	+1,133
National water quality assessment	63,285	62,506	62,559	-726
Toxic substances hydrology	14,902	12,638	14,690	-212
Hydrologic research and development	17,112	14,333	16,234	-878
National streamflow information program	14,179	14,018	14,018	-161
Hydrologic networks and analysis	29,852	29,492	29,961	+109
Subtotal, Hydrologic monitoring, assessments and research	145,297	139,675	144,562	-735
Federal-State program	63,995	63,007	63,262	-733
Water resources research institutes	6,422	---	6,500	+78
Subtotal, Water Resources Investigations	215,714	202,682	214,324	-1,390
Biological Research				
Biological research and monitoring	135,110	129,226	135,066	-44
Biological information management and delivery	24,662	24,265	24,337	-325
Cooperative research units	14,757	14,113	14,816	+59
Subtotal, Biological Research	174,529	167,604	174,219	-310
Enterprise Information				
Enterprise information security and technology	---	22,498	23,034	+23,034
Enterprise information resources	---	17,233	17,228	+17,228
Federal geographic data coordination	---	5,416	4,736	+4,736
Subtotal, Enterprise Information	---	45,147	44,998	+44,998
Science support	90,811	68,716	66,508	-24,303
Facilities	92,989	95,944	95,944	+2,955
TOTAL, UNITED STATES GEOLOGICAL SURVEY	937,985	919,788	948,921	+10,936
MINERALS MANAGEMENT SERVICE				
Royalty and Offshore Minerals Management				
OCS Lands				
Leasing and environmental program	37,037	37,462	37,462	+425
Resource evaluation	27,081	28,057	29,857	+2,776
Regulatory program	49,465	50,438	52,038	+2,573
Information management program	25,706	30,147	30,147	+4,441
Subtotal, OCS Lands	139,289	146,104	149,504	+10,215

DEPARTMENT OF INTERIOR AND RELATED AGENCIES
(Amounts in thousands)

	FY 2004 Enacted	FY 2005 Request	Conference	Conference vs. Enacted
Royalty Management				
Compliance and asset management	45,857	47,749	41,949	-3,908
Revenue and operations	33,860	34,142	34,142	+282
Indian allottee refunds	15	15	15	---
Subtotal, Royalty Management	79,732	81,906	76,106	-3,626
General Administration				
Executive direction	2,049	2,072	2,072	+23
Policy and management improvement	4,111	4,176	4,176	+65
Administrative operations	16,639	17,181	17,181	+542
General support services	21,690	23,866	23,866	+2,176
Subtotal, General Administration	44,489	47,295	47,295	+2,806
Subtotal (gross)	263,510	275,305	272,905	+9,395
Use of receipts	-100,230	-103,730	-103,730	-3,500
Total, Royalty and Offshore Minerals Management	163,280	171,575	169,175	+5,895
Oil Spill Research				
Oil spill research	7,017	7,105	7,105	+88
TOTAL, MINERALS MANAGEMENT SERVICE	170,297	178,680	176,280	+5,983
OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT				
Regulation and Technology				
Environmental restoration	161	161	161	---
Environmental protection	78,484	79,953	80,953	+2,469
Technology development and transfer	12,592	13,487	13,487	+895
Financial management	485	492	492	+7
Executive direction	13,391	14,712	14,712	+1,321
Subtotal, Regulation and Technology	105,113	108,805	109,805	+4,692
Civil penalties	271	100	100	-171
Total, Regulation and Technology	105,384	108,905	109,905	+4,521
Abandoned Mine Reclamation Fund				
Environmental restoration	173,472	170,229	170,229	-3,243
Legislative proposal	---	53,000	---	---
Technology development and transfer	4,132	4,542	4,542	+410
Financial management	6,183	8,565	8,565	+2,382
Executive direction	6,804	7,527	7,527	+723
Total, Abandoned Mine Reclamation Fund	190,591	243,863	190,863	+272
TOTAL, OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT	295,975	352,768	300,768	+4,793
BUREAU OF INDIAN AFFAIRS				
Operation of Indian Programs				
Tribal Budget System				
Tribal Priority Allocations				
Tribal government	387,223	391,666	394,666	+7,443
Human services	147,745	147,465	149,465	+1,720
Education	49,375	48,980	48,980	-395
Public safety and justice	1,229	1,239	1,239	+10
Community development	39,969	41,226	41,226	+1,257
Resources management	62,253	62,872	62,872	+619
Trust services	57,654	56,906	56,906	-748
General administration	25,189	25,277	25,277	+88
Subtotal, Tribal Priority Allocations	770,637	775,631	780,631	+9,994

DEPARTMENT OF INTERIOR AND RELATED AGENCIES
(Amounts in thousands)

	FY 2004 Enacted	FY 2005 Request	Conference	Conference vs. Enacted
Other Recurring Programs				
Education				
School operations				
Forward-funded	452,874	453,115	456,057	+3,183
Other school operations	69,129	69,253	69,253	+124
Subtotal, School operations	522,003	522,368	525,310	+3,307
Continuing education	48,600	43,390	53,890	+5,290
Subtotal, Education	570,603	565,758	579,200	+8,597
Resources management	43,533	34,853	42,724	-809
Subtotal, Other Recurring Programs	614,136	600,611	621,924	+7,788
Non-Recurring Programs				
Community development	2,469	---	---	-2,469
Resources management	35,988	36,584	40,626	+4,638
Trust services	37,184	36,427	36,427	-757
Subtotal, Non-Recurring Programs	75,641	73,011	77,053	+1,412
Total, Tribal Budget System	1,460,414	1,449,253	1,479,608	+19,194
BIA Operations				
Central Office Operations				
Tribal government	2,867	3,136	2,279	-588
Human services	896	899	899	+3
Community development	864	871	---	-864
Resources management	3,445	3,464	3,464	+19
Trust services	5,252	19,340	19,340	+14,088
General administration				
Education program management	2,383	2,381	2,381	-2
Education personnel services	2,107	2,135	5,946	+3,839
Other general administration	70,692	102,218	107,712	+37,020
Subtotal, General administration	75,182	106,734	116,039	+40,857
Subtotal, Central Office Operations	88,506	134,444	142,021	+53,515
Regional Office Operations				
Tribal government	1,328	1,111	1,111	-217
Human services	3,152	3,081	3,081	-71
Community development	846	789	789	-57
Resources management	5,407	5,394	5,394	-13
Trust services	24,134	24,388	24,388	+254
General administration	28,819	27,760	7,183	-21,636
Subtotal, Regional Office Operations	63,686	62,523	41,946	-21,740
Special Programs and Pooled Overhead				
Education	16,252	16,566	16,566	+314
Public safety and justice	172,495	182,600	182,600	+10,105
Community development	8,254	1,057	9,272	+1,018
Resources management	1,290	1,287	1,287	-3
General administration	81,809	81,747	81,747	-62
Subtotal, Special Programs and Pooled Overhead	280,100	283,257	291,472	+11,372
Total, BIA Operations	432,292	480,224	475,439	+43,147
Total, Operation of Indian Programs	1,892,706	1,929,477	1,955,047	+62,341
BIA SPLITS				
Natural resources	(151,916)	(144,454)	(156,367)	(+4,451)
Forward-funding	(452,874)	(453,115)	(456,057)	(+3,183)
Education	(187,846)	(182,705)	(197,016)	(+9,170)
Community development	(1,100,070)	(1,149,203)	(1,145,607)	(+45,537)
Total, BIA splits	(1,892,706)	(1,929,477)	(1,955,047)	(+62,341)

DEPARTMENT OF INTERIOR AND RELATED AGENCIES
(Amounts in thousands)

	FY 2004 Enacted	FY 2005 Request	Conference	Conference vs. Enacted
Construction				
Education	294,954	229,083	267,083	-27,871
Public safety and justice	4,981	4,985	7,485	+2,504
Resources management	38,679	40,857	40,857	+2,178
General administration	2,154	2,156	2,156	+2
Construction management	6,057	6,045	6,045	-12
Total, Construction	346,825	283,126	323,626	-23,199
Indian Land and Water Claim Settlements and Miscellaneous Payments to Indians				
White Earth Land Settlement Act (Admin)	629	625	625	-4
Hoopa-Yurok settlement fund	252	250	250	-2
Pyramid Lake water rights settlement	143	142	142	-1
Ute Indian water rights settlement	20,782	---	---	-20,782
Rocky Boy's	33	---	---	-33
Shivwits Band Settlement	123	---	---	-123
Santo Domingo Pueblo Settlement	9,884	---	---	-9,884
Colorado Ute Settlement	8,052	8,000	8,000	-52
Cherokee, Choctaw, and Chickasaw settlement	10,000	9,972	9,972	-28
Quinault Settlement	9,936	32	10,032	+96
Transfer from '03 FWS land acquisition	-4,968	---	---	+4,968
Zuni Water Settlement	---	14,000	14,000	+14,000
Cuba Lake Settlement	---	1,750	1,750	+1,750
Total, Miscellaneous Payments to Indians	54,866	34,771	44,771	-10,095
Indian Guaranteed Loan Program Account				
Indian guaranteed loan program account	6,417	6,421	6,421	+4
TOTAL, BUREAU OF INDIAN AFFAIRS	2,300,814	2,253,795	2,329,865	+29,051
DEPARTMENTAL OFFICES				
Insular Affairs				
Assistance to Territories				
Territorial Assistance				
Office of Insular Affairs	6,243	6,563	6,563	+320
Technical assistance	12,406	7,561	11,881	-525
Maintenance assistance fund	2,272	2,300	2,300	+28
Brown tree snake	2,321	2,700	2,700	+379
Insular management controls	1,472	1,491	1,491	+19
Coral reef initiative	494	500	500	+6
Insular measures and assessments	---	1,000	---	---
Subtotal, Territorial Assistance	25,208	22,115	25,435	+227
American Samoa				
Operations grants	22,816	23,100	23,100	+284
Northern Marianas				
Covenant grants	27,720	27,720	27,720	---
Total, Assistance to Territories	75,744	72,935	76,255	+511
Compact of Free Association				
Compact of Free Association - Federal services	2,700	3,941	2,999	+299
Mandatory payments - program grant assistance	2,000	2,000	2,000	---
Enewetak support	1,679	---	500	-1,179
Total, Compact of Free Association	6,379	5,941	5,499	-880
Total, Insular Affairs	82,123	78,876	81,754	-369
Departmental Management				
Departmental direction	13,457	13,546	13,546	+89
Management and coordination	28,560	29,356	28,956	+396
Hearings and appeals	7,981	8,030	8,030	+49
Central services	26,885	27,978	27,938	+1,053
Bureau of Mines workers compensation/unemployment	683	638	638	-45
Take Pride in America	494	1,000	497	+3

DEPARTMENT OF INTERIOR AND RELATED AGENCIES
(Amounts in thousands)

	FY 2004 Enacted	FY 2005 Request	Conference	Conference vs. Enacted
Financial and business management system	---	18,555	14,250	+14,250
Grant to Kendall County, Illinois	4,939	---	---	-4,939
Foreign currency account	-1,400	---	---	+1,400
General reduction	---	---	-3,000	-3,000
Subtotal, Departmental management	81,599	99,103	90,855	+9,256
By transfer from Central Hazardous Material Fund	---	---	-13,500	-13,500
Total, Departmental Management	81,599	99,103	77,355	-4,244
Working Capital Fund				
Working capital fund (cancellation)	-20,000	---	---	+20,000
Financial management system migration project	11,555	---	---	-11,555
Subtotal, Working Capital fund	-8,445	---	---	+8,445
Payments in Lieu of Taxes				
Payments to local governments	224,696	226,000	230,000	+5,304
Office of the Solicitor				
Legal services	39,419	41,865	41,492	+2,073
General administration	9,302	10,280	9,838	+536
Ethics	1,032	1,308	1,054	+22
Total, Office of the Solicitor	49,753	53,453	52,384	+2,631
Office of Inspector General				
Audit	16,188	17,049	16,499	+311
Contracted CFO Audits	3,765	---	---	-3,765
Investigations	7,977	14,270	13,720	+5,743
Program integrity	1,832	---	---	-1,832
Policy and management	8,509	---	---	-8,509
Administrative services and information management	---	8,081	7,581	+7,581
Total, Office of Inspector General	38,271	39,400	37,800	-471
Office of Special Trustee for American Indians				
Federal Trust Programs				
Program operations, support, and improvements	185,058	245,419	194,020	+8,962
Executive direction	2,247	2,247	2,247	---
Total, Federal Trust programs	187,305	247,666	196,267	+8,962
Indian Land Consolidation Program				
Indian land consolidation	21,709	70,000	35,000	+13,291
Total, Office of Special Trustee for American Indians	209,014	317,666	231,267	+22,253
Natural Resource Damage Assessment Fund				
Damage assessments	3,885	3,899	3,899	+14
Program management	1,432	1,548	1,548	+116
Restoration support	247	371	371	+124
Total, Natural Resource Damage Assessment Fund	5,564	5,818	5,818	+254
Miscellaneous appropriations (P.L. 108-199)	99	---	---	-99
TOTAL, DEPARTMENTAL OFFICES	682,674	820,316	716,378	+33,704
TOTAL, TITLE I, DEPARTMENT OF THE INTERIOR	9,847,964	9,971,299	9,888,199	+40,235
Appropriations	(9,779,548)	(10,001,299)	(9,918,199)	(+138,651)
Emergency appropriations	(98,416)	---	---	(-98,416)
Rescission	(-30,000)	(-30,000)	(-30,000)	---

DEPARTMENT OF INTERIOR AND RELATED AGENCIES
(Amounts in thousands)

	FY 2004 Enacted	FY 2005 Request	Conference	Conference vs. Enacted
TITLE II - RELATED AGENCIES				
DEPARTMENT OF AGRICULTURE				
FOREST SERVICE				
Forest and Rangeland Research				
Forest and rangeland research	266,387	280,654	280,278	+13,891
State and Private Forestry				
Forest Health Management				
Federal lands forest health management	53,829	46,012	55,000	+1,171
Cooperative lands forest health management	44,741	25,214	48,300	+3,559
Emerging pests and pathogens	---	10,000	---	---
Subtotal, Forest Health Management	98,570	81,226	103,300	+4,730
Cooperative Fire Protection				
State fire assistance	33,384	25,062	33,384	---
Volunteer fire assistance	5,037	5,043	6,000	+963
Emergency appropriations (P.L. 108-199)	24,853	---	---	-24,853
Subtotal, Cooperative Fire Protection	63,274	30,105	39,384	-23,890
Cooperative Forestry				
Forest stewardship	31,884	40,692	32,775	+891
Forest Legacy	64,134	100,019	57,939	-6,195
Urban and Community Forestry	34,864	31,961	32,400	-2,464
Economic action programs	25,606	---	19,300	-6,306
Forest resource information and analysis	4,939	5,028	5,028	+89
Subtotal, Cooperative Forestry	161,427	177,700	147,442	-13,985
International program	5,926	5,357	6,500	+574
Total, State and Private Forestry	329,197	294,388	296,626	-32,571
National Forest System				
Land management planning	69,995	59,057	64,057	-5,938
Inventory and monitoring	169,659	191,345	169,659	---
Recreation, heritage and wilderness	255,050	257,344	260,969	+5,919
Wildlife and fish habitat management	135,683	134,522	136,647	+964
Grazing management	45,899	43,422	48,711	+2,812
Forest products	265,013	274,297	277,097	+12,084
Vegetation and watershed management	193,689	194,335	192,285	-1,404
Minerals and geology management	53,399	59,532	56,532	+3,133
Landownership management	91,550	92,427	93,427	+1,877
Law enforcement operations	82,828	82,326	87,226	+4,398
Valles Caldera National Preserve	3,112	992	3,650	+538
Hazardous fuels	---	266,238	---	---
Centennial of Service challenge	---	---	10,000	+10,000
Total, National Forest System	1,365,877	1,655,837	1,400,260	+34,383
Wildland Fire Management				
Preparedness	671,621	666,227	686,000	+14,379
Fire suppression operations	597,130	685,400	658,000	+60,870
Borrowing repayment (emergency appropriations)	299,224	---	---	-299,224
Supplemental appropriations (P.L. 108-287)	400,000	---	---	-400,000
Subtotal, Fire suppression operations	1,296,354	685,400	658,000	-638,354
Other operations				
Hazardous fuels	233,480	---	266,238	+32,758
Rehabilitation	6,914	3,000	13,000	+6,086
Fire plan research and development	22,025	19,361	22,025	---
Joint fire sciences program	7,901	---	8,000	+99
Forest health management (federal lands)	14,815	7,171	15,000	+185
Forest health management (co-op lands)	9,877	5,482	10,000	+123
State fire assistance	51,063	34,245	40,745	-10,318
Volunteer fire assistance	8,138	8,000	8,000	-138
Subtotal, Other operations	354,213	77,259	383,008	+28,795

DEPARTMENT OF INTERIOR AND RELATED AGENCIES
(Amounts in thousands)

	FY 2004 Enacted	FY 2005 Request	Conference	Conference vs. Enacted
Emergency appropriations (P.L. 108-199)	24,853	---	---	-24,853
Total, Wildland Fire Management	2,347,041	1,428,886	1,727,008	-620,033
Capital Improvement and Maintenance				
Facilities	214,366	191,338	201,568	-12,798
Roads	234,538	227,906	229,586	-4,952
Trails	74,718	71,791	76,774	+2,056
Infrastructure improvement	31,605	10,024	14,024	-17,581
Total, Capital Improvement and Maintenance	555,227	501,059	521,952	-33,275
Land Acquisition				
Forest Service				
Acquisitions	49,573	49,385	46,366	-3,207
Acquisition management	14,815	13,000	13,000	-1,815
Cash equalization	494	1,500	1,000	+506
Critical inholdings/wilderness protection	1,481	3,000	1,500	+19
Total, Land Acquisition	66,363	66,885	61,866	-4,497
Acquisition of lands for national forests, special acts	1,056	1,069	1,069	+13
Acquisition of lands to complete land exchanges	231	234	234	+3
Range betterment fund	2,963	3,064	3,064	+101
Gifts, donations and bequests for forest and rangeland research	90	65	65	-25
Management of national forest lands for subsistence uses	5,467	5,962	5,962	+495
TOTAL, FOREST SERVICE	4,939,899	4,238,103	4,298,384	-641,515
DEPARTMENT OF ENERGY				
Clean Coal Technology				
Deferral	-97,000	---	-257,000	-160,000
Rescission	-88,000	-237,000	---	+88,000
Total, Clean Coal Technology	-185,000	-237,000	-257,000	-72,000
Fossil Energy Research and Development				
Clean coal power initiative	169,881	50,000	50,000	-119,881
FutureGen	8,889	237,000	18,000	+9,111
Fuels and Power Systems				
Central Systems				
Innovations for existing plants	21,729	18,050	19,350	-2,379
Advanced Systems				
Integrated gasification combined cycle	50,372	34,450	46,450	-3,922
Combustion systems including hybrid	4,939	---	5,300	+361
Turbines	12,840	12,000	15,600	+2,760
Subtotal, Advanced Systems	68,151	46,450	67,350	-801
Subtotal, Central Systems	89,880	64,500	86,700	-3,180
Sequestration R&D				
Greenhouse gas control	40,297	49,000	46,000	+5,703
Fuels				
Transportation fuels and chemicals	21,927	16,000	23,800	+1,873
Solid fuels and feedstocks	5,985	---	6,000	+15
Advanced fuels research	3,308	---	2,800	-508
Subtotal, Fuels	31,220	16,000	32,600	+1,380
Advanced Research				
Coal utilization science	11,852	8,000	17,800	+5,948
Materials	11,111	8,000	11,000	-111
Technology crosscut	11,326	10,500	10,500	-826
University coal research	2,945	3,000	3,000	+55

DEPARTMENT OF INTERIOR AND RELATED AGENCIES
(Amounts in thousands)

	FY 2004 Enacted	FY 2005 Request	Conference	Conference vs. Enacted
HBCUs, education and training	981	1,000	1,000	+19
Subtotal, Advanced Research	38,215	30,500	43,300	+5,085
Distributed Generation Systems - Fuel Cells				
Advanced research	9,876	---	12,376	+2,500
Systems development	10,865	---	3,000	-7,865
Vision 21-hybrids	12,840	---	5,100	-7,740
Innovative concepts	35,063	23,000	55,000	+19,937
Novel generation	2,469	---	3,000	+531
Subtotal, Distributed Generation Systems - Fuel Cells	71,113	23,000	78,476	+7,363
U.S./China Energy and Environmental Center	988	---	1,000	+12
Subtotal, Fuels and Power Systems	271,713	183,000	288,076	+16,363
Gas				
Natural Gas Technologies				
Exploration and production	22,203	17,500	24,000	+1,797
Gas hydrates	9,383	6,000	9,500	+117
Infrastructure	8,939	---	8,471	-468
Effective environmental protection	2,469	2,500	3,500	+1,031
Subtotal, Gas	42,994	26,000	45,471	+2,477
Petroleum - Oil Technology				
Exploration and production supporting research	18,450	3,000	19,000	+550
Reservoir life extension/management	6,914	5,000	6,000	-914
Effective environmental protection	9,714	7,000	9,400	-314
Subtotal, Petroleum - Oil Technology	35,078	15,000	34,400	-678
Cooperative R&D	8,395	3,000	8,400	+5
Fossil energy environmental restoration	9,595	6,000	9,600	+5
Import/export authorization	2,716	1,799	1,799	-917
Headquarters program direction	22,189	22,749	22,749	+560
Energy Technology Center program direction	69,221	69,251	69,251	+30
Clean coal program direction	14,815	14,000	14,000	-815
General plant projects	6,914	---	7,000	+86
Advanced metallurgical processes	9,876	8,000	10,000	+124
Special recruitment programs	---	---	665	+665
National Academy of Sciences program review	494	---	500	+6
Total, Fossil Energy Research and Development	672,770	635,799	579,911	-92,859
Naval Petroleum and Oil Shale Reserves				
Oil Reserves				
Production and operations	9,699	8,676	8,676	-1,023
Management	8,296	9,324	9,324	+1,028
Total, Naval Petroleum and Oil Shale Reserves	17,995	18,000	18,000	+5
Elk Hills School Lands Fund				
Elk Hills school lands fund	---	36,000	---	---
Advance appropriations from previous years	36,000	36,000	36,000	---
Advance appropriations, FY 2005	36,000	---	---	-36,000
Advance appropriations, FY 2006	---	---	36,000	+36,000
Total, Elk Hills School Lands Fund	72,000	72,000	72,000	---
Energy Conservation				
Vehicle technologies	178,003	156,656	169,756	-8,247
Fuel cell technologies	65,187	77,500	76,000	+10,813
Intergovernmental activities				
Weatherization assistance grants	227,166	---	---	-227,166
State energy program grants	43,952	40,798	44,798	+846
State energy activities	2,324	2,353	2,353	+29
Gateway deployment	35,170	29,716	35,466	+296
Total, Intergovernmental activities	308,612	72,867	82,617	-225,995
Distributed energy resources	61,023	53,080	60,980	-43
Building technologies	59,866	58,284	68,084	+8,218
Industrial technologies	93,068	58,102	76,411	-16,657

DEPARTMENT OF INTERIOR AND RELATED AGENCIES
(Amounts in thousands)

	FY 2004 Enacted	FY 2005 Request	Conference	Conference vs. Enacted
Biomass and biorefinery systems R&D	7,506	8,680	7,680	+174
Federal energy management program	19,716	17,900	18,400	-1,316
Program management	85,004	81,664	89,164	+4,160
Total, Energy Conservation	877,985	584,733	649,092	-228,893
Economic Regulation				
Office of Hearings and Appeals	1,034	---	---	-1,034
Strategic Petroleum Reserve				
Storage facilities development and operations	155,045	155,100	155,100	+55
Management	15,904	17,000	17,000	+1,096
Total, Strategic Petroleum Reserve	170,949	172,100	172,100	+1,151
Northeast Home Heating Oil Reserve				
Northeast home heating oil reserve	4,939	5,000	5,000	+61
Energy Information Administration				
National energy information system	81,100	85,000	85,000	+3,900
TOTAL, DEPARTMENT OF ENERGY	1,713,772	1,335,632	1,324,103	-389,669
DEPARTMENT OF HEALTH AND HUMAN SERVICES				
INDIAN HEALTH SERVICE				
Indian Health Services				
Clinical Services				
IHS and tribal health delivery				
Hospital and health clinic programs	1,249,782	1,295,353	1,307,103	+57,321
Dental health program	104,513	110,255	110,255	+5,742
Mental health program	53,294	55,801	55,801	+2,507
Alcohol and substance abuse program	138,250	141,680	141,680	+3,430
Contract care	479,070	479,085	487,085	+8,015
Catastrophic health emergency fund	---	18,000	18,000	+18,000
Subtotal, Clinical Services	2,024,909	2,100,174	2,119,924	+95,015
Preventive Health				
Public health nursing	42,580	45,576	45,576	+2,996
Health education	11,793	12,633	12,633	+840
Community health representatives program	50,996	52,383	52,383	+1,387
Immunization (Alaska)	1,561	1,604	1,604	+43
Subtotal, Preventive Health	106,930	112,196	112,196	+5,266
Urban health projects	31,619	32,410	32,410	+791
Indian health professions	30,774	30,803	30,803	+29
Tribal management	2,376	2,376	2,376	---
Direct operations	60,714	61,795	62,293	+1,579
Self-governance	5,644	5,672	5,672	+28
Contract support costs	267,398	267,398	267,398	---
Medicare/Medicaid Reimbursements				
Hospital and clinic accreditation (Est. collecting)	(567,620)	(598,662)	(598,662)	(+31,042)
Total, Indian Health Services	2,530,364	2,612,824	2,633,072	+102,708
(Non-contract services)	(2,051,294)	(2,115,739)	(2,127,987)	(+76,693)
(Contract care)	(479,070)	(479,085)	(487,085)	(+8,015)
(Catastrophic health emergency fund)	---	(18,000)	(18,000)	(+18,000)
Indian Health Facilities				
Maintenance and improvement	48,897	48,897	49,897	+1,000
Sanitation facilities	93,015	103,158	93,158	+143
Construction facilities	94,555	41,745	89,845	-4,710
Facilities and environmental health support	137,803	143,567	143,567	+5,764

DEPARTMENT OF INTERIOR AND RELATED AGENCIES
(Amounts in thousands)

	FY 2004 Enacted	FY 2005 Request	Conference	Conference vs. Enacted
Equipment	17,081	17,081	17,581	+500
Total, Indian Health Facilities	391,351	354,448	394,048	+2,697
TOTAL, INDIAN HEALTH SERVICE	2,921,715	2,967,272	3,027,120	+105,405
OTHER RELATED AGENCIES				
OFFICE OF NAVAJO AND HOPI INDIAN RELOCATION				
Salaries and expenses	13,366	11,000	5,000	-8,366
INSTITUTE OF AMERICAN INDIAN AND ALASKA NATIVE CULTURE AND ARTS DEVELOPMENT				
Payment to the Institute	6,173	6,000	6,000	-173
SMITHSONIAN INSTITUTION				
Salaries and Expenses				
Museum and Research Institutes				
Anacostia Museum and Center for African American History and Culture	1,884	1,890	1,890	+6
Archives of American Art	1,826	1,832	1,832	+6
Arthur M. Sackler Gallery/Freer Gallery of Art	5,719	5,737	5,737	+18
Center for Folklife and Cultural Heritage	1,930	1,936	1,936	+6
Cooper-Hewitt, National Design Museum	3,088	3,097	3,097	+9
Hirshhorn Museum and Sculpture Garden	4,099	4,053	4,053	-46
National Air and Space Museum	21,233	16,491	16,491	-4,742
National Museum of African American History and Culture	---	5,000	4,000	+4,000
National Museum of African Art	4,510	4,234	4,234	-276
Smithsonian American Art Museum	7,644	7,668	7,668	+24
National Museum of American History	20,182	20,409	20,409	+227
National Museum of the American Indian	38,135	32,169	32,169	-5,966
National Museum of Natural History	42,785	42,490	42,490	-295
National Portrait Gallery	4,925	5,027	5,027	+102
National Zoological Park	18,492	17,824	17,824	-668
Astrophysical Observatory	21,532	21,601	21,601	+69
Center for Materials Research and Education	3,498	3,510	3,510	+12
Environmental Research Center	2,876	3,048	3,048	+172
Tropical Research Institute	11,141	11,176	11,676	+535
Subtotal, Museums and Research Institutes	215,499	209,192	208,692	-6,807
Program Support and Outreach				
Outreach	9,277	10,106	10,106	+829
Communications	1,369	1,457	1,457	+88
Institution-wide programs	6,119	6,138	6,138	+19
Office of Exhibits Central	2,626	2,635	2,635	+9
Major scientific instrumentation	4,939	4,000	4,000	-939
Museum Support Center	1,657	1,663	1,663	+6
Smithsonian Institution Archives	1,643	1,649	1,649	+6
Smithsonian Institution Libraries	8,704	8,732	8,732	+28
Subtotal, Program Support and Outreach	36,334	36,380	36,380	+46
Administration	63,890	66,616	64,916	+1,026
Facilities Services				
Facilities maintenance	40,115	39,943	39,943	-172
Facilities operations, security and support	140,074	146,994	145,994	+5,920
Subtotal, Facilities Services	180,189	186,937	185,937	+5,748
Offsetting reduction, FY 2004	-7,259	---	---	+7,259
Total, Salaries and Expenses	488,653	499,125	495,925	+7,272
Facilities Capital				
Revitalization	89,553	111,910	111,910	+22,357
Construction	9,876	8,990	7,990	-1,886

DEPARTMENT OF INTERIOR AND RELATED AGENCIES
(Amounts in thousands)

	FY 2004 Enacted	FY 2005 Request	Conference	Conference vs. Enacted
Facilities planning and design	8,197	8,000	8,000	-197
Total, Facilities capital	107,626	128,900	127,900	+20,274
TOTAL, SMITHSONIAN INSTITUTION	596,279	628,025	623,825	+27,546
NATIONAL GALLERY OF ART				
Salaries and Expenses				
Care and utilization of art collections	29,837	31,947	31,947	+2,110
Operation and maintenance of buildings and grounds	20,626	22,351	22,351	+1,725
Protection of buildings, grounds and contents	18,926	19,867	19,867	+941
General administration	17,379	18,835	18,835	+1,456
Total, Salaries and Expenses	86,768	93,000	93,000	+6,232
Repair, Restoration and Renovation of Buildings				
Base program	11,457	11,100	11,100	-357
TOTAL, NATIONAL GALLERY OF ART	98,225	104,100	104,100	+5,875
JOHN F. KENNEDY CENTER FOR THE PERFORMING ARTS				
Operations and maintenance	16,356	17,152	17,152	+796
Construction	15,803	16,334	16,334	+531
TOTAL, JOHN F. KENNEDY CENTER FOR THE PERFORMING ARTS	32,159	33,486	33,486	+1,327
WOODROW WILSON INTERNATIONAL CENTER FOR SCHOLARS				
Salaries and expenses	8,498	8,987	8,987	+489
NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES				
National Endowment for the Arts				
Grants and Administration				
Grants				
Direct grants	46,541	47,121	46,541	---
Challenge America grants	13,038	13,200	13,038	---
National Initiative: American Masterpieces	---	9,000	2,000	+2,000
State partnerships				
State and regional	24,418	24,723	24,418	---
Underserved set-aside	6,609	6,691	6,609	---
Challenge America grants	8,691	8,800	8,691	---
National Initiative: American Masterpieces	---	6,000	---	---
Subtotal, State partnerships	39,718	46,214	39,718	---
Subtotal, Grants	99,297	115,535	101,297	+2,000
Program support	1,288	1,515	1,288	---
Administration	20,387	22,350	20,387	---
Total, Arts	120,972	139,400	122,972	+2,000
National Endowment for the Humanities				
Grants and Administration				
Grants				
Federal/State partnership	31,436	31,829	31,829	+393
Preservation and access	18,672	18,905	18,905	+233
Public programs	12,952	13,114	13,114	+162
Research programs	12,902	13,063	13,063	+161
Education programs	12,468	12,624	12,624	+156
Program development	392	397	397	+5
We The People Initiative grants	9,876	33,000	11,376	+1,500
Subtotal, Grants	98,698	122,932	101,308	+2,610

DEPARTMENT OF INTERIOR AND RELATED AGENCIES
(Amounts in thousands)

	FY 2004 Enacted	FY 2005 Request	Conference	Conference vs. Enacted
Administrative Areas				
Administration	20,688	22,946	22,569	+1,881
Total, Grants and Administration	119,386	145,878	123,877	+4,491
Matching Grants				
Treasury funds	5,616	5,686	5,686	+70
Challenge grants	10,308	10,436	10,436	+128
Total, Matching Grants	15,924	16,122	16,122	+198
Total, Humanities	135,310	162,000	139,999	+4,689
TOTAL, NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES	256,282	301,400	262,971	+6,689
COMMISSION OF FINE ARTS				
Salaries and expenses	1,405	1,793	1,793	+388
NATIONAL CAPITAL ARTS AND CULTURAL AFFAIRS				
Grants	6,914	5,000	7,000	+86
ADVISORY COUNCIL ON HISTORIC PRESERVATION				
Salaries and expenses	3,951	4,600	4,600	+649
NATIONAL CAPITAL PLANNING COMMISSION				
Salaries and expenses	7,635	8,155	8,000	+365
UNITED STATES HOLOCAUST MEMORIAL MUSEUM				
Holocaust Memorial Museum	39,505	41,433	41,433	+1,928
PRESIDIO TRUST				
Operations	20,445	20,000	20,000	-445
TOTAL, TITLE II, RELATED AGENCIES	10,666,223	9,714,986	9,776,802	-889,421
Appropriations	(10,430,293)	(9,915,986)	(9,961,802)	(-468,491)
Emergency appropriations	(348,930)	---	---	(-348,930)
Advance appropriations	(72,000)	(36,000)	(72,000)	---
Rescission	(-88,000)	(-237,000)	---	(+88,000)
Deferrals	(-97,000)	---	(-257,000)	(-160,000)
TITLE IV - EMERGENCY WILDLAND FIRE APPROPRIATIONS				
BUREAU OF LAND MANAGEMENT				
Wildland Fire Management				
Fire suppression operations	---	---	100,000	+100,000
DEPARTMENT OF AGRICULTURE				
FOREST SERVICE				
Wildland Fire Management				
Fire suppression operations	---	---	400,000	+400,000
TOTAL, TITLE IV, EMERGENCY WILDLAND FIRE	---	---	500,000	+500,000
TITLE V - GENERAL PROVISION				
Across-the-board cut (.594%) (rescission) (sec. 501)	---	---	-120,024	-120,024
GRAND TOTAL, ALL TITLES	20,514,187	19,686,285	20,044,977	-469,210

CONFERENCE TOTAL—WITH COMPARISONS

The total new budget (obligational) authority for the fiscal year 2005 recommended by the Committee of Conference, with comparisons to the fiscal year 2004 amount, the 2005 budget estimates, and the House and Senate bills for 2005 follow:

[In thousands of dollars]

New budget (obligational) authority, fiscal year 2004	$20,514,187
Budget estimates of new (obligational) authority, fiscal year 2005	19,686,285
House bill, fiscal year 2005	20,030,125
Senate bill, fiscal year 2005	20,256,914
Conference agreement, fiscal year 2005	20,044,977
Conference agreement compared with:	
New budget (obligational) authority, fiscal year 2004	−469,210
Budget estimates of new (obligational) authority, fiscal year 2005	+358,692
House bill, fiscal year 2005	+14,852
Senate bill, fiscal year 2005	−211,937

DIVISION F—LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS 2005

In implementing this agreement, the Departments and agencies should be guided by the language and instructions set forth in House Report 108–636 accompanying the bill H.R. 5006 and Senate Report 108–345 accompanying the bill, S. 2810.

In the cases where the language and instructions in either report specifically address the allocation of funds, each has been reviewed by the conferees and those that are jointly concurred in have been endorsed in this joint statement.

In the cases in which the House or the Senate have directed the submission of a report, such report is to be submitted to both the House and Senate Committees on Appropriations.

The conferees note that section 518 sets forth the reprogramming requirements and limitations for the Departments and agencies funded through this Division, including the requirement to make a written request to the chairmen of the Committees 15 days prior to reprogramming, or to the announcement of intent to reprogram, funds in excess of 10 percent, or $500,000, whichever is less, between programs, projects and activities.

Finally, the conferees request that statements on the effect of this appropriation Act on the Departments and agencies funded in this Division be submitted to the Committees within 45 days of enactment of this Act. The conferees expect that these statements will provide sufficient detail to show the allocation of funds among programs, projects and activities, particularly in accounts where the final appropriation is different than that of the budget request. Furthermore, the conferees request the statements to also include the effect of the appropriation on any new activities or major initiatives discussed in the budget justifications accompanying the fiscal year 2005 budget.

The Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2005, put in place by this bill, incorporates the following agreements of the managers:

TITLE I—DEPARTMENT OF LABOR

EMPLOYMENT AND TRAINING ADMINISTRATION

TRAINING AND EMPLOYMENT SERVICES

The conference agreement includes $5,361,957,000 for training and employment services, instead of $5,112,728,000 as proposed by the House and $5,377,662,000 as proposed by the Senate. Of the amount appropriated, $2,463,000,000 is an advance appropriation for fiscal year 2006, as proposed by the House and the Senate.

The Secretary of Labor shall take no action to amend, through regulatory or administration action, the definition established in 20 CFR 667.220 for functions and activities under title I of the Workforce Investment Act until such time as legislation reauthorizing the Act is enacted.

For Adult Employment and Training Activities, the conferees provide $898,107,000 as proposed by the Senate, instead of $900,000,000 as proposed by the House.

For Youth Training, the conferees provide $994,242,000 as proposed by the Senate instead of $1,000,965,000 as proposed by the House.

The conference agreement includes $1,479,419,000 for the Dislocated Worker program, as proposed by both the House and the Senate. The conferees override the formula that provides that 80 percent of the funds provided will be used for State formula grants and 20 percent in a National Reserve Account. For fiscal year 2005 the conferees provide $1,196,048,000 for the State formula grants and $283,371,000 for the National Reserve Account.

The conference agreement includes bill language giving the Secretary of Labor authority to use dislocated worker national reserve funds to provide assistance to a State for statewide or local use in order to address cases where there have been worker dislocations across multiple sectors or across multiple local areas. The conferees urge the Secretary, when determining competitive awards under this authority, to give favorable consideration to the applications of assistance to States that have sustained worker dislocation in such a manner and can demonstrate the capacity to respond effectively in a coordinated fashion across multiple sectors or local areas.

The conferees concur with language in the Senate report regarding the length of time it takes for the Department to approve applications for National Emergency Grants. The conferees request that the Government Accountability Office examine the administration of this program, and make recommendations for improvement.

The conference agreement includes $54,675,000 for Native Americans as proposed by the House instead of $55,000,000 as proposed by the Senate.

The conference agreement includes $1,559,804,000 for Job Corps. Within the total, $1,443,483,000 is provided for continuing operations of the program and $116,321,000 is for renovation and construction of Job Corps centers. The conference recommendation includes an increase of $10,000,000 over the budget request to begin the process of establishing additional Job Corps centers, fol-

lowing up on directions contained in the conference report accompanying Public Law 108–199.

The conference recommendation includes funding to support a demonstration partnership with the Transportation Security Administration (TSA) at multiple Job Corps sites so that the Job Corps can help to fill unmet needs by providing TSA access to an expanded pool of job applicants. This funding will pay costs of both parties. The Department of Labor and the Department of Homeland Security are encouraged to develop a cooperative agreement that would help to leverage Federal resources, to provide TSA with an expanded pool of potential job applications and to utilize Job Corps facilities as appropriate to support the needs of TSA, including those of qualified private screening companies under contract to TSA.

The conferees note that Section 171 of the Workforce Investment Act requires the Secretary, every two years, to publish a plan that describes the demonstration and pilot project priorities of the Labor Department, and expects the next such plan to be completed and published by March 31, 2005.

The conferees further direct that the Department submit an operating plan that outlines the planned allocation by major project and activity (excluding Congressionally-directed projects) of fiscal year 2005 funds for pilots, demonstrations, and research. This plan should be provided to the House and Senate Appropriations Committees no later than May 31, 2005.

The conferees recognized the effectiveness of the Family Enrichment Center in Chicago, Illinois and encourages the Department of Labor to continue its partnership with Haymarket Center in order to enhance efforts to train individuals with severe employment barriers.

With respect to the projects listed below for pilots and demonstrations, the conferees encourage the Department to ensure that these projects are coordinated with local Workforce Investment Boards. The conferees also encourage the Department to ensure that project performance is adequately documented and evaluated. The conference agreement includes the following amounts for the following projects and activities:

413 Hope Mission Ministries, Philadelphia, PA for employment skills training for disadvantaged adults and ex-offenders	$100,000
Abilities Fund in Centerville, IA for a revolving loan fund for entrepreneurs with disabilities	1,000,000
Advanced Ceramics Research, Inc., for academic outreach and workforce development	1,000,000
Alaska Department of Labor and Workforce Development, Juneau, AK to fund training for gas pipeline workers	500,000
American Community Partnerships, Washington, DC, for the Working Together for Jobs-Philadelphia in conjunction with the Philadelphia Housing Authority to provide pre-apprenticeship training	200,000
American Illinois, Inc., Chicago, IL, for its Amer-I-Can program for at-risk youth and ex-offenders	50,000
Amigo de los Rios, Los Angeles, CA, for an environmental career training program for at-risk youth	100,000
Asnuntuck Community College, Enfield, CT, for improvements to Asnuntuck Community College's Manufacturing Technology Center	200,000
Automation Alley, Troy, MI for training	450,000

Aztec Fire Crew, Los Angeles, CA, for a project to train fire-fighters and emergency medical technicians	400,000
Baltimore City, MD, for the ex-offender initiative at the Mayor's Office of Employment Development	450,000
BASE, Inc., Lancaster, PA to continue assisting minorities and women in creating, retaining, and expanding microenterprises	100,000
Ben Franklin Technology Partners, Harrisburg, PA to establish a Commonwealth-wide virtual network to enable companies geographically dispersed across the state to share information, training tools, and other educational resources	100,000
BioPartners, Inc, Nassau County, NY, for life sciences and biotech workforce training at iPark, a biotech and life sciences center	255,000
Bismarck State College, Bismarck, ND, for a National Energy Technology Training and Education Project	500,000
Black Clergy of Philadelphia and Vicinity, Philadelphia, PA to train participants in integrative technology skills in the Philadelphia area in an effort to improve job skills required for the changing job market	4,000,000
Blackhawk Technical College in Janesville, WI for workforce training programs	300,000
Brooklyn Public Library, Brooklyn, NY to expand an education and job information center	500,000
Burlington Technical Center in Burlington, VT to upgrade postgraduate aviation technician training program	200,000
California University of Pennsylvania, California, PA to establish a Center for Biomedical Workforce	100,000
CAMP, Inc., Cleveland, OH, for the development of world-class training services in lean manufacturing process improvement	500,000
Capital IDEA, Austin, TX, for a workforce development and training initiative, including supportive services	320,000
Capital Workforce Partners, Hartford, CT, for the development of the Comprehensive Entrepreneurial Training Systems in New Britain, CT	100,000
Career Academy, Louisville, KY, for a workforce development program	289,000
Career Resources, Bridgeport, CT, for workforce development	100,000
Carl Sandburg College, Galesburg, for job training programs	100,000
Center for Employment Training, San Jose, CA, for an At-Risk Out-of-School Youth Demonstration Project	200,000
Center for Entrepreneurship for the New West, Bozeman, MT to train entrepreneurial students for economic development	125,000
Central California Excellence in Workforce Development for an outreach campaign for career opportunities	100,000
Central Iowa Employment & Training Consortium for a resource center for disabled and disadvantaged individuals	600,000
Central State University, Wilberforce, OH, to implement a world class modular automation training system	200,000
Centralia College, WA, for non-traditional worker training	250,000
Charity Cultural Services Center, San Francisco, CA, for its Skills for Life initiative	400,000
Chattanooga State Technical Community College, Chattanooga, TN	400,000
Cincinnati State Community College, Cincinnati, OH, for an Integrated Systems Technology training program	250,000
City of Auburn, Auburn, NY	300,000
City of Holly Springs Regional Technology Center	100,000
City of Portland, Portland, OR, for its workforce assessment, training and retraining initiative	300,000
City of Santa Ana, Santa Ana, CA, for a one-stop workforce preparation and job search center for youth	200,000
Clackamas Community College, Oregon City, OR, for its energy and resource management workforce training initiative	150,000
Collegiate Consortium for Workforce and Economic Development, Philadelphia, PA, for workforce development and training	300,000
Communities in Schools, San Fernando Valley, Inc., North Hills, CA, for its Striving for Success Jobs Initiative to provide job preparedness and placement for at-risk youth	535,000

Community College of Allegheny County, Pittsburgh, PA, for a Mobile Educational Lab to provide training in critical subject areas	50,000
Community Education Council of Elk and Cameron Counties, St. Marys, PA, for workforce training	75,000
Community Empowerment Association, Pittsburgh, PA, in collaboration with Boys and Girls Harbor, Inc., New York, NY to establish a job readiness and work force development program	100,000
Community Learning Center of Washington County, Salem, IN, for workforce development, training and employment services	150,000
Cook Inlet Tribal Council for the Alaska's People Program in Anchorage, AK	225,000
County of San Bernardino Workforce Investment Board, San Bernardino County, CA	250,000
Desert Research Institute, Reno, Nevada to create the Northern Nevada Technology Initiative to help drive the creation of a high technology workforce in Nevada	150,000
Dorcas Place, Providence, Rhode Island to expand workplace literacy program	150,000
Economic Growth Connection of Westmoreland, Greensburg, PA for workforce skills assessment, development and training initiatives	150,000
Empowerment Group, Philadelphia, PA to provide Latino and minority employers with the technical assistance needed to create jobs and set up on-the-job training programs for low-income residents	100,000
Enrichment Association of Community Healing (TEACH), Columbus, OH for training	325,000
Enterprise Center, Philadelphia, PA to recruit and train minority and underprivileged entrepreneurs	100,000
Excel Institute, Washington, DC, for workforce training in automotive technology and repair	430,000
Expertise, Inc. in Las Vegas, NV, to provide employment training assistance to low income residents	250,000
Fashion Business, Inc., Los Angeles, CA, for workforce development and training	50,000
Fay-Penn Economic Development Council, Uniontown, PA to improve manufacturing competitiveness	100,000
Florida Institute of Technology, Melbourne, FL, to continue a program to assist small businesses in competing for government contracts	900,000
Fort Worth Hispanic Chamber of Commerce, Fort Worth, TX, for an ESL Program	334,000
Fresno County Workforce Investment Board, Fresno, CA, for workforce development	400,000
Fresno County, Department of Employment and Temporary Assistance, Fresno, CA, for Rural Vocational Training Centers	225,000
Hawaii Community Foundation for the Samoan/Asian Pacific Job Training program	500,000
HIREABILITY, Philadelphia, PA to provide employment training to people with disabilities in the Philadelphia region	100,000
Hispanic / Latino Center Inc., Pittsburgh, PA to provide workplace readiness and job training to targeted Hispanic workers	50,000
Houston Area Urban League, Houston, TX, for its Communities to Work Program	300,000
Illinois State University, Normal, IL for training	500,000
Illinois Valley Community College, Oglesby, IL	400,000
Impact Services Corporation, Philadelphia, PA to support its Community Job Placement and Training Program	75,000
Indian Territory Associates, Shawnee, OK to establish an electronic knowledge repository for the employees of the Oklahoma City Air Logistics Center	50,000
Institute for Advanced Learning and Research, Danville, VA, for the Fast-Track Information Technology Workforce Preparation Program	100,000
Institute for Human Investment and Economic Growth, Ashland, OH	100,000
Institute of Furniture Manufacturing and Management, Mississippi State University, Mississippi State, MS	500,000

International Association of Jewish Vocational Services, Philadelphia, PA to provide career services and job training readiness skills to dislocated workers	150,000
Iowa Commission of Latino Affairs to create a certification process for Spanish-English interpreters and translators	243,000
Iowa Valley Community College District, Marshalltown, IA, for equipment and computer and skill training	150,000
Ivy Tech State College, Fort Wayne, IN, for workforce training and development	50,000
Jackson Health System, Miami, FL, for Miami Dade County's Center for Patient Safety	125,000
Jewish Family and Children's Service of Pittsburgh, PA to provide intensive and individualized employment assistance to immigrants that will address the unique barriers that immigrants face	100,000
Jewish Healthcare Foundation, Pittsburgh, PA for the Health Careers Futures program to train individuals for careers in patient care	100,000
Jewish Vocational Service, Los Angeles, CA, for a certified nursing assistant training and job placement initiative	200,000
Jewish Vocational Services, Inc., Boston, MA, for job training and workforce development	400,000
Kennebec Valley Community College Foundation, Fairfield, ME, to support training of skilled workers in the field of Radiology	250,000
Ken's Kids, Inc, Bronx, NY, for vocational training and placement for youth with mental retardation	50,000
Lake County, IL, for a summer youth employment program	200,000
Laramie County Community College, Cheyenne, Wyoming for implementation of a high tech manufacturing training curriculum	100,000
Lawson State Community College, Birmingham, AL, for its Alabama Center for Advanced Training Program	140,000
Louisiana National Guard, New Orleans, LA	100,000
MAGLEV, Inc., McKeesport, PA to create an associate degree training program to train individuals in Advanced Manufacturing Technology for precision fabrication	1,000,000
Maine Manufacturing Extension Partnership (Maine MEP), Rapid Mobilization of the New England Manufacturing Sources to Meet Defense Shortages and Surge Demands for Parts and Equipment	250,000
Marshall County Economic Division, Guntersville, AL, for the Marshall County Workforce Target Project	20,000
Massachusetts League of Community Health Centers, Boston, MA, in collaboration with the East Boston Neighborhood Health Centers for a workforce development initiative	250,000
Massachusetts Manufacturing Extension Partnership, Worcester, MA, for manufacturing workforce development programs	125,000
Massey Center for Business Innovation and Development, Pittsburgh, PA to provide entrepreneurial skills to Veterans	100,000
Maui Community College, Hawaii, for the Remote Rural Hawaii Job Program	1,500,000
Maui Economic Development Board in Hawaii for the Rural Computer Utilization Training Program	300,000
Maui Economic Development Board in Hawaii to continue the Maui High Technical program	300,000
Maura Clarke-Ita Ford Center, in partnership with New York City College of Technology/CUNY, Brooklyn, NY, for workforce development, job training and education programs	250,000
Mayville State University, Mayville, ND, for the Traill County Technology Center	100,000
McKean County Redevelopment Authority, Smethport, PA to create an Education Center in Port Allegheny to further adult education in rural Pennsylvania	100,000
MECA United Cerebral Palsy, Erie, PA to develop a job-training program for adults with disabilities	50,000
Medina County Office of Workforce Development, Medina, OH, for training of individuals in careers associated with Homeland Security	150,000

Melwood Horticultural Training Center, Inc., Upper Marlboro, MD, for the establishment of a document management training and placement program	200,000
Mercy Vocational High School, Philadelphia, PA to expand its Certified Nursing Assistant training program for low-income individuals in North Philadelphia	150,000
Metropolitan Career Center, Philadelphia, PA to offer workforce training to low-income, under educated individuals who lack the ability to gain employment without special assistance	100,000
Milwaukee Area Technical College in Milwaukee, WI for developing skills standards	450,000
Mineral Area College, Park Hills, MO	500,000
Minot State University, Minot, ND, for the Job Corps Executive Management Program	650,000
Mission of Love, Inc., Capitol Heights, MD, for a life skills, workforce preparation, and training initiative	150,000
Mississippi State University, Starkville, MS, Robotics and Automated Systems for Nursery Industry	500,000
Mississippi State University, Starkville, MS, Workforce Development Training Quality Assessment (CAVS)	400,000
Mississippi Valley State University, Automatic Identification Technology	400,000
Montachusett Opportunity Council, Fitchburg, MA, for a career ladder program for certified nursing assistants	200,000
MS Tech Alliance/JSU Business Incubator	500,000
Multicultural Community Family Services, Upper Darby, PA to address the job training needs of area African immigrants and refugees	50,000
National Council of La Raza in Washington, DC, to provide technical assistance on Hispanic workforce issues including capacity building, language barriers, and health care job training	500,000
National Student Partnerships, Washington, DC, for field and national office operations to expand employment and education referral and counseling services	600,000
New York Association for New Americans, New York, NY	100,000
NewCourtland Elder Services, Philadelphia, PA to provide a networking service designed to train existing employees and market nursing home jobs to local residents	150,000
North Carolina Rural Economic Development Center, Raleigh, NC, for Project New Start, to provide employment and training services for dislocated workers	400,000
Northeast Higher Education District, Chisholm, Minnesota, for the TechNorth Prep Center Network	350,000
Northeast States Association for Agricultural Stewardship, Dresden, ME to develop and host a conference on the challenges and opportunities for rural workforce development	75,000
Northwest Arctic Borough School District, Kotzebue, AK, for vocational training	250,000
Northwest Concentrated Employment Program, WI, for the Talent Profiling System	700,000
Northwest Industrial Resource Center, Inc., Erie, PA, for worker training, retraining and technology implementation programs as part of an advanced workforce development initiative	150,000
Opportunities Industrialization Centers of America, Philadelphia, PA to provide skills training in the allied healthcare profession to minorities	250,000
Our House, Inc., Decatur, GA, for the "Parent Intern" program	150,000
Patrick County Education Foundation, Stuart, VA, for a workforce development project for rural communities	100,000
Pennsylvania Industrial Resource Center, Williamsport, PA to help schools develop multi-year, multi-institution curricula that focus on skills for a manufacturing career	100,000
Pennsylvania Learning Network, Harrisburg, PA to provide workforce development and professional training	100,000
Philadelphia Veterans Multi Service Center, Philadelphia, PA for a multipurpose center for job training of veterans	550,000

Phoenix House, Providence, RI, for a Workforce Development Project	100,000
Pine Ridge Area Chamber of Commerce in Kyle, South Dakota for a Workforce Success Program	200,000
Pittsburgh Airport Area Chamber Enterprise Foundation, Moon Township, PA for a business incubator and workforce development program	75,000
Polk Community College, Lakeland, FL, for the Corporate College Program	200,000
Precision Manufacturing Institute, Meadville, PA	100,000
Prince Music Theater, Philadelphia, PA, to develop the Prince Music Theater Training Institute to provide professional training in the arts	75,000
Project ARRIBA, El Paso, TX, for a workforce training initiative	340,000
Project One, Louisville, KY, for employment program technology, salaries and material	25,000
Ramsey County Workforce Solutions, North St. Paul, MN to create software for three east metro hospitals/healthcare systems to assist non-English proficient new Americans advance from entry-level positions to higher-level skilled healthcare careers	100,000
Regional Economic Development District Initiatives (REDDI) of South-Central PA, Harrisburg, PA to assist companies in developing targeted clusters, identifying employers' skill set requirements, and facilitating training opportunities through workforce development partners	100,000
Rend Lake College, Ina, IL, for workforce training	150,000
Rural Enterprises of Oklahoma, Inc., Durant, OK to provide entrepreneurial training	50,000
Saint Louis Community College—Florissant Valley, Saint Louis, MO, for its Integrated Systems Technology technical training initiative at the Metropolitan Education and Training Center	320,000
Schoolcraft College, Livonia, MI, for Advanced Manufacturing Applications	100,000
Second Chance Employment Services, Washington, D.C. to develop a nationwide program that helps abused and other at-risk women find employment	100,000
Second Chance, San Diego, CA, for its Prisoner Re-entry Employment Program	220,000
Shelton State Community College, Tuscaloosa, AL, for workforce development, job training and job placement initiatives	410,000
Sophie Sampson Center of Hope, Society of St. Vincent de Paul South Pinellas, Inc., St. Petersburg, FL	250,000
South Bay Workforce Investment Board, Hawthorne, CA, for its Bridges to Work program	290,000
South Seattle Community College, WA, to expand apprenticeship training	100,000
Southeast Tennessee Development District, Chattanooga, TN	300,000
Southland Health Care Forum, South Holland, IL, for its Southland Health Careers nurse training initiative	100,000
Southwest Alaska Vocational Education Center (SAVEC), King Salmon, AK, for vocational training	500,000
Southwestern Oklahoma State University, Weatherford, OK, for Oklahoma Business Commercialization Center	320,000
Stark State College of Technology, Canton, OH	433,000
Stark State College of Technology, Canton, OH for equipment	200,000
State of Hawaii, Honolulu, HI, for a project for building the capacity of professional healthcare services	2,000,000
State University of New York, College of Environmental Science and Forestry, Syracuse, NY	100,000
Stillman College, Tuscaloosa, AL, for a One-Stop Community Resource Learning Center to provide job readiness, training, placement and supportive services	140,000
Team Taylor County, Campbellsville, KY, for Campbellsville University Technology Training Center	250,000
The Joblinks program for continuation costs	500,000
Tides Center of Western Pennsylvania, Pittsburgh, PA, for the Keys2Work program	25,000

TIGER House, Tunkhannock Area School District, Tunkhannock, PA, for vocational training for special needs students	50,000
Twenty-First Century Council—IMPACT Learning Center, Scottsboro, AL, for workforce development and training	75,000
United Mine Workers of America Career Center, Washington, PA for a technical training and occupational health safety program for mining occupations	800,000
United Mine Workers of America, Fairfax, VA, for the UMWA Career Centers	1,200,000
University of Alaska/Southeast—Ketchikan Campus, Ketchikan, AK to provide skills assessment, training and a certification program for Ketchikan shipyard workers	150,000
University of Hawaii at Maui for the Training & Education Opportunities program	1,800,000
University of Idaho, to continue and expand the Alternative Careers for Idaho Project, to assist persons dislocated from traditional, resource-based Idaho careers	900,000
University of Northern Iowa, Cedar Falls, IA to provide immigration services to Iowa Communities	200,000
University of Wisconsin—Stout, Menomonie, WI, for manufacturing workforce development initiatives	150,000
Upper Catskill Television Network, Inc., Oneonta, NY	100,000
Valencia County Hispano Chamber of Commerce, Belen, NM, for workforce training	250,000
Valley Initiative for Development and Advancement, Weslaco, TX, for a workforce training initiative	320,000
Vermont Department of Employment and Training for a statewide career development system	450,000
Vermont HITEC, Inc of Williston, VT for the Vermont Information Technology Apprenticeship Program	325,000
Vietnam Veterans Leadership Program of Western Pennsylvania, Pittsburgh, PA, for the Jobs for Veteran's Project	750,000
Wallace Community College, Dothan, AL, for the Southeast Alabama Workforce Readiness program	150,000
Waubonsee Community College, Sugar Grove, IL to train integrated systems technologists	300,000
West Shore Community College, Scottsville, MI, for workforce investment and training for unemployed individuals	400,000
West Virginia High Technology Consortium Foundation, Fairmont, WV, for an information technology training program	500,000
Westside Industrial Retention and Expansion Network, Cleveland, OH, for a workforce training project	370,000
WHYY, Inc., Philadelphia, PA, to expand and digitize its GED Connection program to prepare individuals for the workforce	50,000
Women Work, Washington, D.C. for workforce training and development for women in the information technology sector	50,000
Women's Resource Assistance Program Inc., Harvey, IL, for its Career STEPS Self Sufficiency Program to prepare women for nontraditional careers	100,000
Work, Achievement, Values & Education, Inc. (WAVE), Washington, D.C. to provide job skills training to high school drop outs	75,000
Workforce Connections in La Crosse, WI for incumbent worker training	200,000
Workforce Development Council of King County, WA, to provide literacy assistance and job training for immigrants	100,000
Workforce Initiative Association, Canton, OH, for a Workforce Advancement Demonstration project	400,000
Workforce Investment Board of Herkimer, Madison and Oneida Counties, Utica, NY	175,000
Workforce Resource, Inc in Menomonie, WI for incumbent health care worker training	150,000
WorkNet Pinellas, Clearwater, FL	200,000
Wrightco Technologies, Ebensburg, PA to provide security systems installation and high-tech communications training to clients across PA	100,000
Wrightco Technologies, Inc., Claysburg, PA to support job-training program with UMWA	100,000

The conference agreement includes $50,000,000 for Responsible Reintegration of Youthful Offenders as proposed by the Senate. The House did not recommend funds for this activity. The conference agreement also provides $20,000,000 for the prisoner re-entry initiative, instead of $40,000,000 as proposed by the Senate. The House did not recommend funds for this activity. Within the amount provided for prisoner re-entry, the conferees encourage the Department to partner with organizations with a proven history of reducing recidivism by helping individuals exiting prison make the successful transition to employment.

The conference agreement includes $250,000,000 requested by the administration to carry out the Community College/Community-Based Job Training Grant initiative. Of this amount, bill language provides that $125,000,000 is to be allocated from National Emergency Grant funds available under section 132(a)(2)(A) of the Workforce Investment Act, overriding the limitation otherwise imposed under section 171(d). The Secretary is expected to initially use resources from the National Emergency Grants account for these awards that are designated for non-emergencies under sections 171(d) and 170(b) of the Workforce Investment Act. Community-Based Job Training Grant awards will also be subject to the limitations of sections 171(c)(4)(A) through 171(c)(4)(C) of the Workforce Investment Act to ensure that these grants are awarded competitively. Funds used for this initiative should strengthen partnerships between workforce investment boards, community colleges, and employers, to train workers for high growth, high demand industries in the new economy.

The conferees provide $7,000,000 for the Denali Commission for job training instead of $8,000,000 as proposed by the Senate. The House recommendation did not include funds for this activity.

STATE UNEMPLOYMENT INSURANCE AND EMPLOYMENT SERVICE OPERATIONS

The conference agreement appropriates $3,666,235,000 for State Unemployment Insurance and Employment Service Operations, instead of $3,582,848,000 as proposed by the House and $3,636,235,000 as proposed by the Senate. For unemployment insurance services, the bill provides $2,695,214,000 instead of $2,701,214,000 as proposed by the House and $2,665,214,000 as proposed by the Senate. The conference agreement includes $2,684,714,000 for UI State Operations instead of $2,690,714,000 as proposed by the House and $2,654,714,000 as proposed by the Senate. The agreement includes a contingency reserve amount should the unemployment workload exceed an average weekly insured claims volume of 3,227,000 instead of 3,327,000 as proposed by the House.

For the Employment Service grants to states, the agreement includes $786,887,000 as proposed by the Senate instead of $696,000,000 as proposed by the House. This includes $23,300,000 in general funds as proposed by the House instead of $23,163,000 as proposed by the Senate and $763,587,000 from the "Employment Security Administration" account of the unemployment trust fund instead of $672,700,000 as proposed by the House and $763,724,000 as proposed by the Senate.

For Employment Service national activities the agreement includes $65,500,000 as proposed by the Senate, instead of $67,000,000 as proposed by the House.

PROGRAM ADMINISTRATION

The conference agreement appropriates $171,473,000 for Program Administration, instead of $168,854,000 as proposed by the House and $177,615,000 as proposed by the Senate. The detailed table at the end of this joint statement reflects the activity distribution agreed to by the conferees.

EMPLOYMENT STANDARDS ADMINISTRATION

SALARIES AND EXPENSES

The conference agreement includes $404,345,000 for the Employment Standards Administration, salaries and expenses, instead of $402,818,000 as proposed by the House and $405,870,000 as proposed by the Senate. The detailed table at the end of this joint statement reflects the activity distribution agreed to by the conferees.

OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION

SALARIES AND EXPENSES

The conference agreement includes $468,109,000 for the Occupational Safety and Health Administration instead of $461,599,000 as proposed by the House and $468,645,000 as proposed by the Senate. The detailed table at the end of this joint statement reflects the activity distribution agreed to by the conferees.

The conferees concur with the House bill and report language regarding OSHA's enforcement of the Respiratory Standard as it applies to tuberculosis. The conferees advise OSHA to take no further action with regard to respiratory protection for occupational exposure to TB until such time as the CDC has completed the ongoing revisions of its TB guidelines.

The conferees concur with the Senate bill and report language that not less than $3,200,000 is to be used to extend funding for the Institutional Competency Building training grants provided that a grantee has demonstrated satisfactory performance.

MINE SAFETY AND HEALTH ADMINISTRATION

SALARIES AND EXPENSES

The conference agreement includes $281,535,000 for the Mine Safety and Health Administration instead of $275,567,000 as proposed by the House and $280,002,000 as proposed by the Senate. The detailed table at the end of this joint statement reflects the activity distribution agreed to by the conferees.

Within the total, the conference agreement includes $2,000,000 to be available for mine rescue and recovery activities on a noncontingency basis as proposed by the Senate.

The conferees expect the Mine Safety and Health Administration to keep it fully and currently informed of A–76 competitions, and that any competitions will be conducted fairly and equitably

and will result in significant savings and the improvement in the quality of services to taxpayers. The conferees urge all possible diligence to ensure that inherently governmental functions are not subject to A–76 competitions. The conference agreement includes the following amounts for the following projects and activities:

Infrastructure improvements at the Mine Academy in Beckley, West Virginia	$750,000
Wheeling Jesuit University for the National Technology Transfer Center for a coal slurry impoundment pilot project	3,000,000

BUREAU OF LABOR STATISTICS

SALARIES AND EXPENSES

Within the total for the Employment and Unemployment Statistics activity, $5,000,000 is for the Mass Layoff Statistics program as proposed in the Senate bill.

OFFICE OF DISABILITY EMPLOYMENT POLICY

SALARIES AND EXPENSES

The conferees commend ODEP for their efforts to enhance telework opportunities for severely disabled individuals. To build on ODEP's efforts to increase telework opportunities in the federal government, the conferees direct that $1,000,000 be transferred from ODEP to the Centers for Medicare and Medicaid Services (CMS) to build on a previous pilot between ODEP and CMS.

The conferees are pleased that CMS has piloted the performance of CMS call center work by individuals with severe disabilities working from home-based workstations. This model has the potential to be expanded within CMS and replicated outside of CMS by government agencies and others interested in following CMS's lead.

The conference agreement provides such transfer to expand and refine the existing CMS model in conjunction with National Telecommuting Institute, Inc., as well as disseminate information about this telework model to other agencies.

DEPARTMENTAL MANAGEMENT

SALARIES AND EXPENSES

The conference agreement includes $323,422,000 for Departmental Management, salaries and expenses, instead of $264,967,000 as proposed by the House bill and $357,050,000 as proposed by the Senate. The detailed table at the end of this joint statement reflects the activity distribution agreed to by the conferees.

The conference agreement includes $94,000,000 for the Bureau of International Labor Affairs (ILAB). Within the total provided, $79,000,000 is to assist developing countries with the elimination of child labor. Of this amount, $45,000,000 is for the International Labor Organization's International Programme for the Elimination of Child Labor and $34,000,000 is provided for bilateral assistance to improve access to basic education in international areas with a high rate of abusive and exploitative child labor. In addition, the conference agreement includes $2,000,000 for ILAB to build its own

permanent capacity to monitor and report regularly and in-depth to the Congress on the extent to which foreign countries with trade and investment agreements with the United States respect internationally-recognized worker rights and effectively promote core labor standards. The conference agreement also includes $11,000,000 for Federal administration and other ILAB programs.

The conference agreement includes $2,000,000 for the purpose of assisting the International Labor Organization in implementing a program to confront HIV/AIDS in the workplace. The primary purpose of this program shall be to promote workplace policies which combat HIV-related stigma and discrimination, and promote prevention on the basis of tripartite partnerships among workers, employers and governments around the world.

The conferees are disturbed that the Department of Labor transferred fiscal year 2004 funds to augment activities for which funds were previously denied and to initiate new activities for which both the House and Senate Appropriations Committees denied funding. The Appropriations Committees have provided authority to reprogram and transfer funds in order to provide flexibility to the Department to address unforeseen needs and emergencies. However, the Department, instead, has used these flexibilities to circumvent funding decisions made by the Congress. Therefore, the conferees have included bill language to clarify reprogramming and transfer procedures.

VETERANS EMPLOYMENT AND TRAINING

The conference agreement includes $224,648,000 for Veterans Employment and Training instead of $225,648,000 as proposed by the House and $226,781,000 as proposed by the Senate. The detailed table at the end of this joint statement reflects the activity distribution agreed to by the conferees.

The conference agreement includes $13,198,000 for activities under the Uniformed Services Employment and Reemployment Rights Act. The conferees intend that the additional resources over FY 2004 be used for additional investigations and educational outreach to employers about reemployment rights of uniformed service members departing from and returning to work.

WORKING CAPITAL FUND

The conference agreement includes $10,000,000 for the Working Capital Fund the same as proposed by the House instead of $15,000,000 as proposed by the Senate.

GENERAL PROVISIONS

ONE PERCENT TRANSFER AUTHORITY

The conference agreement modifies a provision proposed by the Senate limiting the authority to transfer funds between a program, project or activity and requiring a 15 day notification of any transfer.

EXECUTIVE ORDER 13126

The conference agreement includes a provision proposed by the Senate that none of the funds appropriated in this Act shall be obligated or expended for the procurement of goods produced by forced or indentured child labor. The House bill contained no similar provision.

DENALI COMMISSION

The conference agreement includes a provision proposed by the Senate that authorizes to be appropriated such sums as may be necessary to the Denali Commission to conduct job training where Denali Commission projects will be constructed. The House bill contained no similar provision.

TRANSIT SUBSIDY

The conference agreement includes a provision directing the Secretary to provide, within 45 days, to the Department of Labor employees in the National Capital Region the full transit subsidy that they are eligible to receive.

CONGRESSIONAL JUSTIFICATIONS

The conference agreement includes bill language requiring the Department of Labor to submit its fiscal year 2006 congressional budget justifications in the traditional budget structure rather than in a "performance" budget structure. The Department is directed to return to preparing the traditional congressional justifications as they were prepared prior to fiscal year 2003, with separate sections for each appropriations account, providing detailed information on the prior year, current year, and requested budget year funding and Federal staffing levels for each program, project, or activity funded within each account; a detailed narrative description of each program, project, or activity; and budget and measurement information should be submitted as a separate appendix in the budget justification material.

The conferees support the Department's effort to integrate program performance more prominently into its budget formulation and to display that information more thoroughly in the justification, but the conferees direct that technical account and program information be prominent in each agency's budget justifications similar to the Department's budget justifications prior to fiscal year 2003 so that information can be found easily and quickly. The Department is directed to delineate materials by appropriation account, providing detailed information on the prior year, current year, and requested budget year funding and Federal staffing levels for each program, project, or activity funded within each account; a narrative description of each program, project, or activity; and any proposed changes to such program, project, or activity. The Department is encouraged to continue using outcome and performance measures as the primary management tool for resource allocation and the evaluation of programs and individuals.

OVERTIME REGULATION

The conference agreement deletes without prejudice language proposed by the House and Senate stating that none of the funds provided may be used to implement or administer any changes to regulations regarding overtime compensation in effect on July 14, 2004.

TITLE II—DEPARTMENT OF HEALTH AND HUMAN SERVICES

HEALTH RESOURCES AND SERVICES ADMINISTRATION

HEALTH RESOURCES AND SERVICES

The conference agreement includes $6,881,624,000 for health resources and services, of which $6,856,624,000 is provided as budget authority and $25,000,000 is made available from the Public Health Service policy evaluation set-aside, instead of $6,330,333,000 as proposed by the House and $6,966,280,000 as proposed by the Senate.

The conference agreement includes resolution of two technical bill language differences: the Social Security Act is cited once as proposed by the House rather than twice as proposed by the Senate; the citation of the Poison Control Center Act is expanded as proposed by the Senate.

The conference agreement includes bill language providing $484,629,000 for construction and renovation (including equipment) of health care and other facilities and other health-related activities. The Senate included bill language providing $371,536,000 for this purpose; no funding was provided by the House. These funds are to be used for the following projects:

A.O. Fox Memorial Hospital, Oneonta, NY for facilities and equipment	$250,000
Aberdeen Area Tribal Chairmen's Health Board in Rapid City, South Dakota for Northern Plains Healthy Start	300,000
Abington Memorial Hospital, Abington, PA	350,000
Access Center, Inc., Vienna, VA for facilities and equipment	350,000
Advanced Technology Institute, Charleston, SC for a demonstration program for delivery of diabetes diagnostic and care services through telehealth technology	275,000
Adventist HealthCare, Rockville, MD for facilities and equipment	750,000
Akron General Medical Center, Akron, OH for facilities and equipment for the Edwin Shaw Rehabilitation Hospital	250,000
Alabama Association of Area Agencies on Aging, Montgomery, AL for facilities and equipment	175,000
Alamance Regional Medical Center, Burlington, NC for facilities and equipment	125,000
Alaska Family Practice Residency Program, Anchorage, AK to support its family practice residency programs	500,000
Alaska Federal Health Care Access Network, Anchorage, AK to support activities of the Alaska Telemedicine Advisory Committee	300,000
Alaska Native Medical Center, Anchorage, AK	1,000,000
Alaska Psychiatric Institute, Anchorage, AK for its Telebehavioral Health Project	400,000
Albert Einstein Healthcare Network, Philadelphia, PA	1,000,000
Alice Hyde Medical Center, Malone, NY, for facilities and equipment	100,000
Alivio Medical Center, Chicago	250,000

All Children's Hospital, Inc., St. Petersburg, FL for facilities and equipment	5,000,000
Allegheny County Housing Authority, Pittsburgh, PA for facilities and equipment for its LIFE Center in Tarrentum Township, PA	675,000
Allegheny County, Pittsburgh, PA for laboratory equipment	25,000
Allegheny General Hospital, West Penn Allegheny Health System, Pittsburgh, PA	1,000,000
Allegheny Singer Research Institute, Pittsburgh, PA	1,000,000
Alle-Kiski Medical Center, Natrona Heights, PA for facilities and equipment	150,000
Allen Memorial Hospital, Moab, UT	100,000
Allied Services Foundation, Wilkes-Barre, PA for equipment	200,000
Alpha Community Ambulance Service, Inc., State College, PA, for facilities and equipment	100,000
Altarum Institute, Ann Arbor, MI for development of a Center of Excellence focusing on use of information and communications technology to improve health care quality and efficiency	390,000
American Oncologic Hospital of Fox Chase Cancer Center in Philadelphia and University of Maryland Greenbaum Cancer Center in Baltimore, for facilities and equipment for the American Russian Cancer Alliance	750,000
American Red Cross, Washington, DC, for equipment	200,000
Ana G. Mendez University System, Universidad del Este, Carolina, PR for facilities and equipment for the Caribbean Food Safety Research Center	200,000
Arkansas State University Mountain Home, for facilities and equipment for health sciences	350,000
Arlington Free Clinic, Arlington, VA for facilities and equipment	375,000
Arnold Palmer Hospital for Children and Women, Orlando, FL for facilities and equipment	350,000
Arrowhead Regional Medical Center, Colton, CA for facilities and equipment	725,000
Ashland County Oral Health Services, Inc., Ashland, OH, for facilities and equipment	250,000
Asian American Recovery Services, Daly City, CA for facilities and equipment for substance abuse intervention and treatment	250,000
Association of Utah Community Health, Salt Lake City, UT	800,000
Atlantic City Medical Center, City Division, Atlantic City, NJ for facilities and equipment	300,000
Atlantic Health System, Florham Park, NJ for facilities and equipment for the Morristown Memorial Hospital, Carol G. Simon Cancer Center, Morristown, NJ and the Mountainside Hospital Comprehensive Community Cancer Center, Essex County, NJ	700,000
Atlantic Health System, Florham Park, NJ for facilities and equipment for the Mountainside Hospital Comprehensive Community Cancer Center	300,000
Augsburg College, Minneapolis, MN, for its physician assistant education program	295,000
Aultman Health Foundation, Canton, OH for facilities and equipment	1,000,000
Aunt Martha's Youth Service Center, Chicago Heights, IL for facilities and equipment	275,000
Avista Adventist Hospital, Louisville, CO for the Integrated Community Oriented Physician Initiative to develop common electronic medical record and practice management systems	640,000
Baptist Health System, Inc., Birmingham, AL for facilities and equipment	200,000
Barre Family Health Center, Barre, MA for facilities and equipment	450,000
Barrio Comprehensive Family Health Care Center, San Antonio, TX for facilities and equipment for the Dr. Frank Bryant Health Center	300,000
Barry University, Miami Shores, FL, for facilities and equipment for the Institute for Community Health and Minority Medicine	1,000,000
Bartlett Regional Hospital, Juneau, AK	1,000,000

Baton Rouge General Medical Center, Baton Rouge, LA for facilities and equipment for the Radiation Oncology Center at Bluebonnet	100,000
Bay Area Medical Center Foundation, Marinette, WI, for facilities and equipment for a cancer care center	250,000
Bay Area Medical Center, Menominee, MI for facilities and equipment	200,000
Bay Clinic Community Health Center, Hawaii	250,000
Bay Clinic Community Health Center, Hawaii, for the Native Hawaiian Adolescent Health Psychology Initiative	50,000
BayCare Health System, Clearwater, FL, to develop an electronic medication and clinical services ordering system	1,000,000
Bayfront NATO, Inc., Erie, PA for construction, renovation, and equipment of a health clinic	100,000
Baylor College of Medicine, Houston, TX	250,000
Baylor Institute for Immunology Research, Dallas, TX, for facilities and equipment	100,000
Bear Lake Memorial Hospital, Montpelier, ID for facilities and equipment	100,000
Beaufort Memorial Hospital, Beaufort, SC for facilities and equipment	200,000
Bellarmine University, Louisville, KY, for facilities and equipment for a nursing school facility	300,000
Belmont University, Nashville, TN for facilities and equipment for health sciences	930,000
Beloit Memorial Hospital, Beloit, WI for facilities and equipment	300,000
Benton County, OR for facilities and equipment for health services in Monroe, OR	265,000
Berkeley County Senior Services Agency, Martinsburg, WV for facilities and equipment	18,000
Bethel College, Inc., Mishawaka, IN for facilities and equipment	100,000
Bethesda North Hospital, Montgomery, OH for facilities and equipment	150,000
Birmingham Green Adult Care Residence, Manassas, VA for facilities and equipment	200,000
Blackstone Valley Community Health Care, Pawtucket, RI for facilities and equipment	500,000
Bloomsburg Hospital, Bloomsburg, PA	250,000
Blount County Memorial Hospital, Maryville, TN for facilities and equipment for a cancer center	50,000
Bon Secours Hospital in Baltimore, MD	100,000
Bon Secours St. Francis Medical Center, Chesterfield, VA for facilities and equipment	800,000
Bonfils Blood Center Foundation, Denver, CO for facilities and equipment	290,000
Booker T. Washington Center, Erie, PA	100,000
Boston Medical Center, Boston, MA for facilities and equipment for the J. Joseph Moakley Medical Services Building	1,000,000
Boston University School of Medicine, Boston MA for facilities and equipment for research on amyloidosis and other subjects	200,000
Boys Town National Research Hospital, Omaha, NE	1,500,000
Bradford Hospital Foundation, Bradford, PA, for facilities and equipment for Bradford Regional Medical Center	100,000
Brandeis University Heller School for Social Policy and Management, Waltham, MA	1,000,000
Brazos Valley Family Medicine Center, Bryan, TX for facilities and equipment	50,000
Brevard Community College, Cocoa, FL, for facilities and equipment	200,000
Briar Cliff University, Sioux City, IA for facilities and equipment	50,000
Brockton Hospital, Brockton, MA	200,000
Brookhaven Memorial Hospital Medical Center, Patchogue, NY for facilities and equipment	150,000
Burlington County College, Pemberton, NJ, for facilities and equipment for the Burlington County College Health Center	600,000
Calhoun County Committee on Aging for facilities and equipment for Calhoun County Senior Satellite Center, Grantsville, WV	28,000

California Hospital Medical Center, Los Angeles, CA for facilities and equipment	1,370,000
California State University at Bakersfield Foundation, Bakersfield, CA, for equipment and facilities for the Valley Fever Vaccine project	180,000
Callen-Lorde Community Health Center, New York, NY for health and outreach services to teenagers and young adults	90,000
Campbellsville University, Campbellsville, KY, for facilities and equipment	250,000
Candler County Hospital, Metter, GA for facilities and equipment	55,000
Canyonlands Community Health Care, Page, AZ, for facilities and equipment at three clinics	100,000
CAP Services, Stevens Point, WI for facilities and equipment and to provide dental services	200,000
Capitol Community Health Center, Springfield, IL for facilities and equipment	300,000
Carilion Health System, Roanoke, VA for facilities and equipment for the Southwest/Southside Virginia Children's Dental Access Project	243,000
Caring Foundation, Inc., Salt Lake City, UT to improve the oral health of underserved children in Utah and Idaho	300,000
CARING, Inc., Pleasantville, NJ for facilities and equipment for a senior medical facility	50,000
Caritas Good Samaritan Medical Center, Brockton, MA	300,000
Carle Foundation Hospital, IL, and partners to establish the Midwest Breast Institute	100,000
Carnegie Mellon University, Pittsburgh, PA	1,000,000
Carter BloodCare, Bedford, TX for facilities and equipment	1,000,000
Case Western Reserve University, Cleveland, OH for facilities and equipment for a construction project involving Case Western Reserve University, University Hospitals of Cleveland and the Cleveland Clinic Foundation	4,500,000
Center for Allied Health and Nursing, Hackensack, NJ for a program to recruit and train home health aides and other health care workers to become licensed practical nurses	250,000
Center for Families and Children, Cleveland, OH for facilities and equipment	250,000
Center for Health Workforce Development, Tennessee Hospital Education and Research Foundation, Nashville, TN for programs to address shortages of nursing faculty and other health professionals	150,000
Center for Hope Hospice, Inc., Linden, NJ for facilities and equipment	90,000
Center for Hospice and Palliative Care, Buffalo, NY for facilities and equipment	300,000
Center for Integration of Medicine and Innovative Technology, Cambridge, MA for equipment	50,000
Center for the Disabled, Albany, NY, for facilities and equipment	150,000
Central Bucks Ambulance and Rescue Unit, Doylestown, PA	25,000
Central Pennsylvania Blood Bank, Hummelstown, PA for equipment	25,000
Centro de la Comunidad Unida/United Community Center in Milwaukee, WI for the Latino Geriatric Center	300,000
Chai Lifeline, New York, NY for programs for seriously ill children and their families at Camp Simcha in Glen Spey, NY	100,000
Charles Cole Memorial Hospital, Coudersport, PA to build radiation oncology wing at the Patterson Cancer Care Center	100,000
Charles R. Drew University of Medicine and Science, Los Angeles, CA, for recruitment and appointment of new clinical faculty	290,000
Charlotte Hungerford Hospital, Torrington, CT for facilities and equipment	150,000
Chemeketa Community College, Salem, OR for facilities and equipment for training of nursing and allied health students	210,000
Cherry Street Health Services, Grand Rapids, MI for facilities and equipment	140,000
Child Neurology Society, Saint Paul, MN	50,000
Children's Medical Research Institute, Oklahoma City, OK	600,000

Children's Health Fund, Clarksdale, MS	150,000
Children's Health Fund, New York, NY, for facilities and equipment for a Children's Health Project in KY	250,000
Children's Healthcare of Atlanta, Atlanta, GA for facilities and equipment at Children's at Scottish Rite	200,000
Children's Hospital and Health Center, San Diego, CA for facilities and equipment	425,000
Children's Hospital at Johnson City Medical Center, Johnson City, TN for facilities and equipment	600,000
Childrens Hospital Los Angeles, Los Angeles, CA, for facilities and equipment for the Institute for Maternal and Fetal Health	400,000
Children's Hospital Medical Center of Akron, Akron, OH for facilities and equipment	750,000
Children's Hospital of Philadelphia, Philadelphia, PA	700,000
Children's Hospital of Pittsburgh, Pittsburgh, PA	700,000
Children's Hospital of the King's Daughters, Norfolk, VA for facilities and equipment for the facility in Newport News, VA	100,000
Children's Medical Center Dallas, Dallas, TX, for facilities and equipment for a Nursing Retention and Patient Care Improvement Project	225,000
Children's Medical Center of Dayton, Dayton, OH for facilities and equipment	600,000
Children's National Medical Center, Washington, DC for facilities and equipment	500,000
Children's Specialized Hospital, Mountainside, NJ for facilities and equipment for a nursing facility in Mountainside, NJ	90,000
Children's Specialized Hospital, Mountainside, NJ for facilities and equipment for a pediatric rehabilitation hospital in New Brunswick, NJ	500,000
Chinatown Service Center, Los Angeles, CA for facilities and equipment for its dental clinic	200,000
Chippewa Cree Tribe of the Rocky Boy's Reservation, Box Elder, MT, for facilities and equipment for a health clinic	250,000
CHRISTUS Santa Rosa Health Care, San Antonio, TX	1,000,000
Chugiak Senior Citizens, Inc., Chugiak, AK for facilities and equipment	100,000
Cincinnati Children's Hospital Medical Center, Cincinnati, OH	1,000,000
City of Abilene-Taylor County Public Health District, Abilene, TX for facilities and equipment	750,000
City of Azusa, CA for facilities and equipment for the City of Azusa Health Clinic	320,000
City of Bridgeport, Bridgeport, CT, for facilities and equipment for a health and social service center	100,000
City of Clark, South Dakota for construction of a health care facility	250,000
City of Homestead, FL, for facilities and equipment for the William F. "Bill" Dickinson Senior Center	125,000
City of Madison Community Development Authority in Madison, Wisconsin to construct health facilities in the Triangle Project area	200,000
City of Martinsville, VA for facilities and equipment for a dental clinic	450,000
City of Oxford, MS for the Oxford Enterprise Center to renovate facilities for health and pharmaceutical development research and educational activities	500,000
Clark County Department of Community Services, Vancouver, WA for facilities and equipment for the Center for Community Health	400,000
Clark University, Worcester, MA	225,000
Clay County Drug Treatment Facility, Cornettsville, KY for facilities and equipment	750,000
Clearfield Hospital, Clearfield, PA, for facilities and equipment	100,000
Clearwater Valley Hospital, Orofino, ID	450,000
Cleveland Clinic Foundation, Cleveland, OH for facilities and equipment for the heart center	1,200,000
Cleveland Clinic Health System, Cleveland, Ohio, for the Euclid Hospital Emergency Department renovation and construction	400,000

Cleveland Department of Public Health, Cleveland, OH for facilities and equipment for the four city-owned health centers	280,000
Cleveland Foundation, Cleveland, OH, for facilities and equipment for NetWellness	250,000
Cold Spring Harbor Laboratory in New York	1,000,000
Colorado State University, Ft. Collins, CO for facilities and equipment	500,000
Columbia Basin College, Pasco, WA for facilities and equipment for a health sciences education center at the Richland, WA campus	500,000
Columbia Memorial Hospital, Hudson, NY, for facilities and equipment	150,000
Columbia St Mary's Hospital in Glendale, WI for the Madre Angela Dental Clinic	125,000
Columbus Children's Research Institute, Columbus, OH for facilities and equipment	1,200,000
Community Care Network, Montgomery, AL, for facilities and equipment	200,000
Community College of Allegheny County, Pittsburgh, PA for facilities and equipment for nurse training	150,000
Community College of Southern Nevada for a mobile dental outreach treatment and education program	150,000
Community Counseling Center, for the development of a trauma assistance center	100,000
Community Crisis Center, Inc., Elgin, IL for facilities and equipment	250,000
Community Dental Care Foundation, Wausau, WI for dental education and to provide dental screening and sealants for children	75,000
Community Free Clinic of Decatur-Morgan County, Inc., Decatur, AL for rural outreach	40,000
Community General Foundation, Syracuse, NY for facilities and equipment at the Community General Hospital	1,000,000
Community Health Care Services Foundation, Inc., East Greenbush, NY, for telemedicine services	50,000
Community Health Care Systems, Wrightsville, GA for facilities and equipment at its Tennille, GA health center	50,000
Community Health Center of Asbury Park, NJ for facilities and equipment	500,000
Community Health Centers in Iowa	3,000,000
Community Health Clinic, Inc., New Kensington, PA	25,000
Community Health Improvement Center, Decatur, IL for facilities and equipment	125,000
Community Health Partners, Kathlamet, WA for start-up costs for a free medical clinic	40,000
Community HealthCare Associates of the Dakotas, Bismarck, ND	200,000
Community Medical Center Healthcare System, Scranton, PA to purchase equipment	250,000
Community Medical Center, Missoula, MT	1,000,000
Community Medical Center, Scranton, PA	100,000
Community Medical Centers, Fresno, CA	100,000
Community Memorial Hospital, Staunton, IL for facilities and equipment	225,000
Conemaugh Health Systems, Johnstown, PA	250,000
Coney Island Hospital, Brooklyn, NY for facilities and equipment	250,000
Connecticut Children's Medical Center, Hartford, CT for facilities and equipment	1,000,000
Contra Costa Community College District, Diablo Valley College, Pleasant Hill, CA for a program to train medical laboratory technicians	225,000
Cooley Dickinson Hospital, Northampton, MA for facilities and equipment	300,000
Cooper University Hospital in New Jersey	200,000
Cooperative Education Service Agency No. 11, Turtle Lake, WI for dental services	350,000
Corinthian Development Corporation, Louisville, KY, for facilities and equipment	50,000
County of Clarion/Clarion University, Clarion, PA	100,000
County of Kaua'i, HI for facilities for substance abuse treatment	390,000

County of San Diego, Edgemoor Hospital, Santee, CA for facilities and equipment	420,000
County of San Mateo, CA for facilities and equipment for the San Mateo Medical Center	800,000
Creighton University, Omaha, NE, for facilities and equipment for the health science complex	500,000
Crozer-Chester Health System, Springfield, PA for facilities and equipment at the Nathan Speare Regional Burn Treatment Center at the Medical Center	500,000
Crozer-Keystone, Springfield, PA	100,000
Crusader Clinic, Rockford, IL for facilities and equipment at two sites	1,000,000
Cumberland County Hospital, Burkesville, KY for facilities and equipment	100,000
Dan River Region, Danville, VA, for Project Access	25,000
Dana-Farber Cancer Institute, Boston, MA	300,000
Deaconess Billings Diabetes Center, Billings, MT	278,000
Deaconess Hospital, Oklahoma City, OK	50,000
Decatur Memorial Hospital, Decatur, IL for facilities and equipment	200,000
Delaware Valley Community Health, Philadelphia, PA for facilities and equipment for the Maria de los Santos Community Health Center	250,000
Delta Health Alliance, Stoneville, MS for construction, renovation, and equipment	450,000
Des Moines University, Des Moines, IA	155,000
Des Moines University, Des Moines, IA for facilities and equipment for the Iowa Chronic Care Consortium	333,000
DeWitt Hospital and Nursing Home, DeWitt, AR for facilities and equipment	400,000
Down Syndrome Research and Treatment Foundation, Washington, D.C., for facilities and equipment	150,000
DuBois Regional Medical Center, DuBois, PA, for facilities and equipment	200,000
DuPage Convalescent Center, Wheaton, IL for facilities and equipment	600,000
East Bay Community Action Program, East Providence, RI for facilities and equipment for dental care, mental health and other health services	500,000
East Boston Neighborhood Health Center, East Boston, MA, for a health-care workforce development program	225,000
East Tennessee State University James H. Quillen College of Medicine, Johnson City, TN for facilities and equipment for the East Tennessee Forensics Center	200,000
East Tennessee State University, James H. Quillen College of Medicine, Johnson City, TN, for facilities and equipment for a mobile surgical unit	100,000
East Valley Community Health Center, West Covina, CA for facilities and equipment	220,000
Eastern Connecticut Health Network, Rockville, CT	200,000
Eau Claire Cooperative Health Center, Columbia, SC for facilities, equipment and rural health care services at its Ridgeway, SC health center	400,000
Eblen Charities, Asheville, NC, for facilities and equipment	250,000
Ed Roberts Campus in Berkeley, CA	500,000
Edward R. Roybal Comprehensive Health Center, Los Angeles, CA for facilities and equipment	400,000
El Proyecto Del Barrio, Arleta, CA for facilities and equipment at its Canoga Park site	180,000
El Pueblo Health Center, Tucson, AZ for facilities and equipment	400,000
Elk Regional Health Systems, St. Marys, PA	100,000
Elliot Health System, Manchester, NH	750,000
Emanuel County Hospital Authority, Swainsboro, GA for facilities for its rural health clinic in Twin City, GA	50,000
Emergency Medicine Foundation, Dallas, TX, for Bioterrorism Preparedness Training for First Responders	50,000

Endless Mountains Health Systems, Montrose, PA, for facilities and equipment	250,000
Enterprise Valley Medical Clinic in Enterprise, UT	70,000
Ephrata Community Hospital, Ephrata, PA, for facilities and equipment	200,000
Erie County Department of Health, Erie, PA to implement the Nurse Family Partnership (NFP) Program	50,000
Erie County Medical Center, Buffalo, NY for equipment	250,000
Evangelical Community Hospital, Lewisburg, PA, for facilities and equipment	600,000
Evans Memorial Hospital, Claxton, GA for facilities and equipment	50,000
Every Citizen Has Opportunities, Inc., Leesburg, VA for facilities and equipment	125,000
Every Woman's Place/Webster House Youth Services, Muskegon, MI for facilities and equipment	150,000
Fairfield Medical Center, Lancaster, OH, for facilities and equipment	200,000
Fairfield Memorial Hospital, Winnsboro, SC for facilities and equipment	250,000
Fairness Advocates for Intergenerational Rights (FAIR), Philadelphia, PA for health care outreach	25,000
Fairview Health System, Minneapolis, MN for equipment	515,000
Familia Unida Living With Multiple Sclerosis, Los Angeles, CA to improve support services to individuals and families affected by multiple sclerosis and other debilitating diseases	100,000
Family and Children's Counseling Centers, Louisville, KY, for facilities and equipment	100,000
Family Health Center of Marshfield, Marshfield, WI for facilities and equipment and to provide dental services	350,000
Family Health Center of Southern Oklahoma, Tishomingo, OK for facilities and equipment for dental services	105,000
Family Health Center, Columbia, MO	150,000
Family Health Centers, Inc., Louisville, KY for facilities and equipment	150,000
Faulk County Memorial Hospital, SD	75,000
Finley Health Foundation, Dubuque, IA for facilities and equipment at the diabetes center at Finley Hospital	500,000
Fish River Rural Health Center, Eagle Lake, ME for facilities and equipment	30,000
Fletcher Allen Health Care of Burlington, VT	1,100,000
Florida A&M University	800,000
Florida Cancer Research Cooperative, University of South Florida, Tampa, FL for telemedicine	500,000
Florida Emergency Medicine Foundation, Orlando, FL for facilities and equipment	125,000
Florida Hospital College of Health Sciences, Orlando, FL for facilities and equipment	125,000
Florida Memorial College, Miami, FL for health-related facilities and equipment	400,000
Fort Hudson Nursing Home, Inc., Fort Edward, NY, for facilities and equipment	50,000
Forum Health, Youngstown, OH for facilities and equipment	200,000
Fox Chase Cancer Center, Philadelphia, PA	750,000
Franklin and Marshall College, Lancaster, PA	400,000
Franklin Medical Center, Greenfield, MA for facilities and equipment	200,000
Free Clinics of Iowa in Des Moines	400,000
Fresno Community Hospital and Medical Center, Fresno, CA for facilities and equipment for an outpatient care clinic at the Community Regional Medical Center in Fresno	450,000
Frick Hospital, Greensburg, PA	250,000
Fulton County Medical Center, McConnellsburg, PA	250,000
G.A. Carmichael Family Health Center, Canton, MS for facilities and equipment	240,000
Gadsden State Community College, Gadsden, AL for the Alabama Institute for Nursing Education and Emergency Preparedness Program at Fort McClellan, AL	400,000

Gadsden State Community College, Gadsden, AL, for facilities and equipment	200,000
Garfield County Public Hospital, Pomeroy, WA for facilities and equipment	50,000
Gateway, Aliquippa, PA	100,000
Geisinger Health System, Danville, PA, for construction of the Center for Health Research and Rural Advocacy	1,000,000
Geisinger Health System, Danville, PA, for facilities and equipment for an endovascular surgical suite on the Geisinger campus in Danville	500,000
Genesee County Economic Development Center, Batavia, NY, for a telemedicine project	250,000
Georgetown University Medical Center, Lombardi Comprehensive Cancer Center, Washington, DC for Carey Lackman Slease metastatic breast cancer treatment enhancement program	200,000
Georgia Southern University, School of Nursing, Statesboro, GA, for rural nursing and nursing education outreach programs	150,000
Glens Falls Hospital, Glens Falls, NY, for facilities and equipment	250,000
Good News Doctor Foundation and the International Child Development Resources Center, Inc., Melbourne, FL for facilities and equipment	650,000
Good Samaritan Health Systems, Good Samaritan Hospital Foundation, Kearney, NE, for the Mid-Nebraska Telemedicine Network	200,000
Good Samaritan Hospital Regional Medical Center, Pottsville, PA	250,000
Good Samaritan Hospital, Cincinnati, OH	800,000
Good Samaritan Hospital, Lebanon, PA for equipment	250,000
Good Shepherd Rehabilitation Home, Allentown, PA for construction, renovation and equipment	250,000
Goodall-Witcher Hospital, Clifton, TX for facilities and equipment	400,000
Government of the Virgin Islands, Department of Health, for facilities and equipment for emergency medical services	340,000
Greater Harrisburg Foundation, Harrisburg, PA to collect and examine rural health indicator information	75,000
Greater Hazleton Health Alliance, Hazleton, PA	250,000
Greater New Bedford Community Health Center, New Bedford, MA for facilities and equipment	500,000
Green River Medical Center of Emery County and Eastern Grand County, Utah to provide on-site dental services	50,000
Greenburgh Health Center, White Plains, NY for facilities and equipment	100,000
Grimes St. Joseph Health Center, Navasota, TX for facilities and equipment	200,000
Grossmont Hospital Foundation, La Mesa, CA for facilities and equipment for Grossmont Hospital, San Diego, CA	200,000
Guam Department of Public Health and Social Services, for facilities and equipment for the Northern Region Health Center	400,000
Gurwin Jewish Geriatric Center, Commack, NY for an electronic charting system	340,000
H. Lee Moffitt Cancer Center and Research Institute, Tampa, FL for facilities and equipment	2,000,000
Hackensack University Medical Center, Hackensack, NJ for implementation of a computerized oncology patient management system	340,000
Hackettstown Community Hospital, Hackettstown, NJ for facilities and equipment	145,000
Hamilton Health Center, Inc., Harrisburg, PA	100,000
Hancock County Municipal Government and Wellmont Health System, Sneedville, TN for construction, renovation, and equipment of a health clinic	500,000
HARBOR BRANCH Oceanographic Institution, Fort Pierce, FL for facilities and equipment	200,000
Harney District Hospital, Burns, OR for facilities and equipment	130,000
Harris County Hospital District, Houston, TX for facilities and equipment for the emergency room at Ben Taub General Hospital	860,000

Harris County Hospital District, Houston, TX for implementation of a telehealth program	240,000
Hauptman-Woodward Medical Research Institute, Buffalo, NY for facilities and equipment	250,000
Haywood Regional Medical Center, Clyde, NC, for facilities and equipment	250,000
Hazleton General Hospital, Hazleton, PA for facilities and equipment	320,000
Health system of the University of Pennsylvania, Philadelphia, PA	1,000,000
Healthcare Information Xchange of New York, Clifton Park, NY, for facilities and equipment	250,000
HealthNet, Inc., Indianapolis, IN for facilities and equipment for People's Community Health Center	320,000
HealthPoint Family Care, Inc., Newport, KY	500,000
Heartland Regional Medical Center, St. Joseph, MO for equipment	250,000
Hebrew Home for the Aged at Riverdale, Riverdale, NY, for facilities and equipment	260,000
Henderson State University, Arkadelphia, AR for facilities and equipment for nursing education	300,000
Henry Mayo Newhall Memorial Hospital, Valencia, CA for facilities and equipment	100,000
Hidalgo Medical Services, NM	100,000
Hillcrest Healthcare System, Tulsa, OK	100,000
Hilltown Community Health Centers, Worthington, MA for facilities and equipment at the Huntington Health Center	150,000
Hispanic American Council of Erie, Erie, PA	100,000
Holy Cross Hospital, Silver Spring, MD for facilities and equipment	320,000
Holy Name Hospital, Teaneck, NJ for facilities and equipment	450,000
Holy Names University, Oakland, CA	100,000
Holy Redeemer Health System, Huntingdon Valley, PA for construction, renovation, and equipment	250,000
Holyoke Hospital, Holyoke, MA for facilities and equipment	300,000
Hope College, Holland, MI for facilities and equipment for a science building	250,000
Hopkins County Community Clinic, Hopkins County, KY	200,000
Horn Memorial Hospital, Ida Grove, IA, for facilities and equipment	125,000
Hospice of Cabarrus County, Inc., Concord, NC for Hospice House in Kannapolis, NC	100,000
Hospice of Metropolitan Erie, Inc., Erie, PA	100,000
Hospice of Napa Valley, Napa, CA for facilities and equipment	640,000
Hospice of Northwest Ohio, Perrysburg, OH	250,000
Hospital Authority of Miller County, Colquitt, GA for facilities and equipment	150,000
Hospital for Special Surgery, NY	400,000
Houlton Regional Hospital, Houlton, ME for facilities and equipment	50,000
Housing Authority of the County of Los Angeles, CA for facilities and equipment for its Casa de la Esperanza health care program	150,000
Houston County Hospital, Crockett, TX for facilities and equipment	400,000
Howard Community College, Columbia, MD for expansion of nursing education programs	300,000
Hudson Headwaters Health Network, Glens Falls, NY, for facilities and equipment for the Warrensburg Health Center	200,000
Hudson River Community Health, NY	100,000
Humility of Mary Health Partners, Boardman, OH for facilities and equipment for Hospice of the Valley	700,000
Huntington Memorial Hospital, Pasadena, CA for facilities and equipment	350,000
Hurley Medical Center, Flint, MI for replacement of its clinical patient information system	700,000
I.M. Sulzbacher Center for the Homeless, Inc., Jacksonville, FL for facilities and equipment for a healthcare facility	500,000
ICAN/Kids Oneida, Utica, NY	50,000
Idaho Commission on Nursing and Nursing Education, Idaho Falls, ID, for the Idaho Nursing Leadership and Workforce Network	250,000
Idaho State University, Telehealth Idaho Network, to continue expanding and improving health care access	1,350,000

Illinois Primary Health Care Association, Springfield, IL for a Center for Excellence	600,000
Independence Square Foundation, Kingston, RI	200,000
Indian Health Council, Inc., Pauma Valley, CA, for facilities and equipment for the IHC Health and Wellness Campus on the Rincon Indian Reservation	500,000
Indiana Regional Medical Center, Indiana, PA	250,000
Indiana University-Purdue University Fort Wayne, Fort Wayne, IN, for facilities and equipment	150,000
Infirmary Health System, Mobile Infirmary, Mobile, AL	100,000
Inland Northwest Health Services in Spokane, WA	500,000
INOVA Health System, Falls Church, VA for facilities and equipment for the CBP Hospital, Pignon, Haiti	150,000
INOVA Health System, Falls Church, VA for facilities and equipment for the Claude Moore Health Education Center at INOVA Fairfax Hospital	1,058,000
INOVA Health System, Falls Church, VA for facilities and equipment for the George Mason University Krasnow Institute, Fairfax, VA	150,000
INTEGRIS Marshall Memorial Hospital, Madill, OK for facilities and equipment	375,000
Intermountain Health Care, Salt Lake City, UT to develop a pilot program for telemedicine interpreting services for the deaf	500,000
Iowa Caregivers Association	100,000
Iowa Department of Public Health to continue the Center for Healthcare Workforce Shortages	1,400,000
Iowa Health Foundation, Des Moines, IA for a demonstration project to improve dental care in underserved rural areas	300,000
Iowa Nebraska Primary Care Association for planning grants to Iowa communities	150,000
Isla Vista Youth Projects, Isla Vista, CA for health-related facilities and equipment	200,000
J.C. Blair Memorial Hospital, Huntingdon, PA, for facilities and equipment	250,000
Jackman Region Health Center, Jackman, ME for facilities and equipment	200,000
Jackson County, MS for facilities and equipment for the county health department	340,000
Jackson Health System, Miami, FL, for facilities and equipment for the South Florida AIDS Network	200,000
Jackson Medical Mall Foundation, Jackson, MS	1,000,000
Jackson Public School District, Jackson, MS for Healthy Children, Homes, Education, and Community (HealthCHEC) project	1,000,000
Jackson State University, Jackson, MS for the Southern Institute for Mental Health Research and Training	900,000
Jamaica Hospital, Brooklyn, NY for equipment	300,000
James B. Haggin Memorial Hospital, Harrodsburg, KY for a Picture Archiving Communications System and network	275,000
James Whitcomb Riley Hospital for Children, Indianapolis, IN, for facilities and equipment for the Riley Pediatric Burn Unit	25,000
Jameson Hospital, New Castle, PA	125,000
Jefferson Memorial Hospital, Ranson, WV for facilities and equipment	57,000
Jersey City Medical Center, Jersey City, NJ for facilities and equipment	400,000
Jersey Shore Hospital, Jersey Shore, PA, for facilities and equipment	200,000
Jewish Community Centers of Staten Island, Staten Island NY for facilities and equipment	100,000
Jewish Renaissance Medical Center, Perth Amboy, NJ for facilities and equipment	700,000
Joe DiMaggio Hospital in Hollywood, FL	200,000
John F. Kennedy Center, Erie, PA for construction of a primary health care clinic	100,000
John T. Mather Memorial Hospital, Port Jefferson, NY for facilities and equipment	200,000
Jordan Hospital, Plymouth, MA for facilities and equipment	650,000

Katahdin Valley Health Center, Southern Aroostook/Northern Penobscot Health Care Access, Patten, ME	200,000
Katherine Shaw Bethea Hospital, Dixon, IL, for facilities and equipment	750,000
Kauai Community Health Center in Hawaii	50,000
Kennedy Krieger Institute, Baltimore, MD for facilities and equipment	750,000
Kent County Memorial Hospital, Warwick, RI for facilities and equipment	400,000
Kent County Visiting Nurses Association (VNA of Care New England), Warwick, RI to increase access to home health care via telemedicine	100,000
Kern County Medical Center, Bakersfield, CA, for facilities and equipment	250,000
Kettering College of Medical Arts, Kettering, OH, for facilities and equipment	550,000
Kettering College of the Medical Arts, Dayton, Ohio for construction of new nursing/physician assistant education building	250,000
Keystone Health Center, Chambersburg, PA	250,000
Keystone Rural Health Consortia, Inc., Emporium, PA	100,000
Kiamichi Family Medical Center, Battiest, OK for facilities and equipment	175,000
KidsPeace, Orefield, PA	100,000
Kimball Medical Center, Lakewood, NJ	100,000
Kings County Hospital Center, Brooklyn, NY for facilities and equipment	320,000
Klamath County Public Health Department, Klamath Falls, OR, to build a new Public Health Facility	75,000
Knox Community Hospital, Mt. Vernon, OH for facilities and equipment	600,000
Kosair Children's Hospital, Louisville, KY for facilities and equipment for the heart institute	300,000
Kuakini Hospital Research Facility in Hawaii	50,000
La Clinica de Familia CHC in Las Cruces, NM for its promotoras/community health workers program	125,000
La Familia Medical Center in Santa Fe, NM, to expand its community health workers/promotoras program	50,000
La Familia Medical Center, Santa Fe, NM for facilities and equipment	500,000
La Maestra Community Health Centers, San Diego, CA for facilities and equipment	566,000
Lake Erie College, Painesville, OH for facilities and equipment	300,000
Lake Land College, Mattoon, IL, for facilities and equipment for the allied health wing of the western region advanced technology center	575,000
Lamprey Health Care, Newmarket, NH for facilities and equipment	450,000
Lancaster General College of Nursing and Health Sciences, Lancaster, PA, for facilities and equipment	250,000
Landmark Medical Center, Woonsocket, RI for facilities and equipment	600,000
Langlade Memorial Hospital, Antigo, WI for a four-county dental health project	400,000
Lansing Community College, Lansing, MI, for facilities and equipment for a medical training facility	200,000
Lapeer Regional Hospital, Lapeer, MI for facilities and equipment	100,000
LaSalle Primary Care Center, Jena, LA for facilities and equipment for the center in Jonesville	200,000
Latrobe Area Hospital, Latrobe, PA	250,000
Lawrence County Memorial Hospital, Lawrenceville, IL for facilities and equipment	125,000
Lawrence General Hospital, Lawrence, MA for facilities and equipment	540,000
Lawrence Memorial Hospital, Lawrence, KS for facilities and equipment	300,000
Lawton Chiles Foundation, Tallahassee, FL, for facilities and equipment	1,000,000

Le Bonheur Children's Medical Center, Memphis, TN	1,000,000
Leake Memorial Hospital, Carthage, MS, for facilities and equipment	275,000
Lehigh Valley Hospital, Allentown, PA	700,000
Lexington 4 Life, Lexington, MO for health-related facilities and equipment	400,000
Lienhard School of Nursing, Pace University, Pleasantville, NY for programs to promote interest in nursing and other health professions careers among middle school students from diverse backgrounds	104,000
Los Angeles Southwest College, Los Angeles, CA for nursing and allied health training programs	350,000
Louisiana State University Health Sciences Center, Shreveport, LA for facilities and equipment for the Children's Center	100,000
Lourdes Health System, Lourdes Medical Center of Burlington County, Willingboro, NJ, for facilities and equipment	500,000
Low Birth Weight Development Center, Dallas, TX for programs to promote the health and development of very low-birth weight infants	100,000
Lucile Packard Children's Heart Center, Palo Alto, CA	100,000
Lucile Packard Children's Hospital, Palo Alto, CA for facilities and equipment	450,000
Lucy Curci Cancer Center at Eisenhower Medical Center, Rancho Mirage, CA for facilities and equipment	250,000
Lutheran Social Services of South Dakota	200,000
Lynn Community Health Center, Lynn, MA for facilities and equipment	500,000
Madison Center, South Bend, IN for facilities and equipment for the Geropsychology Institute	200,000
Madison Community Health Center, Madison, WI for facilities and equipment	200,000
Magee Rehabilitation Hospital, Thomas Jefferson Health System, Philadelphia, PA	250,000
Magee Women's Research Institute, Pittsburgh, PA	1,000,000
Main Line Health System, Bryn Mawr, PA for equipment	200,000
Malone College, Canton, OH for facilities and equipment	500,000
Marcum and Wallace Memorial Hospital, Irvine, KY for a Picture Archiving Communications System and network	275,000
Margaretville Memorial Hospital, Margaretville, NY, for facilities and equipment	50,000
Marianjoy Rehabilitation Hospital, Wheaton, IL for facilities and equipment	200,000
Marias Medical Center, Shelby, MT	400,000
Maricopa County, AZ for extension of its telemedicine capabilities	250,000
Maricopa County, AZ for facilities and equipment for health care and dental clinics	250,000
Marietta Memorial Hospital, Marietta OH	250,000
Marion Downs Hearing Center, Denver, CO	1,000,000
Marquette General Hospital, Marquette, MI for facilities and equipment	260,000
Marquette University, Milwaukee, WI for health related facilities and equipment	350,000
Marquette University, School of Dentistry, Milwaukee, WI for dentistry outreach program to train healthcare professionals	285,000
Marshall University for a mobile medical unit which will provide pediatric care to medically underserved children in rural areas of Wayne, Lincoln, and Cabell counties in West Virginia and for a telehealth project with Walter Reed Hospital for support of virtual colonoscopies and technology for the transfer of automated medical records in rural areas of West Virginia	2,000,000
Marshfield Clinic, Marshfield, WI for facilities and equipment for the Melvin R. Laird Center for Applied Sciences	9,000,000
Mary Bird Perkins Cancer Center, Baton Rouge, LA for facilities and equipment	100,000
Mary Imogene Bassett Hospital, Inc., Bassett Healthcare, Cooperstown, NY	250,000

Mary Lanning Memorial Hospital, Hastings, NE, for facilities and equipment	50,000
Massachusetts College of Pharmacy and Health Sciences, Boston, MA for facilities and equipment for the Manchester campus	350,000
Massachusetts College of Pharmacy and Health Sciences, Boston, MA, for telehealth programs at its Worcester campus Health Education and Resource Center	450,000
Maui Community Health Center in Hawaii	1,250,000
Maui Economic Development Board in Hawaii for the Lanai Women's Initiative	50,000
MedCentral College of Nursing, Mansfield, OH for facilities and equipment	400,000
Medical College of Georgia, Augusta, GA for facilities and equipment for a cancer research building	500,000
Medical College of Ohio at Toledo for facilities and equipment	650,000
Medical College of Wisconsin, Milwaukee, WI for facilities and equipment	2,600,000
Medical University of South Carolina Oncology Center, Charleston, SC	10,000,000
Meharry Medical College, Nashville, TN	500,000
Meigs County Community Clinic, Pomeroy, OH for facilities and equipment	240,000
Memorial Health System Foundation, Inc., Ormond Beach, FL, for facilities and equipment for a hospice to be located on the Florida Hospital Flagler campus in Palm Coast, FL	100,000
Memorial Health University Medical Center, Savannah, GA for facilities and equipment for a biomedical research building	1,000,000
Memorial Healthcare System, Hollywood, FL, facilities and equipment for the Joe DiMaggio Children's Hospital pediatric emergency department	100,000
Memorial Hermann Health System, Houston, TX for facilities and equipment for neighborhood health centers	360,000
Memorial Hermann Healthcare System, Houston, TX for facilities and equipment	2,000,000
Memorial Hospital of Rhode Island, Pawtucket, RI for facilities and equipment	700,000
Memorial Medical Center, Springfield, IL for facilities and equipment	450,000
Memphis Biotech Foundation, Memphis, TN for construction, renovation, and equipment of biomedical research buildings	2,000,000
Mercy Fitzgerald Hospital, Darby, PA	250,000
Mercy Foundation, Des Moines, IA, for the Midwest Rural Telemedicine Consortium	450,000
Mercy Health Partners, Scranton, PA	250,000
Mercy Health Partners, Toledo, OH	450,000
Mercy Hospital Cadillac, Cadillac, MI for facilities and equipment	225,000
Mercy Hospital of Philadelphia, Philadelphia, PA	250,000
Mercy Hospital, Miami, FL for facilities and equipment	150,000
Mercy Hospital, Port Huron, MI for facilities and equipment	200,000
Mercy Jeannette Hospital, Jeannette, PA	90,000
Mercy Medical Center, Canton, OH for facilities and equipment	1,000,000
Mercy Medical Center, Springfield, MA	275,000
Mercy Suburban Hospital, Norristown, PA	250,000
Meridian Health in New Jersey for the Jersey Shore Emergency Reponses Center	300,000
Meridian Health, Neptune, NJ for hospitals in Brick, NJ for facilities and equipment for the Pharmacological Institute	75,000
MetroHealth System, Cleveland, OH for facilities and equipment for the pediatric intensive care unit	650,000
Metroplex Hospital, Killeen, TX, for facilities and equipment	100,000
Metropolitan Hospital, New York, NY for facilities and equipment	400,000
Miami Children's Hospital, Miami, FL, for equipment for the Pediatric Brain Tumor and Neurological Disease Institute	250,000
Michigan State University, East Lansing, MI, for a telehospice project	100,000
Mid-America Research and Development Foundation, Columbia, MO	200,000
Middle Tennessee State University, Murfreesboro, TN	750,000

Midwestern University, Chicago College of Pharmacy, Downers Grove, IL for facilities and equipment	400,000
Midwestern University, Glendale, AZ, for a rural postgraduate educational program at Sierra Vista Regional Medical Center	400,000
Millcreek Community Hospital, Erie, PA	200,000
Millennium Center for Convergent Technologies, Commack, NY	125,000
Minnesota State Colleges and Universities, Saint Paul, Minnesota, for expansion of nursing and allied health education programs in areas that demonstrate critical occupational needs	100,000
Mission Community Hospital, Panorama City, CA for facilities and equipment for its San Fernando Valley facility	265,000
Missisquoi Valley Union High School District, Swanton, VT for facilities and equipment for school-based dental and primary health care clinics	55,000
Mississippi Band of Choctaw Indians, Choctaw, MS, Choctaw Health Center for health-related construction, renovation, and equipment	600,000
Mississippi Primary Health Care Association, Jackson, MS	705,000
Mississippi University for Women, Columbus, MS	1,000,000
Modoc Indian Health Project, Alturas, CA for facilities and equipment for the Modoc Medical Center and Surprise Valley District Hospital	250,000
Mohawk Valley Community College, Utica, NY for dental clinic facility in Rome, NY	150,000
Mon Valley YMCA, Charleroi, PA for facilities and equipment	50,000
Monongahela Valley Hospital, Monongahela, PA for facilities and equipment	800,000
Montefiore Medical Center, Bronx, NY for expansion of its Clinical Information System to community-based ambulatory care facilities	300,000
Morenci Health Care Center, Inc., Morenci, AZ, for facilities and equipment	100,000
Morris Heights Health Center, Bronx, NY for facilities and equipment	400,000
Morton Comprehensive Health Services, Tulsa, OK for facilities and equipment for the Nowata Family Health Center	300,000
Morton Plant Hospital Association, Clearwater, FL for neuroscience center	150,000
Moses Cone Health System, Greensboro, NC for facilities and equipment for the Guilford Genomic Medicine Initiative	100,000
Moses Taylor Health Care System, Scranton, PA	200,000
Motion Picture and Television Fund (MPTF), Woodland Hills, CA for a physical and occupational therapy facility	200,000
Mount Anthony Union High School District, Bennington, VT for school-based health and dental services, including dental equipment	50,000
Mount Sinai Hospital of Queens, Long Island City, NY for facilities and equipment for its Comprehensive Cancer Center	340,000
Mountain Park Health Center, Phoenix, AZ, for facilities and equipment at its Tolleson, AZ site	240,000
Mountain State University in Beckley, West Virginia, for the construction of the Allied Health Technology Tower	4,000,000
Mountainlands Community Health Center, Provo, UT	125,000
Multi Dimensional Imaging, Inc. of Newport Beach, CA	500,000
Multnomah County, OR for health care facilities and equipment	340,000
Muskegon Community Health Project, Muskegon, MI, for facilities and equipment	250,000
Nassau Community College in Garden City, NY	150,000
Nassau University Medical Center, East Meadow, NY, for facilities and equipment for the burn treatment center facility	250,000
Nathan Adelson Hospice in Henderson, NV	500,000
National Healthy Start Association, Baltimore, MD to gather and disseminate information on best practices under the Healthy Start program and provide technical assistance to Healthy Start grantees	350,000
National Jewish Medical and Research Center, Denver, CO	300,000

National Organization on Fetal Alcohol Syndrome for a demonstration program with community health centers to improve the prevention, identification, and support of individuals with fetal alcohol syndrome	840,000
Navajo Medical Division in New Mexico for the establishment of a community health worker demonstration project	150,000
Neighborhood Health Plan of Rhode Island for the Rhode Island Community-Based Medical Interpretation Network	250,000
Neumann College, Aston, PA for construction	50,000
Nevada Cancer Institute, Las Vegas, Nevada for construction of a laboratory and clinical research facility	1,000,000
New Britain General Hospital, New Britain, CT for facilities and equipment	300,000
New Hampshire Community Health Centers for rural health services	400,000
New Hampshire Community Technical College System, New Hampshire Technical Institute, Concord, NH	500,000
New Horizons Medical Center, Owenton, KY for technology improvements	300,000
New Melleray Abbey in Iowa	100,000
New Mexico Children's Health project, Las Cruces, NM	400,000
New Mexico Primary Health Care Association to fund a community health worker demonstration project statewide	250,000
New York Presbyterian Hospital, New York, NY for creation of a regional health information infrastructure	1,000,000
New York University Medical Center for construction of a vaccine lab	1,000,000
North Central Pennsylvania Regional Planning and Development Commission, Ridgeway, PA, for medical equipment	100,000
North Dakota State University, College of Pharmacy, Fargo, ND for a telepharmacy project	850,000
North Idaho Rural Health Consortium (NIRHC), Bonner General Hospital, Sandpoint, ID to continue providing and improving distance healthcare access in north Idaho	500,000
North Mississippi Health Services, Neonatal Intensive Care Unit at North Mississippi Medical Center Women's Hospital, Tupelo, MS for planning and renovations	200,000
North Shore—Long Island Jewish Health System, Manhassat, NY	100,000
North Valley Hospital, Whitefish, MT	300,000
NorthEast Medical Center, Concord, NC for facilities and equipment for the neonatal facility	200,000
Northeast Valley Health Corporation, San Fernando, CA for facilities and equipment for its Canoga Park Health Center	70,000
Northeast Wisconsin Technical College in Green Bay, WI for a low-income health clinic	500,000
Northeastern Ohio Universities College of Medicine, Rootstown, OH for facilities and equipment	500,000
Northeastern Oklahoma Community Health Centers, Hulbert, OK for facilities, equipment, and operational costs for dental services	270,000
Northern Arizona University, Flagstaff, AZ for the Keim Genetics Laboratory	200,000
Northern Counties Health Care, St. Johnsbury, VT for facilities and equipment for a dental clinic in Hardwick, VT	170,000
Northern Dutchess Hospital, Rhinebeck, NY, for facilities and equipment	200,000
Northern Illinois University, DeKalb, IL for facilities and equipment for the Family Health Wellness & Literacy Center	3,000,000
Northern Oklahoma College, Tonkawa, OK, for construction, renovation, and equipment of a medical nursing skills training facility	50,000
Northern State University in Aberdeen, South Dakota	250,000
Northland Regional Healthcare, Princeton, MN, for facilities and equipment	250,000
Northwest College, Kirkland, WA for facilities and equipment for the Mark and Huldah Buntain School of Nursing academic center	50,000

Northwestern Memorial Hospital, Chicago, IL for facilities and equipment for a new Prentice Women's Hospital	1,600,000
Northwestern University, Evanston, IL for facilities and equipment at the Pancoe-Evanston Northwestern Healthcare Life Sciences Pavilion	800,000
Norwalk Community College, Norwalk, CT, for construction and equipment of a center for health and science	100,000
Nova Southeastern University, Fort Lauderdale, FL, for facilities and equipment	200,000
Oakland University School of Nursing, Rochester, MI for facilities and equipment	125,000
Oakwood Health System, Dearborn, MI for facilities and equipment	200,000
O'Connor Hospital, Delhi, NY, for facilities and equipment	100,000
Odessa Memorial Healthcare Center, Odessa, WA for facilities and equipment	1,050,000
Ohio Board of Regents, Columbus, OH for facilities and equipment for the Third Frontier Network	750,000
Ohio Board of Regents, Columbus, OH to extend the Third Frontier Network to children's and community hospitals for facilities and equipment	750,000
Ohio State University Medical Center, Columbus, OH, for facilities and equipment	1,400,000
Ohio State University, Ohio Agricultural Research and Development Center, Wooster, OH for facilities and equipment	1,000,000
Oklahoma Medical Research Foundation (OMRF), Oklahoma City, OK	100,000
Oklahoma Office of Rural Health, Oklahoma City, OK for telehealth	50,000
Oklahoma State University, Rural Health Policy and Research Center, Tulsa, OK, for telemedicine program	430,000
Operation PAR, Inc., Pinellas Park, FL for facilities and equipment for a facility in PAR Village North	3,000,000
Operation PAR, Inc., Pinellas Park, FL, for facilities and equipment for a child and family guidance center in St. Petersburg, FL	2,000,000
Oregon Health Sciences University, Portland, OR	300,000
Orrville Hospital Foundation dba Dunlap Memorial Hospital, Orrville, OH for facilities and equipment	500,000
Ottumwa Regional Health Center, Ottumwa, IA	155,000
Our Health, Inc., Winchester, VA for rural outreach	250,000
Overlook Hospital Foundation, Summit, NJ for facilities and equipment for the Emergency Department	90,000
Palliative Care Center and Hospice of the North Shore, Evanston, IL for facilities and equipment	300,000
Paradise Valley Hospital, National City, CA for facilities and equipment for an emergency department facility	100,000
Pardee Hospital, Hendersonville, NC, for facilities and equipment	500,000
Park Ridge Hospital/Unity Health System, Rochester, NY, for facilities and equipment for the emergency room	300,000
Parkview Hospital of El Reno Authority, El Reno, OK	100,000
Partnership for Families, Children and Adults, Chattanooga, TN for facilities and equipment for three of its facilities	300,000
Partnership for the Children of San Luis Obispo County, Clinica de Tolosa Dentistry for Children, San Luis Obispo, CA, for facilities and equipment	50,000
Pathway Caring for Children, Canton, OH for facilities and equipment	500,000
Peach Regional Medical Center, Fort Valley, GA for facilities and equipment	35,000
Penebscot Valley Hospital, Lincoln, ME for rural health care services	250,000
Penn Medicine, University of Pennsylvania Health System, Philadelphia, PA	75,000
Pennsylvania College of Optometry, Elkins Park, PA for equipment	100,000
Pennsylvania Hospital, Philadelphia, PA	200,000
Pennsylvania State University, Hershey, PA	1,000,000
Perry Hospital, Perry, GA for facilities and equipment	50,000

Phelps Memorial Hospital Center, Sleepy Hollow, NY for facilities and equipment	450,000
Philadelphia College of Osteopathic Medicine, Philadelphia, PA	200,000
Philadelphia College of Osteopathic Medicine, Philadelphia, PA for facilities and equipment for the Lawrenceville, GA campus	682,000
Philipsburg Hospital, Philipsburg, PA, for facilities and equipment	250,000
Phoenix House, Temple Terrace, FL	500,000
Pinnacle Health System, Harrisburg, PA	250,000
Pittsburgh Gateways Corporation, Pittsburgh, PA for construction of an in vitro diagnostics facility	100,000
Pittsburgh Mercy Health System, Pittsburgh, PA	200,000
Pittsburgh Regional Healthcare Initiative, Pittsburgh, PA	200,000
Pittsburgh's Ohio Valley General Hospital, McKees Rocks, PA for facilities and equipment	400,000
Placer County, Auburn, CA for facilities and equipment for the Children's Health Center and Emergency Facility	500,000
Plumas County, Quincy, CA for facilities and equipment for the Seniors Nutrition Program	100,000
Plumas County, Quincy, CA, for the Rural Health Services Project	100,000
Pocono Medical Center, Stroudsburg, PA	100,000
Policy Institute for Integrative Medicine, Philadelphia, PA for development and dissemination of internet-based educational materials regarding integrative medicine	140,000
Pondera Medical Center, Conrad, MT, for facilities and equipment	250,000
Porcupine Clinic in Porcupine, South Dakota	100,000
Port Huron Hospital, Port Huron, MI for facilities and equipment	200,000
Portneuf Medical Center, Pocatello, ID, for the cardiac and vascular services center	700,000
Prentiss Regional Hospital and Extended Care Facility, Prentiss, MS, for facilities and equipment	225,000
Presbyterian Medical Center, University of Pennsylvania Health System, Philadelphia, PA	250,000
Primary Care Association of Hawaii for Telehealth and Outreach programs	400,000
Primary Care Center of Mount Morris, Mt. Morris, PA	125,000
Primary Health Network, Sharon, PA	100,000
Prince George's Community College, Largo, MD for facilities and equipment for nursing and other health-related instructional programs at its Laurel College Center	200,000
Prince George's County Department of Health, Upper Marlboro, MD for facilities and equipment for a community health clinic in Suitland, MD	70,000
Prince George's County, MD for facilities and equipment for a health clinic	70,000
Proctor Hospital, Peoria, IL, for facilities and equipment	450,000
Project Access of the Dan River Region, Danville, VA for rural health	150,000
Providence Center, Inc., Millersville, MD, for facilities and equipment	240,000
Providence Health, Kansas City, KS for facilities and equipment at Providence Medical Center	400,000
Puerto Rico Department of Health, Rio Piedras, PR for a program of stipends to medical residents to improve the supply of physicians in Puerto Rico	350,000
Punxsutawney Area Hospital, Punxsutawney, PA, for facilities and equipment	100,000
Putnam Hospital Center, Carmel, NY for facilities and equipment	500,000
Queens Hospital Center, Jamaica, NY for facilities and equipment	400,000
Quinnipiac University, Hamden, CT for facilities and equipment for its graduate medical education center	400,000
Rainbow Babies and Children's Hospital, Cleveland, OH	750,000
Regional Medical Center at Lubec, Lubec, ME for facilities and equipment	45,000
Rhode Island Hospital, Providence, RI for facilities and equipment	800,000
Rhodes State College, Lima, OH, for facilities and equipment for the nursing building	250,000
Rice University, Houston, TX for facilities and equipment	1,000,000

Ridgecrest Regional Hospital, Ridgecrest, CA, for facilities and equipment	125,000
Ridges Clinic, Burnsville, MN, for facilities and equipment	500,000
Riverside County Regional Medical Center, Moreno Valley, CA for facilities and equipment for the trauma unit	250,000
Riverside Health System, Newport News, VA, for facilities and equipment for the Atlantic Coast Cancer Center Riverside	100,000
Riverside Health System, Newport News, VA, for facilities and equipment for the Riverside School of Health Careers facility	100,000
RMSA Inc. Health Center, Reidsville, NC for facilities and equipment	200,000
Robert Wood Johnson University Hospital, New Brunswick, NJ, for facilities and equipment for the Bristol-Myers Squibb Children's Hospital	240,000
Rockcastle Hospital and Respiratory Care Center, Mt. Vernon, KY, for facilities and equipment	750,000
Rockdale County, GA for health department facilities and equipment at the J.P. Carr Human Services Complex	640,000
Rocking Horse Center, Springfield, OH for facilities and equipment	150,000
Rosalind Franklin University of Medicine and Science, North Chicago, IL for facilities and equipment	250,000
Roswell Park Cancer Institute, Buffalo, NY, for facilities and equipment	250,000
Rumford Hospital, Rumford, ME for facilities and equipment	275,000
Rural Health Collaborative of Southern Ohio, Milford, OH for rural outreach	210,000
Rural Health Corporation of Northeastern, PA	100,000
RUSH Initiative, Birmingham, AL for rural outreach	150,000
RUSH Initiative, Birmingham, AL, for Safe Harbor program	200,000
Rush University Medical Center, Chicago, IL for facilities and equipment	500,000
Rutgers University in New Jersey	1,000,000
Sac and Fox Tribe of the Mississippi in Iowa for a Tribal Health Care Clinic	1,500,000
Sacred Heart Hospital, Allentown, PA	700,000
Safe Harbor Behavioral Health, Erie, PA	25,000
Saint Charles Foundation, Port Jefferson, NY for facilities and equipment for Saint Charles Hospital	200,000
Saint Clare Hospital & Health Services, Baraboo, WI for facilities and equipment	400,000
Saint Joseph Community Center, Lorain, OH for health-related facilities and equipment	320,000
Saint Joseph Health Services of Rhode Island, North Providence, RI for a mobile dental van program	75,000
Saint Luke's Episcopal Hospital, Houston, TX for facilities and equipment	350,000
Saint Luke's Hospital, Newburgh, NY for facilities and equipment	250,000
Saint Mary Medical Center, Long Beach, CA for continuation of its minority cancer education and outreach initiative	100,000
Saint Agnes Medical Center, Philadelphia, PA	250,000
Saint Anthony's Health Care Foundation, St. Petersburg, FL for facilities and equipment	2,000,000
Saint Barnabas Health Care System	300,000
Saint Bernardine Medical Center, San Bernardino, CA for facilities and equipment	575,000
Saint Francis Hospital, Wilmington, DE for facilities and equipment	125,000
Saint Francis Medical Center, Trenton, NJ, for facilities and equipment	400,000
Saint Francis University Center of Excellence for Remote and Medically Under-Served Areas, PA	250,000
Saint John's Hospital, Springfield, IL	75,000
Saint John's Health, MI	500,000
Saint John's University, College of Pharmacy and Allied Health Professions, Jamaica, NY for facilities and equipment	340,000
Saint Joseph Health Center, St. Charles, MO for a Community Health Education Resource Center	500,000
Saint Joseph Hospital, Nashua, NH	1,000,000

Saint Joseph Hospital/PeaceHealth, Bellingham, WA to continue and expand the Pursuing Perfection Project for Whatcom County	500,000
Saint Joseph Medical Center Reading, PA	100,000
Saint Joseph's Hospital, Savannah, GA, for facilities and equipment	450,000
Saint Jude Children's Research Hospital, Memphis, TN	500,000
Saint Louis Community Health Center, Superior, WI for facilities and equipment and to provide dental services	700,000
Saint Louis University, St. Louis, MO for construction, renovation, and equipment	1,000,000
Saint Luke Community Clinic, Front Royal, VA for facilities and equipment	50,000
Saint Luke's Hospital, Allentown, PA	700,000
Saint Luke's Regional Medical Center, Boise, ID for facilities and equipment	500,000
Saint Mary's Health Center, Jefferson City, MO, for facilities and equipment	600,000
Saint Mary's Health System, Knoxville, TN for facilities and equipment for the treatment center in North Knox County	100,000
Saint Mary's Medical Center, Huntington, WV for facilities and equipment	1,000,000
Saint Patrick's Hospital and Health Sciences Center, International Heart Institute, Missoula, MT to establish a Montana Cardiology Medicine Network to provide rural telemedicine resources	700,000
Saint Peter's College, Jersey City, NJ for facilities and equipment	200,000
Saint Peter's Medical Center in New Jersey	200,000
Saint Thomas Health Services, Nashville, TN	500,000
Saint Vincent Healthcare Rocky Mountain Center, MT	250,000
Saint Vincent Healthcare, Billings, MT	500,000
Saint Vincent's Medical Center in Bridgeport, CT	250,000
San Antonio Community Hospital, Upland, CA	1,000,000
San Francisco State University, San Francisco, CA for programs to recruit high school students interested in nursing careers and to assist minority and disadvantaged students in masters and doctoral nursing programs	350,000
San Joaquin Community Hospital, Bakersfield, CA, for equipment and facilities	100,000
San Joaquin General Hospital, French Camp, CA for information technology systems for medication dispensing, administration, and management	300,000
San Luis Obispo County Community College District (Cuesta College), San Luis Obispo, CA, for facilities and equipment	127,000
Santa Clara County Valley Medical Center Foundation, San Jose, CA for a substance abuse treatment facility	340,000
Sarasota Memorial Hospital, Sarasota, FL for facilities and equipment for the North County Health Center	275,000
Saratoga Hospital, Saratoga Springs, NY, for facilities and equipment	225,000
Schenectady Family Health Services, Schenectady, NY for facilities and equipment	450,000
School of Nursing, Oregon Health Sciences University, Portland, OR for facilities and equipment	370,000
Scotland County Memorial Hospital, Memphis, MO for facilities and equipment	150,000
Scottsdale Healthcare, Scottsdale, AZ	300,000
Scottsdale Healthcare, Scottsdale, AZ for facilities and equipment for the Osborne facility	250,000
Scranton Primary Health Care Center, Scranton, PA	25,000
Scripps Health—Scripps Memorial Hospital La Jolla, San Diego, CA for facilities and equipment	250,000
SDTC-The Center for Discovery, Harris, NY, for facilities and equipment for the Carrus Institute	200,000
Seattle Indian Health Board, Seattle, WA for support of its residency training program in family medicine	300,000
Sertoma Center, Knoxville, TN for facilities and equipment	250,000
Shands Jacksonville Hospital, Jacksonville, FL for facilities and equipment	340,000

Sharon Regional Health System, Sharon, PA for construction, renovation and equipment	250,000
Shawano Area Community Foundation in Shawano, WI	75,000
Shepherd University in Shepherdstown, West Virginia, for the construction of a nursing education facility	10,000,000
Sheppard Pratt Health System, Towson, MD for facilities and equipment	400,000
Shoals Committee on Programs and Employment, Florence, AL for facilities and equipment in Russellville, AL	100,000
Sierra View District Hospital, Porterville, CA for facilities and equipment	500,000
Sierra Vista Regional Health Center, Sierra Vista, AZ for facilities and equipment	500,000
Sioux Valley Memorial Hospital, Cherokee, IA, for facilities and equipment	100,000
Soldiers and Sailors Memorial Hospital, Wellsboro, PA, for facilities and equipment	200,000
Somerset Hospital, Somerset, PA, for facilities and equipment	250,000
Somerset Medical Center, Somerville, NJ, for facilities and equipment	500,000
South Carolina Office of Rural Health, Columbia, SC for facilities and equipment	100,000
South County Hospital, Wakefield, RI for construction, renovation, and equipment	150,000
South Dakota Dental Association in Pierre, South Dakota for Target Access: Building A Dental Workforce in South Dakota	200,000
South Dakota State University College of Pharmacy in Brookings, SD	200,000
South Dakota Technology Business Center in Sioux Falls, South Dakota to construct the Graduate Education and Applied Research Center	2,350,000
South Texas Rural Health Services, Cotulla, TX for a health center in La Salle County	200,000
Southcoast Health System, New Bedford, MA for facilities and equipment for the emergency department at St. Luke's Hospital	375,000
Southdale Hospital, Edina, MN, for facilities and equipment for an electronic medical record system	200,000
Southeast Community College, Cumberland, KY, for facilities and equipment for an allied health training facility	400,000
Southeast Lancaster Health Services, Lancaster, PA	100,000
Southeast Missouri Health Network, Madrid, MO for construction, renovation, and equipment for a new building in Kennett, MO	470,000
Southeast Missouri State University, Cape Girardeau, MO, for facilities and equipment	650,000
Southern Arkansas University, Magnolia, AR for facilities and equipment for nursing education	340,000
Southern Illinois University, School of Medicine, Springfield, IL for facilities and equipment for the Cancer Institute	100,000
Southern New Hampshire Medical Center, Nashua, NH	500,000
Southwest Colorado Mental Health Center, Durango, CO for the construction of the Crossroads Mental Health Center at Mercy Medical Center	500,000
Southwest Utah Community Health Center, UT	100,000
Southwestern Michigan College, Dowagiac, MI for facilities and equipment	100,000
Spanish Catholic Center in Washington, DC	400,000
Spruce Pine Community Hospital, Spruce Pine, NC for facilities and equipment	50,000
Squirrel Hill Health Center, Jewish Healthcare Foundation, Pittsburgh, PA	100,000
St. Petersburg College, St. Petersburg, FL, for facilities and equipment for a health education building	1,485,000
Stark Metropolitan Housing Authority, Canton, OH for facilities and equipment	250,000
Stark State College of Technology, Canton, OH for facilities and equipment	400,000

State of Alaska Department of Health and Social Services, Juneau, AK for implementation of its Frontier Extended Stay Clinic Demonstration Project	250,000
State of New Mexico Human Services Department, Santa Fe, NM for telehealth services to rural New Mexico	950,000
State University of New York, Upstate Medical University, Syracuse, NY for facilities and equipment	500,000
Staten Island University Hospital, NY	200,000
Stedman-Wade Health Services, Wade, NC for facilities and equipment	390,000
Stepping Stone School for Exceptional Children, Inc., Alma, AR	50,000
Stewart-Marchman Center, Daytona Beach, FL for facilities and equipment	100,000
Sullivan County Medical Center, Laporte, PA for rural outreach	225,000
Summa Health System, Akron, OH for facilities and equipment	500,000
SUN Home Health Services, Inc., Northumberland, PA, for facilities and equipment	250,000
Sun Life Family Health Center, Inc., Casa Grande, AZ for facilities and equipment	100,000
Sunbury Community Hospital, Sunbury, PA	150,000
Susquehanna Health System, Williamsport, PA for equipment	100,000
Swedish Covenant Hospital, Chicago, IL for facilities and equipment	1,000,000
Swedish Medical Center, WA	770,000
Swift Horse Lodge in Fort Thompson, SD	350,000
Tallahassee Community College, Tallahassee, FL for facilities and equipment for healthcare training	450,000
Tattnall Community Hospital, Reidsville, GA for facilities and equipment	55,000
Taylor Telfair Regional Hospital, McRae, GA for facilities and equipment	40,000
Temple University Health System, Philadelphia, PA	1,000,000
Tennessee Christian Medical Center, Madison, TN for facilities and equipment	300,000
Tennessee Technological University School of Nursing, Cookeville, TN	500,000
Terra State Community College, Fremont, OH, for facilities and equipment for a health sciences building	250,000
Texas A & M University Health Science Center, College Station, TX for the Rural Community Health Institute	400,000
Texas Children's Hospital, Houston, TX for facilities and equipment for a heart center facility	700,000
Texas College, Tyler, TX, for facilities and equipment for the Allied Health Services Building	100,000
Texas Health Resources, Arlington, TX for facilities and equipment for Harris Methodist Fort Worth Hospital, Ft. Worth, TX and Harris Methodist Northwest Hospital, Azle, TX	450,000
Texas Heart Institute, Houston, TX for equipment	350,000
Texas Tech University Health Sciences Center at El Paso, for facilities and equipment	1,100,000
Texas Tech University Health Sciences Center, Lubbock, TX, for a cardiovascular center	250,000
The Hospital, Town of Sidney, Sidney, NY, for facilities and equipment	50,000
The Jackson Laboratory, Harbor, ME	250,000
The Shelter, Columbia, MO, for facilities and equipment for a transitional living program facility	250,000
Third Street Family Health Services, Mansfield, OH for facilities and equipment	350,000
Thomas Jefferson University Hospital, Philadelphia, PA for facilities and equipment	900,000
Thoughtful House, Austin, TX, for facilities and equipment	200,000
Thundermist Health Center, Woonsocket, RI for information technology upgrades	200,000
Tiburcio Vasquez Health Center, Union City, CA for facilities and equipment for its Hayward site	250,000
Tioga Dental Services, Wellsboro, PA	100,000

Tomball Regional Hospital, Tomball, TX, for catheterization lab	250,000
Touro University College of Osteopathic Medicine in Henderson, NV	400,000
Town of Moriah, Port Henry, NY for the Mineville Health Center, Mineville, NY for facilities and equipment	300,000
Town of Welaka Medical Center, Welaka, FL, for facilities and equipment	100,000
Translational Genomics Research Institute, Phoenix, AZ for facilities and equipment	1,200,000
Transplant Foundation, Philadelphia, PA	100,000
Triangle AIDS Network, Beaumont, TX for facilities and equipment	250,000
Tri-County Community Action Program, Tamworth, NH	650,000
Tri-County Community Dental Clinic in Appleton, WI to provide dental services for rural low-income populations	100,000
Tucson Medical Center, Tucson, AZ for facilities and equipment for the TMC Health Care hospice facility	1,000,000
Tufts University School of Medicine, Boston, MA	200,000
Twin Cities Community Hospital, Inc., Templeton, CA, for equipment	140,000
Tyrone Hospital, Tyrone, PA	500,000
UMass Memorial Health Care in Worcester, MA for a high-speed network and Picture Archiving and Communication System	400,000
Umatilla County, Pendleton, OR for construction of a public health facility	95,000
Under His Wings, Morris, IL for renovation of two facilities	50,000
Union Mission, Inc., Savannah, Georgia for facilities and equipment	100,000
Uniontown Hospital, Uniontown, PA for facilities and equipment	750,000
United Medical Center, Cheyenne, WY	300,000
University at Buffalo, State University of New York, Buffalo, NY, for facilities and equipment for the Center of Excellence in Bioinformatics	500,000
University Hospitals of Cleveland, Rainbow Babies & Children's Hospital, Cleveland, OH for facilities and equipment	1,000,000
University Medical Center of South Nevada	500,000
University of Akron, Medina County University Center, Akron, OH for facilities and equipment	1,000,000
University of Alaska/Anchorage—Anchorage, AK for its Geriatric and Disabled Care Training Program	500,000
University of Alaska/Anchorage—Anchorage, AK to continue program to recruit and retain Alaska Natives as nurses	425,000
University of Alaska/Fairbanks and University of Alaska/Anchorage—Anchorage and Fairbanks, AK to continue Alaska Natives in Psychology (ANPSYCH) program	500,000
University of Appalachia, Saint Paul, VA for facilities and equipment for a School of Pharmacy	500,000
University of Arizona, Tucson, AZ, for facilities and equipment	1,200,000
University of Arkansas for Medical Sciences, Little Rock, AR for the ANGELS program	350,000
University of California—Los Angeles, Beverly Hills, CA	100,000
University of California at Los Angeles, School of Medicine for facilities and equipment for the UCLA AIDS Institute	350,000
University of California at San Francisco Children's Hospital, for facilities and equipment for a Mothers' and Children's Birth Defects Center	500,000
University of California San Diego Medical Center, La Jolla, CA for facilities and equipment for the Institute of Molecular Medicine facility	650,000
University of California, Davis Health System, Sacramento, CA for construction of medical library and education center	700,000
University of California, Irvine Medical Center, Orange, CA for facilities and equipment for the emergency department	400,000
University of Charleston in Charleston, WV, for a School of Pharmacy facility	5,300,000
University of Chicago Hospitals and Health System, Chicago, IL for facilities and equipment for a new pediatric emergency room	550,000

University of Cincinnati Medical Center, Cincinnati, OH for facilities and equipment for the medical sciences building	400,000
University of Denver, Denver, CO	200,000
University of Florida, Health Science Center, Gainesville, FL for facilities and equipment for the animal facility	2,000,000
University of Illinois College of Medicine at Peoria, Peoria, IL for facilities and equipment for a cancer research center	200,000
University of Illinois College of Medicine, Chicago, IL for the renovation and expansion of the National Center for Rural Health Professions, Education, and Research at the University of Illinois College of Medicine, Rockford	300,000
University of Iowa, Iowa City, IA, for facilities and equipment for a public health laboratory	1,400,000
University of Kentucky Consortium for Applied Oral Health Research and Treatment, Lexington, KY	1,300,000
University of Kentucky Research Foundation, Lexington, KY, for rural outreach	750,000
University of Kentucky, Lexington, KY Neuroscience Research Institute	1,500,000
University of Louisiana at Monroe, Monroe, LA for creation of the northeast Louisiana healthline	150,000
University of Louisville, Louisville, KY for equipment related to Regenerative Medicine for the Treatment of Ischemic Heart Disease Project	2,000,000
University of Louisville, Louisville, KY for the Baxter III Research Building	10,250,000
University of Louisville, Louisville, KY, for the Center for Cancer Nursing Education and Research	300,000
University of Maryland at Baltimore to establish a nursing institute	250,000
University of Maryland School of Pharmacy, Baltimore, MD for facilities and equipment	500,000
University of Massachusetts, Amherst, MA	700,000
University of Medicine and Dentistry of New Jersey, School of Osteopathic Medicine, Stratford, NJ, for facilities and equipment for the Geriatric Research Center	75,000
University of Miami, Miami, FL for facilities and equipment for the Center for Research in Medical Education	650,000
University of Michigan Health System, Ann Arbor, MI for infectious disease laboratory facilities and equipment	600,000
University of Mississippi Medical Center, Jackson, MS for the Imaging Research Center	4,000,000
University of Mississippi, Oxford, MS, School of Pharmacy for the National Center for Natural Products Research Phase II	2,600,000
University of Nevada, Las Vegas for faculty and other costs associated with organization and start-up of School of Public Health	1,000,000
University of Nevada, Reno for the Institute for Aging	900,000
University of New Mexico, Albuquerque, NM	6,000,000
University of North Dakota School of Medicine and Health Sciences for facilities and equipment	450,000
University of North Dakota, School of Medicine, Grand Forks, ND, to continue rural health research at the Center for Rural Health and Medicine	750,000
University of Northern Colorado, Greeley, CO, for facilities and equipment at the Rocky Mountain Cancer Rehabilitation Institute	75,000
University of Northern Colorado, Greeley, CO, for the Maple Tree Project at the Rocky Mountain Cancer Rehabilitation Institute	75,000
University of Oklahoma Health Sciences Center, Oklahoma City, OK, to further develop its doctoral-level program in bioinformatics	100,000
University of Pennsylvania Institute for Translational Research, Philadelphia, PA	1,000,000
University of Pennsylvania for the Paula Kline breast cancer treatment enhancement program, Philadelphia, PA	200,000
University of Pittsburgh at Bradford, Bradford, PA, for the Center for Rural Health Practice	50,000

University of Pittsburgh Medical Center, Pittsburgh, PA	1,000,000
University of Pittsburgh Medical Center, Pittsburgh, PA for non-invasive radio wave ablation equipment	200,000
University of Pittsburgh, Pittsburgh, PA	1,000,000
University of Rochester in NY to expand the School of Nursing	400,000
University of Scranton, Scranton, PA	200,000
University of South Alabama, Mobile, AL	20,000,000
University of South Alabama, Mobile, AL for facilities and equipment for the Cancer Research Institute	300,000
University of South Alabama, Mobile, AL for the Office of Emerging Health Technologies	250,000
University of South Dakota Department of Dental Hygiene in Vermillion, SD	100,000
University of South Florida, Tampa, FL for facilities and equipment for the Center for Biological Defense Labs	2,000,000
University of Southern Maine, Portland, ME, for expansion of the USM nursing school	250,000
University of Southern Mississippi, Hattiesburg, MS to equip the alternative models for primate research laboratory	250,000
University of Tennessee at Chattanooga, Graduate School of Computational Engineering and UT SimCenter at Chattanooga, Chattanooga, TN	400,000
University of Tennessee Health Science Center, Memphis, TN to support the Delta Health Partnership (Delta Regional Authority and Delta Health Alliance) project	750,000
University of Tennessee Medical Center, Knoxville, TN	250,000
University of Texas Health Center at Tyler, Tyler, TX for facilities and equipment for the Texas Lung Injury Institute	500,000
University of Texas Health Center at Tyler, Tyler, TX, for facilities and equipment for an asthma mobile van	400,000
University of Texas Health Science Center San Antonio, San Antonio, TX for equipment	250,000
University of Texas Health Science Center, Houston, TX for the facilities and equipment for the Alliance of NanoHealth	1,000,000
University of Texas MD Anderson Cancer Center, Houston, TX for equipment	500,000
University of Texas Medical Branch, Galveston, TX for facilities and equipment for infectious disease research	750,000
University of Texas Medical Branch, Galveston, TX for the Texas Telehealth Resource Center	350,000
University of Texas Southwestern Medical Center and University of Texas at Dallas for facilities and equipment for their joint program on sickle cell disease	400,000
University of Texas Southwestern Medical Center at Dallas, TX, for facilities and equipment at the Metroplex Medical Imaging Center, Dallas, TX	200,000
University of the Pacific School of Dentistry, San Francisco, CA for facilities and equipment	200,000
University of Washington, School of Medicine, Seattle, WA for Wyoming state participation in the WWAMI regional pilot program to help address the shortage of health professionals in the rural WWAMI region	50,000
University of Washington, School of Medicine, Seattle, WA, for WWAMI rural training project	340,000
University of Washington, Seattle, WA for construction of a life sciences building	1,500,000
University of Washington, Seattle, WA, for facilities and equipment for a muscular dystrophy research center building	50,000
University of Wisconsin—Milwaukee, College of Nursing, for a school nursing demonstration project in the Milwaukee Public Schools	450,000
Utah Navajo Health System, Montezuma Creek, UT for facilities and equipment	500,000
Valdosta State University, Valdosta, GA for facilities and equipment for a health sciences facility	400,000
Valley Hospital, Ridgewood, NJ for facilities and equipment for an electronic intensive care unit	70,000

Van Andel Research Institute, Grand Rapids, MI, for facilities and equipment for the Multiple Myeloma Laboratory	360,000
Vanderbilt University Medical Center Department of Pediatrics, Nashville, TN for the Nurses for Newborns of Tennessee program	250,000
Vassar Brothers Medical Center, Poughkeepsie, NY for facilities and equipment	250,000
Virginia College of Osteopathic Medicine, Blacksburg, VA for rural health outreach	150,000
Virginia Commonwealth University, Richmond, VA for facilities and equipment for Massey Cancer Center	1,000,000
Visiting Nurse Association Care Watch Program, Cleveland, Ohio, to purchase equipment	300,000
Visiting Nurse Association Healthcare Partners of Ohio, East Cleveland, OH for facilities and equipment	275,000
Visiting Nurse Association of Fox Valley, Aurora, IL for facilities and equipment	550,000
Visiting Nurse Association of Northern New Jersey, Morristown, NJ for facilities and equipment	500,000
Visiting Nurse Association of Somerset Hills, Bernardsville, NJ for facilities and equipment	500,000
Visiting Nurses Association of Greater Philadelphia, Philadelphia, PA	150,000
Vitality Center Community Service Agency in Elko, NV	50,000
Voorhees College—Denmark, SC	100,000
Waianae Coast Community Health Center, Hawaii, for leadership training	50,000
WakeMed, Raleigh, NC for construction and equipment for health care information technology	100,000
WakeMed, Raleigh, NC for programs to recruit and train health care professionals	350,000
Walsh University, North Canton, OH, for facilities and equipment	500,000
Warren County Chamber of Business and Industry, Warren, PA to purchase equipment at the Warren General Hospital	100,000
Washington County, NC for facilities and equipment for the Washington County Hospital	300,000
Washington County, OR for a primary care clinic	100,000
Washington Hospital Center, Washington, DC for facilities and equipment	1,290,000
Washoe Medical Foundation in Reno, NV	500,000
Waterbury Hospital Health Center, Waterbury, CT for facilities and equipment	100,000
Wayne Community Health Centers, Inc., Wayne County, Utah	50,000
Wayne County Department of Public Health, Detroit, MI for its Maternal and Child Outreach, Coordination and Advocacy Program to reduce infant mortality and low-weight or pre-term births	600,000
Wayne Memorial Hospital, Honesdale, PA	200,000
Weber State University, Ogden, UT	600,000
Wells River Action Program, Wells River, VT to provide free or low-cost healthcare to medically underserved people in rural Vermont	85,000
Welsh Mountain Medical & Dental Center, New Holland, PA	50,000
Wesley College, Dover, DE for facilities and equipment for the nursing program	175,000
West Hawaii Community Health Center on the Big Island of Hawaii	50,000
West Los Angeles College, Culver City, CA for the Allied Health Workforce Enhancement Project	240,000
West Point Community Hospital, West Point, MS for facilities and equipment	775,000
West Shore Advanced Life Support Services, Inc., Camp Hill, PA, for facilities and equipment	100,000
West Virginia University for a clinical teaching center at the Charleston Area Medical Center	5,000,000
West Virginia University for the construction of a Biomedical Science Research Center	20,000,000

West Virginia Wesleyan College for the construction of an expansion of the Christopher Health Science Center	4,000,000
WestCare Health System, Sylva, NC, for facilities and equipment	600,000
Western Pennsylvania Hospital, Pittsburgh, PA	250,000
Westmoreland Regional Hospital, Greensburg, PA for facilities and equipment	200,000
Westside Healthcare District, Taft, CA, for facilities and equipment	200,000
Whidden Memorial Hospital, Everett, MA for facilities and equipment	400,000
White Memorial Medical Center, Los Angeles, CA for facilities and equipment	1,500,000
White Plains Hospital Center, White Plains, NY for a project in cooperation with the White Plains School District to encourage and assist students, particularly underrepresented minorities, to pursue careers in nursing	350,000
Whiteside County Health Department, Rock Falls, IL for facilities and equipment	450,000
Whitney M. Young, Jr. Health Center, Albany, NY for facilities and equipment	340,000
Wills Eye Hospital, Philadelphia, PA	1,000,000
Winneshiek County Memorial Hospital, Decorah, IA for facilities and equipment	100,000
Wirt County Health Services Association, Inc., Elizabeth, WV for facilities and equipment for a community health center in Ravenswood, WV	100,000
Wishard Hospital in Indianapolis, IN	250,000
Wistar Institute, Philadelphia, PA	100,000
Women and Infants Hospital, Providence, RI for facilities and equipment	100,000
Women's Medical Hospital, Philadelphia, PA for construction, renovation and equipment	250,000
Wooster Community Hospital, Wooster, OH for facilities and equipment	1,000,000
Wright State University, Miami Valley College of Nursing and Health, Dayton, OH for the Nursing Institute of West Central Ohio	100,000
Wyoming Valley Health Care System, Wilkes-Barre, PA	100,000
Wyoming Valley Health Care System, Wilkes-Barre, PA for construction, renovation, and equipment	150,000
Yakima Valley Farmworkers Clinic, Portland, OR to purchase equipment for the Rosewood Family Health Clinic	100,000
Yakima Valley Memorial Hospital, WA	500,000
Yale University School of Medicine, New Haven, CT for facilities and equipment for an ovarian cancer prevention and early detection program	400,000
Yancey County, Burnsville, NC, for facilities and equipment for the Yancey County children and family services medical campus	1,000,000
Yavapai Regional Medical Center, Prescott, AZ, for facilities and equipment	100,000
Yeled V'Yalda Early Childhood Center, Inc., Brooklyn, NY for facilities and equipment for a medical center and therapeutic recreation center	100,000
Yeshiva University, Albert Einstein College of Medicine, New York, NY for facilities and equipment	200,000
YMCA of Central Stark County, Canton, OH for facilities and equipment	1,000,000
YMCA of Western Stark County, Navarre, OH for facilities and equipment	1,000,000
York Health Corporation, York, PA	25,000
Zucker Hillside Hospital, Glen Oaks, NY for facilities and equipment	385,000

The conference agreement includes bill language identifying $39,499,000 for the rural hospital flexibility grants program, as provided by the Senate. The House bill provided $32,500,000. Within the total provided, $14,499,000 is for the Small Rural Hospital Improvement Grant program.

The conference agreement includes bill language identifying $249,000 for facilities renovation at the Gillis Long Hansen's Disease Center as proposed by the Senate rather than $250,000 as proposed by the House.

The conferees have included bill language proposed by the Senate identifying $31,000,000 for existing community health centers for economic stabilization and to offset the rising cost of current services. The House report included a similar directive.

The conference agreement includes bill language identifying $100,000 for malpractice insurance for volunteer physicians who practice at free clinics instead of $4,821,000 as proposed by the Senate. The House did not provide funding for this program. The conferees understand that claims against the Federal malpractice insurance are not likely to appear until at least fiscal year 2006, but want to signal the intent to continue the program.

The conference agreement includes bill language providing $9,941,000 to remain available until expended for the National Cord Blood Stem Cell Bank Program. The House did not provide funding for this program.

The conference agreement includes bill language identifying $288,283,000 for family planning instead of $278,283,000 as proposed by the House and $308,283,000 as proposed by the Senate.

The conference agreement includes bill language identifying $793,872,000 for State AIDS Drug Assistance Programs instead of $783,872,000 as proposed by the Senate and $803,872,000 as proposed by the House.

The conference agreement includes bill language designating $119,158,000 of the funds provided for the maternal and child health block grant for special projects of regional and national significance (SPRANS), as provided by the House. The Senate bill provided $122,530,000 for this purpose. It is intended that $4,000,000 of the SPRANS amount will be used to continue the sickle cell newborn screening program and its locally based outreach and counseling efforts. In addition, $5,000,000 of the SPRANS amount will be used to continue the oral health demonstration programs and activities in the States. The conference agreement also includes within the SPRANS set-aside $1,600,000 to continue mental health programs and activities in the States, $3,000,000 to continue the epilepsy demonstration, and $2,000,000 to continue newborn and child screening for heritable disorders.

The conference agreement includes $200,000 for grants to establish a demonstration program and a National Coordinating Center to develop systemic mechanisms for the prevention and treatment of sickle cell disease as authorized in Section 712 of Public Law 108–357. The Sickle Cell Demonstration Program is designed to improve and expand patient and provider education and the continuity and coordination of service delivery for individuals with sickle cell disease through grants to eligible entities as provided for in the legislation. The conferees encourage HRSA to work with patient and provider organizations to develop these programs and prepare a program plan for fiscal year 2006 within six months of enactment.

The conference agreement includes bill language providing $40,000,000 to the Denali Commission as a direct lump payment

pursuant to P.L. 106–113, of which $10,000,000 is for a psychiatric treatment facility in Bethel, Alaska, $10,000,000 is for residential and supportive housing for elders, $2,500,000 is for medical and dental equipment for rural clinics, and $5,000,000 is for upgrade and construction of shelters for victims of domestic violence and child abuse. The Senate provided $41,794,000 for the Denali Commission. The House did not include funding for the Commission. These funds support construction and renovation of health clinics, hospitals and social service facilities in rural Alaska as authorized by Public Law 106–113. Provision of the funding will help remote communities in Alaska develop critically needed health and social service infrastructure for which no other funding sources are available. The conferees expect the Denali Commission to continue its support of joint venture projects to replace the aging hospitals in Nome and Barrow.

The conference agreement provides $14,000,000 for Native Hawaiian health care activities within the consolidated health centers program instead of $15,000,000 as provided by the Senate. The House did not identify specific funding for Native Hawaiian activities.

The conferees continue to support the technical assistance provided to community health centers through the current state and national cooperative agreements, in order to sustain the continued expansion of the health centers program.

The conferees urge HRSA to give preference for funding to section 330 applications submitted within States that have made recent and significant investments to develop new health center sites and services.

The conference agreement provides $87,078,000 for National Health Service Corps recruitment. Although this level is a reduction compared to fiscal year 2004, it is not expected to trigger a decrease in the number of scholarships and loan repayments that can be supported. The recently enacted American Jobs Creation Act of 2004 exempts NHSC loan repayments from taxation as income. This legislative change will permit HRSA to make approximately forty percent more awards under the loan repayment program at any given funding level than in fiscal year 2004 because HRSA will no longer have to reimburse loan recipients for the tax payment. The conference agreement includes $2,000,000 for the demonstration program which allows chiropractors to participate in the NHSC loan forgiveness program.

The conferees do not approve the President's request to use Healthy Community Access program funds for health care networks or for chronic disease management activities.

Within the total for Ryan White AIDS programs, no less than the amount provided in fiscal year 2004 is included for AIDS activities that are targeted to address the growing HIV/AIDS epidemic and its disproportionate impact upon communities of color, including African Americans, Latinos, Native Americans, Asian Americans, Native Hawaiians, and Pacific Islanders.

The conference agreement includes $9,000,000 for rural and community access to emergency devices. Of this amount, $8,000,000 is for the rural program under section 413 of the Public

Health Service Act and $1,000,000 is for the community access demonstration under section 313 of the Act.

The conferees are concerned about reports that grant reviewers for the health careers opportunity program (H–COP) have not recognized the guidance in House and Senate appropriations report language over the past several years. That report language consistently urged HRSA to give priority consideration for H–COP grants to historically minority health professions schools. Yet, several proposals for initial or competitive renewal grants from these institutions were not funded in the 2003–2004 grant cycle; the reviewer comments did not seem to acknowledge important elements of the applications demonstrating the accomplishments of these schools. The conferees direct the Government Accountability Office to study the H–COP grant review process over the past two years to determine if the grant reviewers correctly interpreted and scored the applications from historically minority health professions schools. The review should include the appropriateness of the criteria used to score the application and the degree to which they reflected appropriations report language guidance. The report should be delivered to the House and Senate Appropriations Committees by June 1, 2005.

The conferees encourage HRSA to provide funding for baccalaureate-prepared registered nurses to obtain advanced nursing education (master's degrees) in psychiatric mental health nursing. The conferees further encourage HRSA to provide funding for post-masters certification training in psychiatric mental health nursing for masters-prepared nurses already trained in other specialties.

The conferees recognize the problem of a growing shortage of nursing faculty and that potential nursing students are being turned away from nursing schools because faculty are not available. For example, a lack of qualified faculty is a principal reason for not admitting more students into some Tennessee nursing programs, and Tennessee is one of six states expected to have a critical shortage of nursing faculty within the next five years. The conferees support efforts to address the nursing school faculty shortage through the development of strategic partnerships between health care providers and educational institutions.

The conferees concur in the House report language allocating funding within allied health at the fiscal year 2004 level for graduate psychology education and geropsychology. The conferees also concur in House report language allocating the same funding as in fiscal year 2004 for geriatric education centers, geriatric training, and geriatric academic career awards. The conferees concur in Senate report language allocating funding at least at the fiscal year 2004 level for the pediatric dental program and providing continued funding for the chiropractic-medical school demonstration grant program.

The conferees continue to be concerned about the health care needs of those in the Mississippi River Delta region. The conferees provide $5,200,000 for rural health outreach to continue the ongoing initiative in eight States. These grants provide funding and technical assistance to help underserved rural communities identify and better address their health care needs and to help small rural hospitals improve their financial and operational performance. The

conferees further recommend that HRSA consult with the Delta Regional Authority and the Delta Health Alliance, given their ongoing relationships with communities in the Delta.

The conferees concur in language in the Senate report identifying $3,000,000 within traumatic brain injury funding for protection and advocacy services. The House report did not have similar language.

The conferees concur in language included in the Senate report regarding the distribution of family planning grants. The House report did not include similar language.

The conference agreement includes $148,533,000 for program management as provided by the Senate instead of $151,317,000 as provided by the House. The conferees expect HRSA to use no more than one percent of the funds allocated for projects for agency administrative expenses.

CENTERS FOR DISEASE CONTROL AND PREVENTION

DISEASE CONTROL, RESEARCH, AND TRAINING

The conference agreement includes $4,533,911,000 for disease control, research, and training at the Centers for Disease Control and Prevention (CDC), instead of $4,228,778,000 as proposed by the House and $4,538,592,000 as proposed by the Senate. In addition, $265,100,000 is made available under section 241 of the Public Health Service Act. The House bill proposed that $249,100,000 and the Senate bill proposed that $269,100,000 be derived from section 241 authority.

The conference agreement adopts the revised account structure proposed by the Senate. The new structure includes both account changes that result from the CDC Director's Futures Initiative and revisions made by the Senate regarding the treatment of CDC overhead, personnel, and business expenses. Accordingly, all House bill numbers referenced below are adjusted for comparability.

The conference agreement includes bill language earmarking $272,000,000 for equipment, construction, and renovation of facilities, including the new data center and recovery site to ensure availability of critical systems and data supporting CDC's homeland security and public health emergency responsibilities, instead of $81,500,000 as proposed by the House and $294,500,000 as proposed by the Senate. Within this total, $250,000,000 is for continuation of CDC's program to upgrade and replace facilities in Atlanta and $22,000,000 is to continue construction and purchase equipment for the replacement of CDC's infectious disease laboratory in Fort Collins, Colorado. The conferees support the implementation of CDC's Buildings and Facilities Master Plan and are pleased with the progress made to date.

The conference agreement includes bill language carried in prior years to allow the CDC to enter into a single contract or related contracts for the full scope of development and construction of facilities as proposed by both the House and the Senate. The conference agreement also includes bill language to allow funds appropriated to the CDC to be used to enter into a long-term ground lease for construction on non-Federal land, in order to replace their

laboratory in the Fort Collins, Colorado area as proposed by both the House and Senate.

The conference agreement includes bill language to earmark $124,882,000 for international HIV/AIDS, instead of $142,808,000 as proposed by the House and $118,842,000 as proposed by the Senate. The conference agreement reflects the result of the CDC account restructuring and not a difference in the international HIV/AIDS program operation level.

The conference agreement includes bill language similar to that proposed by the Senate designating that the following amounts shall be available under section 241 (Public Health Service Act evaluation set-aside) for the specified activities:

$109,021,000 National Center for Health Statistics Surveys;

$12,794,000 National Immunization Surveys;

$24,751,000 Information Systems Standards Development and Architecture and Applications-based Research Used at Local Public Health Levels;

$87,071,000 Research Tools and Approaches within the National Occupational Research Agenda;

$31,000,000 Public Health Research; and

$463,000 Health Marketing evaluations.

The conference agreement does not include language proposed by the Senate providing authority to the Director to direct up to 1 percent of the amount made available for any program, project, or activity in this Act to the Centers for Disease Control and Prevention to programs, projects, and activities the Director may so designate. The conferees instead encourage the Director to utilize available reprogramming authority to assist in the implementation of the Futures Initiative.

The conference agreement includes modified bill language proposed by the Senate to permit the Director to use up to $10,000 provided under this heading for representational expenses. The Senate bill included similar authority as a general provision. The House bill had no similar provision.

INFECTIOUS DISEASES

The conference agreement includes $1,666,455,000 for Infectious Diseases, instead of $1,660,599,000 as proposed by the House and $1,675,800,000 as proposed by the Senate. In addition, $12,794,000 is available to carry out National Immunization Surveys to be derived from section 241 evaluation set-aside funds.

Infectious Disease Control

Within the total for Infectious Diseases, the conference agreement includes $227,521,000 for infectious disease control activities instead of $224,288,000 as proposed by the House and $232,731,000 as proposed by the Senate.

Within the total provided, $1,291,000 above fiscal year 2004 is provided for areas of highest scientific and programmatic priority for preparing and responding to present and emerging infectious disease threats.

Within the total provided, $3,500,000 above fiscal year 2004 is to augment CDC's resources for supporting States in developing

and implementing effective surveillance, prevention, and mosquito control to effectively combat West Nile Virus and support research on the biology of the disease.

Within the total provided, $1,000,000 above fiscal year 2004 is to expand and improve surveillance, research, and prevention activities on prion disease. The conferees intend the CDC allocate a portion of the increase provided to expand the work of the National Prion Disease Pathology Surveillance Center and to augment state and local disease surveillance activities.

HIV/AIDS, STD and TB Prevention

Within the total for Infectious Diseases the conference agreement includes $968,938,000 for HIV/AIDS, STD and TB prevention instead of $970,590,000 as proposed by the House and $967,075,000 as proposed by the Senate.

Included is $667,938,000 for domestic HIV/AIDS activities; $161,000,000 for STD activities; and $140,000,000 for TB activities.

Within the total for HIV/AIDS, the conferees intend that the activities that are targeted to address the growing HIV/AIDS epidemic and its disparate impact on communities of color, including African Americans, Latinos, Native Americans, Asian Americans, Native Hawaiians, and Pacific Islanders be supported at not less than $97,818,000, the fiscal year 2004 level. The conferees intend that CDC follow the report accompanying the Labor, HHS and Education and Related Agencies Appropriations Act, 2002 regarding the disbursement of these funds, including continuing support for the Directly Funded Minority Community Based Organization Program.

The conference agreement provides an increase of $2,420,000 to expand the infertility prevention program to provide screening and testing technologies for STDs and HIV, as well as other women's health services that are provided by recipients of these funds.

The conferees concur with language in the Senate report encouraging CDC to maximize the percentage of TB control funds made available on a per case basis while ensuring that no state receives less funding than it received in fiscal year 2004.

Immunization

Within the total for Infectious Diseases, the conference agreement includes a discretionary program level total of $469,995,000 for immunization, instead of $465,721,000 as proposed by the House and $475,995,000 as proposed by the Senate. In addition, $12,794,000 is for national immunization surveys to be derived from section 241 evaluation set-aside funds, the same as proposed by the Senate and the House.

In addition, the Vaccines for Children (VFC) program funded through the Medicaid program includes $1,208,296,000 in vaccine purchases and distribution support in fiscal year 2005, for a total immunization program level of $1,678,291,000.

Included in the amount provided is $414,796,000 for the section 317 program, and $67,993,000 for immunization program operations, including $5,000,000 to continue and expand the Surveillance, Preparedness, Awareness, and Response System.

HEALTH PROMOTION

The conference agreement includes $1,032,802,000 for Health Promotion, instead of $993,802,000 as proposed by the House and $988,090,000 as proposed by the Senate.

Chronic Disease Prevention, Health Promotion, and Genomics

Within the amount for Health Promotion, the conference agreement includes $907,159,000 for chronic disease prevention and health promotion instead of $873,936,000 as proposed by the House and $864,195,000 as proposed by the Senate. Programs within this account are funded at the following amounts:

$45,000,000 for Heart Disease and Stroke, $3,372,000 over fiscal year 2004;

$312,357,000 for Cancer Prevention and Control, $18,532,000 over fiscal year 2004;

$64,000,000 for Diabetes activities, $4,043,000 over fiscal year 2004;

$22,680,000 for Arthritis and Other Chronic Diseases, $658,000 over fiscal year 2004;

$105,239,000 for Tobacco activities, an increase of $15,000,000 to sustain the same program level as fiscal year 2004;

$42,289,000 for Nutrition/Physical Activity, $3,000,000 over fiscal year 2004;

$21,820,000 for Community Health Promotion, $1,200,000 over fiscal year 2004;

$57,232,000 for School Health, the same as fiscal year 2004;

$45,121,000 for Safe Motherhood/Infant Health, the same as fiscal year 2004;

$11,300,000 Oral Health, $657,000 over fiscal year 2004;

$59,298,000 for the Childhood Obesity Prevention Program, Verb;

$29,944,000 for Prevention Centers, $5,000,000 over fiscal year 2004; and

$47,000,000 for the Steps to a Healthier U.S., $5,739,000 over fiscal year 2004.

In addition, the agreement includes the following amounts for the initiatives below as outlined in the Senate report:

$1,600,000 for Alzheimer's Disease activities;

$750,000 for Inflammatory Bowel Disease activities;

$700,000 for Interstitial Cystitis activities; and

$1,500,000 for Pioneering Healthy Communities.

Within the amount provided for Cancer Prevention and Control the following is provided above the fiscal year 2004 level:

$9,000,000 for the Breast and Cervical Cancer Screening Program;

$2,476,000 for Cancer Registries;

$1,000,000 for Colorectal Cancer;

$4,855,000 for Comprehensive Cancer;

$100,000 for Ovarian Cancer;

$100,000 for Prostate Cancer;

$100,000 for Skin Cancer, and

$900,000 for cancer survivorship as outlined in the Senate report.

The conference agreement also includes $4,625,000 for the Geraldine Ferraro Cancer Education Program.

The conferees are agreed that the ratio of funds spent on activities authorized as part of the Breast and Cervical Cancer Screening Program should continue in the manner consistent with the ratio applicable in fiscal year 2004.

Within the amounts available for Arthritis and Other Chronic Diseases, the agreement provides an increase over fiscal year 2004 of $405,000 for the expansion of State-based arthritis programs and collaborations with the relevant voluntary health organizations and of $253,000 to enhance epilepsy efforts, in partnership with a national non-profit organization that works on behalf of children and adults affected by seizures. In addition, $950,000 is available within Arthritis and Other Chronic Diseases to continue support for the National Lupus Patient Registry.

Within amounts provided for Community Health Promotion: $7,707,000 is available to support and expand the Behavioral Risk Factor Surveillance Systems, as outlined in the Senate report; $6,037,000 is for health promotion; $3,586,000 ($250,000 above fiscal year 2004) is provided for continuing and expanding a model project that is testing and evaluating the efficacy of glaucoma screening using mobile units; $2,516,000 ($250,000 above fiscal year 2004) is for the national vision screening and education program; and $1,974,000 is for the Mind-Body Medical Institute in Boston, Massachusetts to continue practice-based assessments, identification, and study of promising and heavily-used mind/body practices.

The conferees applaud the CDC's commitment to continuing partnership with the Dr. James West Health Clinic in Chicago, IL in order to measure the effectiveness of integrating a chronic disease management model within a substance abuse treatment program.

Within the increase of $5,000,000 provided for Prevention Research Centers, the conferees intend that CDC ensure that all centers funded in fiscal year 2004 will continue to receive funding in fiscal year 2005.

The conferees commend CDC on its efforts to promote physical activity among children. In addition to regular physical activity, sound nutrition and healthy eating are important components of good health. The conferees encourage CDC to examine its current activities focused on children and develop options for expanding work related to promoting better nutrition and healthy eating among children. The conferees request that the CDC be prepared to report its findings during the fiscal year 2006 budget hearings.

Birth Defects

Within the amount available for Health Promotion, the conference agreement includes $125,643,000 for birth defects, developmental disabilities, disability and health instead of $119,866,000 as proposed by the House and $123,895,000 as proposed by the Senate.

Within the total, the following amounts are provided for the specified activities above the comparable amount for fiscal year 2004:

$1,758,000 to expand autism surveillance and education activities;

$250,000 to expand activities related to Fetal Alcohol Syndrome;

$250,000 to expand activities related to Folic Acid;

$657,000 to expand the National Spina Bifida program, including $200,000 to create a National Spina Bifida Clearinghouse and Resource Center;

$500,000 to expand the CDC's public health education and research partnership with the Tourette Syndrome Association;

$1,500,000 to expand surveillance and epidemiological efforts of Duchenne and Becker muscular dystrophy, including $500,000 to begin a coordinated education and outreach initiative through the Parent Project Muscular Dystrophy;

$1,394,000 to expand support for the Special Olympics Healthy Athletes Initiative;

$819,000 to continue and expand programs that translate clinical rehabilitation programs, including $500,000 to increase demonstration programs with the Christopher Reeve Paralysis Foundation;

$1,000,000 to expand the work of the Centers for Birth Defects Research and Prevention and the National Foundation for Facial Reconstruction related to craniofacial malformation;

$99,000 to expand the activities related to thalassemia blood safety surveillance; and

$170,000 to expand the work of the Attention Deficit Resource Centers.

In addition, the agreement includes the following amounts for the new initiatives below as outlined in either the House or Senate reports:

$1,000,000 to expand and support studies related to Down Syndrome;

$900,000 to expand activities related to Fragile X;

$900,000 to support the development of pilot projects to expand existing birth defect surveillance systems to include fetal death data at the Iowa Department of Health and the Metropolitan Atlanta Congenital defects Program; and

$550,000 to establish a public health outreach and surveillance program for Diamond Blackfan anemia.

HEALTH INFORMATION AND SERVICE

The conference agreement includes $95,247,000 for Health Information and Service, instead of $96,523,000 as proposed by the House and $96,449,000 as proposed by the Senate. In addition, $134,235,000, to be derived from section 241 evaluation set aside funds, is included to carry out National Center for Health Statistics surveys, Public Health Informatics evaluations, and health marketing evaluations.

Within the amount provided, the conference agreement includes $109,021,000 for the National Center for Health Statistics.

ENVIRONMENTAL HEALTH AND INJURY PREVENTION

The conference agreement includes $288,168,000 for Environmental Health and Injury Prevention activities, instead of $287,327,000 as proposed by the House and $290,126,000 as proposed by the Senate.

Environmental Health

Within the funds available for Environmental Health and Injury Prevention, the conference agreement includes $148,747,000 for environmental health instead of $148,859,000 as proposed by the House and $148,958,000 as proposed by the Senate.

Within the total:

$27,800,000 is for the environmental health laboratory, $690,000 above fiscal year 2004;

$51,461,000 is for environmental health activities (including an increase over fiscal year 2004 of $500,000 for both the Environmental and Health Outcome Tracking Network and the physician education and public awareness program for primary immune deficiency disease as implemented by the Jeffrey Modell Foundation);

$32,700,000 is for asthma, $599,000 over fiscal year 2004; and

$36,786,000 is for childhood lead poisoning, the same as fiscal year 2004.

Injury Control

Within the funds provided for Environmental Health and Injury Prevention, the conference agreement includes $139,421,000 for injury control, instead of $138,468,000 as proposed by the House and $141,168,000 as proposed by the Senate.

Within the total provided:

$104,021,000 is for intentional injury prevention activities, including increases above fiscal year 2004 of: $342,000 to extend implementation of the National Violent Death Reporting System, $466,000 to expand child maltreatment prevention activities, $1,000,000 to expand rape prevention and education activities, including funding for the National Resource Center on Sexual Assault at the statutory maximum, and $479,000 to increase support for other intentional injury programs; and

$35,400,000 is for unintentional injury prevention activities, including an increase over fiscal year 2004 of $515,000 for the Traumatic Brain Injury prevention program. In addition, sufficient funds are included to continue support for all existing Injury Control Research Centers.

OCCUPATIONAL SAFETY AND HEALTH

The conference agreement provides a total program level of $287,745,000 for occupational safety and health, instead of $280,186,000 as proposed by the House and $294,587,000 as proposed by the Senate. Within that amount, $87,071,000 is available to carry out research tools and approaches activities within the National Occupational Research Agenda (NORA) to be derived from section 241 evaluation set-aside funds.

The conferees concur in the directives in the Senate report regarding the NIOSH reporting relationship with the Director of CDC, their operating procedures, and organizational structure.

Within the total provided:

$1,500,000 above the fiscal year 2004 level is for the Education and Research Centers to expand research activities in support of implementation of NORA;

$1,400,000 above the fiscal year 2004 level is for the National Personal Protective Technologies Laboratory;

$4,258,000 above the fiscal year 2004 level is for the NIOSH in-house mining research program; and

$2,000,000 above the fiscal year 2004 level is for the National Occupational Research Agenda (NORA).

The conferees recognize the important role of the sixteen Education and Research Centers in providing research training for occupational health and safety professionals and do not believe that funds should be diverted from training activities to support other research.

GLOBAL HEALTH

The conference agreement provides $296,380,000 for Global Health activities, instead of $302,051,000 as proposed by the House and $305,239,000 as proposed by the Senate.

Within the total:

$124,882,000 is for Global HIV/AIDS, the same comparable amount as fiscal year 2004;

$138,300,000 is for Global Immunization, including an increase over fiscal year 2004 of $262,000 for Polio Eradication and $135,000 for other global immunization activities; and

$21,609,000 is for Global Disease Detection, an increase of $10,000,000 over fiscal year 2004.

The conferees encourage the Director to review the proposals submitted in response to CDC's program announcement regarding the Rapid Expansion of Antiretroviral Therapy Programs for HIV-Infected Persons in Selected Countries in Africa and the Caribbean under the President's Emergency Plan for AIDS Relief and consider giving priority to those applications deemed meritorious, but which did not receive funding in fiscal year 2004, when awarding funds in fiscal year 2005.

PUBLIC HEALTH RESEARCH

The conference agreement includes $31,000,000, to be derived from section 241 evaluation set-aside funds, for Public Health Research, instead of $29,583,000 as proposed by the House and $35,000,000 as proposed by the Senate.

The conferees intend that funds within public health research be made available to cover fiscal year 2005 continuation costs associated with the extramural prevention research program.

PUBLIC HEALTH IMPROVEMENT AND LEADERSHIP

The conference agreement includes $269,145,000 for Public Health Improvement and Leadership instead of $199,775,000 as

proposed by the House and $261,858,000 as proposed by the Senate.

Within the total, $8,000,000 is included for a Director's Discretionary Fund to support activities deemed by the Director as having high scientific and programmatic priority and to respond to emergency public health requirements. The conferees concur with language in the Senate report regarding the Director's authority to reallocate management savings to the Director's Discretionary Fund upon notification of the Committees on Appropriations in the House and Senate.

The conference agreement includes $180,114,000 for Leadership and Management, instead of $179,682,000 as proposed by the House and $179,977,000 as proposed by the Senate.

The conference agreement includes $1,000,000 for the Institute of Medicine to conduct a study that includes recommendations regarding appropriate nutritional standards for the availability, sale, content, and consumption of food at school, with particular attention given to foods offered in competition with federally-reimbursed meals and snacks.

The conference agreement includes $500,000 to continue the Comprehensive Assessment of Rural Health in Iowa (CARHI), in conjunction with the Iowa Department of Public Health.

The conference agreement includes the following amounts for the following projects and activities in fiscal year 2005:

Access Community Health Network, Chicago, IL for programs related to prevention and control of chronic diseases	$500,000
Advocate Health Care, Oak Brook, IL for an initiative to reduce asthma morbidity and mortality among at-risk populations in the Chicago area	175,000
Alaska Lung Association, Anchorage, AK with the Asthma and Allergy Foundation of Alaska and the Alaska Native Health Board for programs to prevent lung diseases stemming from tobacco	500,000
Alivio Medical Center, Chicago, IL, for services related to prevention and control of chronic diseases	300,000
All Children's Hospital, Inc., St. Petersburg, FL, for an Obesity Education Project	300,000
Alliance of AIDS Services—Carolina, Raleigh, NC for a peer-led secondary prevention program targeting people living with HIV	100,000
Alliance of Pennsylvania Councils, Camp Hill, PA for a weight management program	200,000
Alpha Community Ambulance Services, Inc., State College, PA for bioterrorism preparedness	100,000
Alzheimer's Association of the Delaware Valley, Philadelphia, PA to increase community awareness of Alzheimer's	100,000
American Cancer Society—Southwest Region, Pittsburgh, PA for a living with cancer program	25,000
American Trauma Society, Upper Marlboro, MD, for a Survey Project on Communicating with Trauma Victims and their Families	550,000
American Vitiligo Research Foundation (AVRF), for education and awareness programs	100,000
American-Italian Cancer Foundation, New York, NY for mobile breast cancer screening (including upgrades to a mammography van)	100,000
Baltimore City Health Department, Baltimore, MD for HIV/STD prevention programs	340,000
Battelle, Inc., Columbus, OH, to assess the Pennsylvania agriculture industry readiness against agriculture terrorism and develop a prevention and response plan in coordination with Penn State University	100,000

Bayview Hunters Point Health and Environmental Resource Center, San Francisco, CA for education and outreach programs regarding asthma and cancer	150,000
Benedictine University, Lisle, IL, for a Public Safety Education Initiative for DuPage and Kendall Counties, IL	2,000,000
Benton County Jail, Benton County, AR, for a UV Germicidal Disinfection Unit	50,000
Bergen Community Regional Blood Center, Paramus, NJ, for a demonstration program	70,000
Beth Israel Medical Center, New York, NY for rape prevention and intervention services at its Rape Crisis Intervention Center	200,000
Black Hills State University for the West River Task Force on Fetal Alcohol Syndrome	300,000
Boys and Girls Clubs of San Dieguieto, San Diego, CA, for a Health Lifestyle Program	100,000
Bucks County EMA, Ivyland, PA to upgrade equipment and provide training for bioterrorism preparedness	100,000
Butler County Community College, Butler, PA for bioterrorism preparedness training	25,000
California State University, Fullerton, College of Human Development and Community Service, for programs aimed at preventing obesity and promoting health for children	400,000
Cascade AIDS, Portland, OR, to implement the Working Choices Project	50,000
Center for Integration of Medicine and Innovative Technology, Cambridge, MA for a Facility Airborne Biological Toxin Alarm System	500,000
Center for International Rehabilitation for the Disability Rights Monitor	500,000
Center for Mind Body Medicine, Washington, D.C., to train health and mental health professionals in treating war and terrorism related trauma in the U.S. and abroad	100,000
Center for Nonproliferation Studies, Monterey, CA, for maintenance and expansion of the Monterey WMB Terrorism Database	750,000
Center in the Park, Philadelphia, PA for health education, screening, wellness programs and other services to reduce the burden of chronic disease among senior citizens	150,000
Chattahoochee Valley Community College, Phenix City, AL, for first responder training	100,000
Chattanooga Health and Performance Institute, University of Tennessee at Chattanooga, Chattanooga, TN	400,000
Citizens Against Toxic Exposure in Pensacola, Florida to continue outreach efforts	100,000
City of Charlotte, NC, for Charlotte ALERT bioterrorism surveillance activities	250,000
City of Waterloo, Iowa, for expansion of Fire PALS, a school-based injury prevention program	450,000
Clarion University, Clarion, PA to create the Pennsylvania Smoking Cessation and Prevention Campaign	250,000
Cleveland State University for training first responders	500,000
College of New Rochelle, New Rochelle, NY for development and dissemination of preventive health educational materials	200,000
Commission on Economic Opportunity, Wilkes-Barre, PA to support the Weinberg Northeast Regional Nutrition Program for nutrition education	25,000
Community College Foundation, Sacramento, CA, for the ePassport foster child health and education data tracking program	500,000
Community Health Centers in Hawaii for the Childhood Rural Asthma Project	150,000
Community Health Partnership, San Jose, CA for breast cancer screening and referral services to low-income, medically underserved women	300,000
CommunityHealth in Chicago, IL for continuation of health-related programs	100,000
Comprehensive Cancer Center of the Ohio State University, Columbus, OH, for the Center for Health Disparities	150,000
Dan River Cardiovascular Health Initiative Program, Danville, VA	25,000

Delaware County Emergency Services, PA for a bioterrorism preparedness program	25,000
Delta Health Alliance, Stoneville, MS for continuation of multipartner effort to address health disparities in the Delta	2,000,000
Department of Obstetrics and Gynecology, Drexel University College of Medicine, Philadelphia, PA, for prenatal care	300,000
District of Columbia Department of Health, for monitoring of residents' exposure to lead, including blood testing and environmental assessments	200,000
Domestic Violence Coalition, Harrisburg, PA for a domestic violence database	300,000
East Los Angeles Community Union (TELACU) Education Foundation, Los Angeles, CA, to address healthcare epidemic by implementing a bilingual outreach program	100,000
Eastern Maine Healthcare, Bangor, ME, for chronic disease management at the Institute for Medical Improvement (IMI)	300,000
Eastside Healthcare of Chicago Heights Foundation, Chicago Heights, IL for implementation of an asthma outreach program in schools	125,000
Emory University, Atlanta, GA for the Southeastern Center for Emerging Biologic Threats	100,000
Food Allergy & Anaphylaxis Network, Fairfax, VA to raise public awareness of food allergies	250,000
Food for Fuel, Washington, DC to implement their F3 nutritional education program	100,000
Friends of the Congressional Glaucoma Caucus Foundation, Lake Success, NY for eye screening in Southwest Texas	500,000
Georgia Rural Water Association, Barnesville, GA, for the National Fluoridation Training Institute	75,000
Giant Steps Illinois, Inc., Burr Ridge, IL, to support and expand the Autism Center of Excellence	100,000
Gilda's Club South Jersey, Atlantic City, NJ, to expand outreach programs	50,000
Golden Gate National Parks Conservancy, San Francisco, CA	150,000
Haitian American Association Against Cancer, Miami, FL for cancer education, outreach, screening and related programs	240,000
Health Care Improvement Foundation, Philadelphia, PA for a public health/bioterrorism disaster communications project	100,000
Health Choice Network, Miami, FL for the Jessie Trice Cancer prevention project	350,000
Health Improvement Collaborative of Greater Cincinnati, Cincinnati, OH, for an On The Move Initiative	100,000
Health Services Partnership of Dorchester, MA for outreach, education and prevention services related to conditions such as obesity, diabetes, heart disease and cancer	450,000
Home Safety Council, Washington, DC, for a national injury prevention education program targeting youth	50,000
Hult Health Education Center, Peoria, IL	75,000
Illinois State University, Normal, IL, for a Physical Education Obesity Prevention and Lifestyle Enhancement (PEOPLE) program	125,000
Inner Harmony Foundation and Wellness Center, Clark Summit, PA for a community health program	250,000
International Species Information System, Eagan, MN	500,000
Iowa Department of Public Health to initiate the Harkin Wellness Grant program	3,000,000
Iowa Games to continue the Lighten Up Iowa program	200,000
Iowa Health Foundation to continue a pilot program on chronic disease management	400,000
Iowa State University, Ames, IA for the Center for the Study of Violence to identify factors that contribute to the development of violence-prone individuals	155,000
Iron Disorders Institute, Hershey, PA to establish a joint Center for the Study of BioMetals in Health and Disease with special emphasis on iron-related disorders	250,000
Jaisohn Center, Philadelphia, PA for diabetes management and other health programs	100,000

James Whitcomb Riley Hospital for Children, Indianapolis, IN, for continuation of autism programs at the Christian Sarkine Autism Treatment Center	200,000
John B. Amos Cancer Center, Columbus Regional Healthcare System, Columbus, GA, for cancer education and early detection programs	250,000
Kansas City Free Health Clinic, Kansas City, MO to establish a chronic disease management program	125,000
Kansas State University, Manhattan, KS, for the Youth Obesity Prevention Initiative	250,000
Karmanos Cancer Institute, Detroit, MI, for cancer prevention and research	1,000,000
Kids Kicking Cancer, Birmingham, MI	500,000
Kids Kicking Cancer, Birmingham, MI, to initiate the "Kids Kicking Cancer" program in Pennsylvania	25,000
Kirkwood Community College, Cedar Rapids, IA for the National Mass Fatalities Institute	100,000
La Rabida Children's Hospital, Chicago, IL for diabetes programs for children and families	150,000
Lance Armstrong Foundation, Austin, TX in collaboration with the Abramson Cancer Center at the University of Pennsylvania, Philadelphia, PA for the Living Well After Cancer program	100,000
Lance Armstrong Foundation, Austin, TX, for a Lance Armstrong Foundation Survivorship Center	100,000
Lehigh Carbon Community College, Schnecksville, PA for a bioterrorism preparedness program	25,000
L'Garde, Inc., Tustin, CA for bioterrorism technology development	400,000
Livingston Parish Government, Denham Springs, LA, for a Healthy People 2010 Project	100,000
Marin County Health and Human Services Department, San Rafael, CA for research and analysis related to breast cancer incidence and mortality in the county	440,000
Marion County, OR to develop Disease Prevention and Education Programs	50,000
Medical Center Blount, Oneonta, AL, for an immunization program	20,000
Medical Institute for Sexual Health (MISH), Austin, TX, for the development of curricula for medical students and primary care residents related to sexual health	200,000
Memorial Hermann Baptist Hospitals of Southeast Texas, Julie and Ben Rogers Cancer Center, Beaumont, TX to expand cancer screening services	400,000
MIRA, Bloomfield Hills, MI	50,000
Montgomery County Department of Public Safety, Eagleville, PA for a bioterrorism preparedness program	50,000
National Center for Early Defibrillation, Pittsburgh, PA for educational outreach	25,000
National Childhood Cancer Foundation, Bethesda, MD, to provide information and assistance to families impacted by childhood cancer	1,500,000
National Children's Cancer Society, St. Louis, MO for the Beyond the Cure cancer survivorship program	1,000,000
National Foundation for Trauma Care, Irvine, CA to conduct a study on the impact a terrorist attack would have on trauma centers	150,000
National Nursing Centers Consortium, Philadelphia, PA for the Lead Safe Babies program	75,000
National Student Assistance Association, Washington, DC to study the efficacy of Student Assistance Programs in providing a mechanism to connect students in need of mental health and substance abuse services in coordination with the University of Pittsburgh	100,000
Nevada Cancer Institute to create the Lance Armstrong Foundation Cancer Survivorship Center	250,000
New England Coalition on Health Promotion and Disease Prevention, Providence, RI, for the New England obesity initiative diagnostic study	50,000

New York Methodist Hospital, Brooklyn, NY for its Patient Follow-up Coordinator Program to reduce barriers to compliance with treatment among cardiac patients from medically underserved populations	150,000
New York University for the advancement of the design and function of cochlear implants	200,000
North Shore AIDS Health Project, Gloucester, MA for programs related to prevention and control of hepatitis	150,000
Northeast Regional Cancer Institute, Scranton, PA for cancer screening evaluation	100,000
Ophelia Project, Erie, PA, to develop an educational curriculum, in collaboration with Pennsylvania State University, to address issues of anorexia and bulimia facing adolescent girls	50,000
Oral Vaccine Institute in Las Vegas, Nevada for the development of innovative vaccine delivery alternatives	900,000
Orange County Council of Government, Santa Ana, CA, for a Healthy Waterways Initiative	200,000
Orange County Fire Authority, Orange, CA, for a public safety and education center	150,000
Partnership for Food Safety Education, Washington, DC, for the FightBAC campaign	200,000
Pegasus Research Foundation, Little Rock, AR for a bioterrorism and disaster communications project in Minnesota	100,000
Pennsylvania Breast Cancer Coalition, Ephrata, PA to expand and enhance their breast cancer guide book	50,000
Pennsylvania Chapter of the American College of Emergency Physicians, Harrisburg, PA to study the roles of emergency physicians as safety net providers	200,000
Pennsylvania Homecare Association, Lemoyne, PA to launch a pilot project in the state of PA to demonstrate how homecare resources can be used for disease management of chronically ill patients	150,000
Philadelphia Department of Public Health, Philadelphia, PA for a health alert network	150,000
Pittsburgh Life Science Greenhouse, Pittsburgh, PA for clinical trial planning	200,000
Pittsburgh Public Schools, Pittsburgh, PA with the Pittsburgh School of Dentistry to develop a pilot oral health project	50,000
Pocono Health Communities Alliance, Stroudsburg, PA to provide a health and human service information and referral program	100,000
Positive Effect Outreach Ministry, Philadelphia, PA to implement a HIV outreach and screening program	100,000
Pregnancy Crisis Center, Wichita, KS, for facilities and equipment	80,000
Prevent Blindness North Carolina, Raleigh, NC for vision screening for preschool children	225,000
Prince George's County Department of Health, Upper Marlboro, MD for diabetes prevention and education programs targeted to reducing diabetes-related health disparities	330,000
Provena Mercy Center, Aurora, IL, for diabetes education and prevention	750,000
Public Health Research Institute, Newark, NJ to implement Phase III Deployment of an electronic surveillance and alert system to produce real-time local and regional data	100,000
S.A.F.E. Inc., Wilkes-Barre, PA for autism outreach	250,000
SafeMinds, Cranford, NJ	200,000
Saint Joseph's University, Philadelphia, PA for their anti-obesity program.	700,000
Saint Louis Children's Hospital, St. Louis, MO to establish a patient database to investigate the natural history of children with tuberous sclerosis complex	100,000
San Antonio Metropolitan Health District, San Antonio, TX for a health assessment of exposure to environmental contaminants at and near the former Kelly Air Force Base	320,000
Save a Life Foundation (SALF), Schiller Park, IL to expand SALF's for first aid training	500,000
Schneider's Children Hospital, New Hyde Park, NY for comprehensive Diamond Blackfan Anemia awareness and surveillance	250,000

Self Reliance Foundation, Washington, DC for the Hispanic national health communications initiative	500,000
Silent Spring Institute, Newton, MA for studies of the impact of environmental pollutants on breast cancer and women's health	350,000
Sister to Sister—Everyone Has a Heart Foundation to increase women's' awareness of heart disease, Washington, DC	550,000
Sixteenth Street Community Health Center in Milwaukee, WI to expand the Community-Based Asthma Institute	350,000
Slippery Rock University, Slippery Rock, PA, for the Center on Disability and Health to promote and encourage regular physical activity	125,000
South Central Family Health Center, Los Angeles, CA for women's health outreach, education, and screening services	150,000
Southeastern Center for Emerging Biologic Threats, Atlanta, GA	568,000
Southern AIDS Commission, Inc., Greenville, MS to provide HIV/AIDS education, prevention, and treatment programs and services	105,000
Spelman College, Atlanta, GA for its Health and Wellness Initiative for college-age women	450,000
Spinal Muscular Atrophy Foundation, New York, NY for SMA education and awareness for patients and health professionals	500,000
State Information Technology Consortium, Herndon, VA to create a web-based Center for Reducing Medical Errors	300,000
State of Alaska Department of Health and Social Services, Juneau, AK for an Injury Prevention Program	250,000
State of Alaska Department of Health and Social Services, Juneau, AK for an Obesity Prevention and Control program	500,000
State of Alaska Department of Health and Social Services, Juneau, AK for tuberculosis detection and control	500,000
Stephen F. Austin State University, Nacogdoches, TX for anti-viral compound identification	600,000
Stone Soup Group, Anchorage, AK for services to disabled children and their families, focusing on FAS/FAE children	100,000
Susan P. Byrnes Health Education Center, Inc., York, PA to address the National Obesity Epidemic among school children	70,000
Swope Health Services, Kansas City, MO for a Pediatric Screening and Intervention Project	1,000,000
Tangipahoa Parish Mosquito Abatement District #1, Hammond, LA	100,000
Telacu Education Foundation, CA, for a bilingual outreach program on diabetes	700,000
Texas A&M University Texas Engineering Extension Service (TEEX), College Station, TX to develop a bioterrorism preparedness program	250,000
The Cooper Institute, Dallas, TX to expand the Texas on the Move services	100,000
Tioga County Partnership for Community Health, Wellsboro, PA for their anti-obesity community based after school health promotion program	100,000
Toledo Children's Hospital, Toledo, OH for health promotion and risk prevention programs targeted to teenagers	50,000
University of Alaska Statewide Office, Fairbanks, AK to continue to develop and implement its statewide health agenda	1,000,000
University of Connecticut, Storrs, CT to develop and implement strategies to reduce deaths, complications and hospitalizations resulting from respiratory illness among older adults	350,000
University of Findlay, Findlay, OH, for facilities and equipment for the Center for Terrorism Preparedness	500,000
University of Hawaii for the Public Health Program	100,000
University of Kentucky, Lexington, KY for the Medication Use Decision Support Center for a program to improve medication-related outcomes	1,000,000
University of Louisville, Louisville, KY Chronic Disease Management Education Program in Cancer	300,000
University of Louisville, Louisville, KY for the Cancer Agripharmaceutical Institute	450,000
University of Louisville, Louisville, KY for the Computational Biology Project in Oral Health	500,000

University of Miami School of Medicine, Miami, FL, for culturally sensitive training on disasters in the Hispanic community	600,000
University of North Carolina at Chapel Hill, Chapel Hill, NC with East Carolina University, Greenville, NC for the Program in Racial Disparities in Cardiovascular Disease	500,000
University of North Carolina at Chapel Hill, for analysis of genomic data on racial disparities in cardiovascular disease	225,000
University of North Dakota Energy and Environmental Research Center for research into the health impact of pesticides	500,000
University of North Texas Health Science Center at Fort Worth, TX, for diabetes prevention and control	800,000
University of Northern Iowa for the National Program for Playground Safety	300,000
University of Northern Iowa, Cedar Falls, IA to support youth fitness and obesity efforts in rural preschool children	235,000
University of Notre Dame, Notre Dame, IN, for research in areas of acute care, disability, and rehabilitation at the Notre Dame Center for Orthopedic Research and Engineering	350,000
University of Oklahoma Health Sciences Center, Oklahoma City, OK, to establish a developmental center for injury prevention research	100,000
University of Pittsburgh Medical Center, Pittsburgh, PA for bioterrorism preparedness	100,000
University of Pittsburgh Medical Center, Pittsburgh, PA for the Pennsylvania Cancer Control Consortium and UPMC Cancer Pavilion, to develop a clinical research and clinical trials network	200,000
University of Texas Health Science Center at San Antonio, San Antonio, TX, for Asthma Demonstration Project	1,750,000
University of Texas Houston Health Science Center, School of Public Health, Brownsville, TX for studies regarding the health of the Hispanic population in the Lower Rio Grande Valley	500,000
University of Texas, Austin, Texas for the Bio-Chem initiative	50,000
University of Texas, M.D. Anderson Cancer Center, Houston, TX for a comprehensive cancer control program to address the needs of minority and medically underserved populations	500,000
University of West Florida for the Partnership for Environmental Research and Community Health	200,000
University of Wisconsin—Extension in Madison, WI for the Parent Education to Prevent Childhood Obesity program	150,000
USA Stars Cultural Exchange and Diversity Training: Alcohol and Obesity Education Through Sport with Oklahoma Judo, OK	125,000
Vermont Oxford Network of Burlington, VT to expand neonatal health care quality and safety initiatives	275,000
Visiting Nurse Associations of America, Boston, MA for a home health care best practices clearinghouse	200,000
Vitiligo Support International, Inc., Encino, CA, for education and awareness programs	200,000
Washington Hospital, Washington, PA to implement their Health and Wellness Program	25,000
Wayne County Department of Public Health, Detroit, MI, for a Maternal Child Outreach, Coordination and Advocacy Program	100,000
West Jefferson Medical Center, Marrero, LA	150,000
West Side Ecumenical Ministry, Cleveland, OH for a youth health and wellness project addressing the problem of teenage obesity	140,000
Wholistic Family Agape Ministries Institute, Alexandria, VA for HIV/AIDS education and prevention and related programs	75,000
Yale New Haven Health System, to establish a specialty center for public health preparedness	450,000
YMCA of Bradford County, Towanda, PA, for fitness equipment	25,000

PREVENTIVE HEALTH SERVICES BLOCK GRANT

The conference agreement includes $131,814,000 for the Preventive Health Services Block Grant, the same as proposed by the Senate. The House bill included $108,516,000 for the block grant.

BUSINESS SERVICES SUPPORT

The conference agreement includes $281,226,000 for Business Services Support, instead of $286,013,000 as proposed by the House and $282,226,000 as proposed by the Senate. The agreement does not include an additional $33,953,000, to be derived from section 241 evaluation set-aside funds, as proposed by the House.

The conferees concur with language in the Senate report regarding the Director's authority to reallocate savings that result from efficiencies gained in business services support to the Director's Discretionary Fund upon notification of the Committees on Appropriations in the House and Senate.

The conferees request that the Director submit a report to the House and Senate Committees on Appropriations within 60 days of enactment showing, for fiscal years 2004 and 2005, the actual or planned division of funding between intramural and extramural programs for each budget activity and sub-activity. For those activities where funding is provided to state and local health departments through general cooperative agreements (such as many chronic disease programs, or tuberculosis or STD control), the report should also show the division of extramural funding between these cooperative agreements and other extramural programs.

The conferees also request that CDC include no less detail than provided in past years in the Justification of Estimates for the Appropriations Committees accompanying the budget for fiscal year 2006, including the functional tables for each budget activity, the mechanism table by activity, and the crosswalks of funding between programs and CDC organizations.

NATIONAL INSTITUTES OF HEALTH

NATIONAL CANCER INSTITUTE

The conference agreement includes $4,865,525,000 for the National Cancer Institute instead of $4,870,025,000 as proposed by the House and $4,894,900,000 as proposed by the Senate.

NATIONAL HEART, LUNG AND BLOOD INSTITUTE

The conference agreement includes $2,965,453,000 for the National Heart, Lung and Blood Institute instead of $2,963,953,000 as proposed by the House and $2,985,900,000 as proposed by the Senate.

NATIONAL INSTITUTE OF DENTAL AND CRANIOFACIAL RESEARCH

The conference agreement includes $395,080,000 for the National Institute of Dental and Craniofacial Research instead of $394,080,000 as proposed by the House and $399,200,000 as proposed by the Senate.

NATIONAL INSTITUTE OF DIABETES AND DIGESTIVE AND KIDNEY DISEASES

The conference agreement includes $1,727,696,000 for the National Institute of Diabetes and Digestive and Kidney Diseases instead of $1,726,196,000 as proposed by the House and $1,739,100,000 as proposed by the Senate. An amount of

$150,000,000 is also available to the Institute through a permanent appropriation for juvenile diabetes.

The conferees understand that study of Diamond Blackfan Anemia (DBA), may lead to important strides in research important to NIDDK, especially relating to red cell formation, gene therapy, mechanisms of iron overload and the development of treatment options for patients with iron overload. The conferees strongly encourage NIDDK to develop grant opportunities to support DBA research in these areas and to collaborate with NHLBI to develop appropriate research initiatives for DBA.

NATIONAL INSTITUTE OF NEUROLOGICAL DISORDERS AND STROKE

The conference agreement includes $1,552,123,000 for the National Institute of Neurological Disorders and Stroke instead of $1,545,623,000 as proposed by the House and $1,569,100,000 as proposed by the Senate.

The conferees support an effort currently underway at NIH to identify FDA-approved drugs with potential for treating amyotrophic lateral sclerosis (ALS), Huntington's disease, and other neurodegenerative diseases. The conferees applaud the collaboration between the NINDS and private organizations on this drug screening project, and encourage NINDS to work with voluntary associations to expand the high throughput drug screening consortium sponsored by NINDS to include screens for compounds that ameliorate cellular changes in Duchenne muscular dystrophy.

NATIONAL INSTITUTE OF ALLERGY AND INFECTIOUS DISEASES

(INCLUDING TRANSFER OF FUNDS)

The conference agreement includes $4,440,007,000 for the National Institute of Allergy and Infectious Diseases as proposed by the House instead of $4,456,300,000 as proposed by the Senate.

The conference agreement includes bill language permitting the transfer of $100,000,000 to International Assistance Programs, Global Fund to Fight HIV/AIDS, Malaria, and Tuberculosis as proposed by the House instead of $149,115,000 as proposed by the Senate.

The conferees are concerned about the high prevalence of food allergies, among children in particular, with up to eight percent affected. The conferees recognize that 30,000 individuals require emergency room treatment for food allergies each year, that 100 to 200 individuals die each year from allergic reactions to food, and that there is currently no cure for food allergies. For this reason, NIAID is encouraged to invest in research into the causes of food allergies and its potential treatments.

NATIONAL INSTITUTE OF GENERAL MEDICAL SCIENCES

The conference agreement includes $1,959,810,000 for the National Institute of General Medical Sciences as proposed by the House instead of $1,975,500,000 as proposed by the Senate.

NATIONAL INSTITUTE OF CHILD HEALTH AND HUMAN DEVELOPMENT

The conference agreement includes $1,280,915,000 for the National Institute of Child Health and Human Development as pro-

posed by the House instead of $1,288,900,000 as proposed by the Senate.

The conferees commend NICHD for its leadership of the agencies and groups that have joined together to develop the National Children's Study. This group has made excellent progress in planning and preparing for the full implementation of the Study. Some projections indicate that the annual reductions in health care costs that are likely to be made possible by the Study's results will be significantly larger than the total funding levels that will be required to conduct it. To assist in planning for the future needs of the study, the conferees request that, within 120 days of the final enactment of this appropriation, NICHD provide the most recent projections of the total and annual costs of the study.

NATIONAL EYE INSTITUTE

The conference agreement includes $674,578,000 for the National Eye Institute instead of $671,578,000 as proposed by the House and $680,300,000 as proposed by the Senate.

NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH SCIENCES

The conference agreement includes $650,027,000 for the National Institute of Environmental Health Sciences as proposed by the House instead of $655,100,000 as proposed by the Senate.

NATIONAL INSTITUTE ON AGING

The conference agreement includes $1,060,666,000 for the National Institute on Aging instead of $1,055,666,000 as proposed by the House and $1,094,500,000 as proposed by the Senate.

Of the nearly 35 million Americans age 65 and older, an estimated seven million suffer from a depressive illness or depressive symptoms. Depressive symptoms tend to be persistent and to interfere significantly with an individual's ability to function. The conferees encourage NIA to expand research into treatment of mental illnesses in the elderly. The conferees further recommend that NIA expand its collaboration with NIMH as well as NINR on Alzheimer's disease to include research related to identifying effective treatments for elderly persons who suffer from depression.

NATIONAL INSTITUTE OF ARTHRITIS AND MUSCULOSKELETAL AND SKIN DISEASES

The conference agreement includes $515,378,000 for the National Institute of Arthritis and Musculoskeletal and Skin Diseases as proposed by the House instead of $520,900,000 as proposed by the Senate.

The conferees encourage NIAMS to coordinate with other Institutes to enhance research relevant to scoliosis and to identify biomechanical causes and genetic markers, develop prenatal and childhood detection testing and strategies to prevent the deformity.

NATIONAL INSTITUTE ON DEAFNESS AND OTHER COMMUNICATION DISORDERS

The conference agreement includes $397,507,000 for the National Institute on Deafness and Other Communication Disorders

instead of $393,507,000 as proposed by the House and $399,000,000 as proposed by the Senate.

NATIONAL INSTITUTE OF NURSING RESEARCH

The conference agreement includes $139,198,000 for the National Institute of Nursing Research as proposed by the House instead of $140,200,000 as proposed by the Senate.

NATIONAL INSTITUTE ON ALCOHOL ABUSE AND ALCOHOLISM

The conference agreement includes $441,911,000 for the National Institute on Alcohol Abuse and Alcoholism as proposed by the House instead of $444,900,000 as proposed by the Senate.

NATIONAL INSTITUTE ON DRUG ABUSE

The conference agreement includes $1,014,760,000 for the National Institute on Drug Abuse instead of $1,012,760,000 as proposed by the House and $1,026,200,000 as proposed by the Senate. The agreement does not include $6,300,000 in program evaluation funding as proposed by the House. The Senate bill did not include any program evaluation funding.

NATIONAL INSTITUTE OF MENTAL HEALTH

The conference agreement includes $1,423,609,000 for the National Institute of Mental Health instead of $1,420,609,000 as proposed by the House and $1,436,800,000 as proposed by the Senate.

NATIONAL HUMAN GENOME RESEARCH INSTITUTE

The conference agreement includes $492,670,000 for the National Human Genome Research Institute as proposed by the House instead of $496,400,000 as proposed by the Senate.

NATIONAL INSTITUTE OF BIOMEDICAL IMAGING AND BIOENGINEERING

The conference agreement includes $300,647,000 for the National Institute of Biomedical Imaging and Bioengineering instead of $297,647,000 as proposed by the House and $300,800,000 as proposed by the Senate.

NATIONAL CENTER FOR RESEARCH RESOURCES

The conference agreement includes $1,124,141,000 for the National Center for Research Resources instead of $1,094,141,000 as proposed by the House and $1,213,400,000 as proposed by the Senate.

The conference agreement includes bill language to earmark $30,000,000 for extramural facilities construction grants instead of $119,220,000 as proposed by the Senate. The House did not provide funding for extramural facilities construction.

NATIONAL CENTER FOR COMPLEMENTARY AND ALTERNATIVE MEDICINE

The conference agreement includes $123,116,000 for the National Center for Complementary and Alternative Medicine instead

of $121,116,000 as proposed by the House and $121,900,000 as proposed by the Senate.

NATIONAL CENTER ON MINORITY HEALTH AND HEALTH DISPARITIES

The conference agreement includes $197,780,000 for the National Center on Minority Health and Health Disparities instead of $196,780,000 as proposed by the House and $197,900,000 as proposed by the Senate.

JOHN E. FOGARTY INTERNATIONAL CENTER

The conference agreement includes $67,182,000 for the John E. Fogarty International Center as proposed by the House instead of $67,600,000 as proposed by the Senate.

NATIONAL LIBRARY OF MEDICINE

The conference agreement provides $317,947,000 for the National Library of Medicine instead of $316,947,000 as provided by the House and $316,900,000 as provided by the Senate. In addition, $8,200,000 is provided from section 241 authority as proposed by both the House and Senate.

OFFICE OF THE DIRECTOR

(INCLUDING TRANSFER OF FUNDS)

The conference agreement includes $361,145,000 for the Office of the Director instead of $359,645,000 as proposed by the House and $364,100,000 as proposed by the Senate.

The conference agreement includes bill language providing up to $10,000,000 to be used for the flexible research authority as described in section 217 of the bill as proposed by the Senate instead of $7,500,000 as proposed by the House.

The conference agreement includes a modification to House bill language that grants specific permission to NIH to fund a portion of the Roadmap Initiative through a uniform charge against the budgets of all Institutes and Centers. The conferees have deleted a specific dollar limit on such funding, in order to provide NIH with flexibility to adjust that amount in response to changing cost estimates and scientific needs. However, the agreement requires the Director to notify the Appropriations Committees before exceeding the original NIH Roadmap estimate of $176,800,000. The conferees have also added language to clarify that these provisions are not intended to limit the ability of Institutes and Centers to fund research related to the Roadmap Initiative out of their own budgets through their normal priority setting and scientific review processes.

The conferees concur with the direction contained in the House report for NIH to notify the Appropriations Committees on a quarterly basis if the contributions from Institutes and Centers or allocation of funding by Roadmap initiative changes from what is presented in the congressional justification.

The conference agreement includes bill language indicating that $10,000 of the funds provided may be used for official reception and representation expenses if specifically approved by the Di-

rector. The Senate bill contained similar language as a general provision. The House bill did not contain similar language.

The conferees concur with the concerns expressed in the Senate report about the disappointing precedent contained in the Administration request that would have used average cost assumptions inconsistent with NIH's own Cost Management Plan. To the extent that resources allow, the conferees believe that NIH should follow its Cost Management Plan principles, which will help NIH continue to maintain the purchasing power of the research in which it invests.

The conferees concur in the House report language indicating that the administration proposal to multi-year fund some or all NIH grants is not approved. The Senate did not have a similar provision.

The conferees are aware of the draft NIH policy on increasing public access to NIH-funded research. Under this policy, NIH would request investigators to voluntarily submit electronically the final, peer reviewed author's copy of their scientific manuscripts; six months after the publisher's date of publication, NIH would make this copy publicly available through PubMed Central. The policy is intended to help ensure the permanent preservation of NIH-funded research and make it more readily accessible to scientists, physicians, and the public. The conferees note that the comment period for the draft policy ended November 16th; NIH is directed to give full and fair consideration to all comments before publishing its final policy. The conferees request NIH to provide the estimated costs of implementing this policy each year in its annual Justification of Estimates to the House and Senate Appropriations Committees. In addition, the conferees direct NIH to continue to work with the publishers of scientific journals to maintain the integrity of the peer review system.

The conferees are aware that recent advances in multidisciplinary research combining biomaterials, cell biology, computer modeling, micro-machining and nanotechnology have made it possible to produce fully functioning replacement kidneys and liver tissue. The multidisciplinary tissue engineering research efforts have resulted in positive results to date in the development of a compact, wearable continuous kidney dialysis system that will greatly improve the lives of patients. The conferees encourage the Director of NIH to pursue research initiatives on the development of tissue-engineered compact, wearable, continuous kidney dialysis and liver support systems.

The conferees encourage NIAID, other Institutes within NIH and other appropriate Federal agencies to provide support for the study of Eosinophilia Myalgia Syndrome (EMS) and other immune mediated diseases that manifest symptoms like those of EMS. These systemic illnesses require new approaches, such as systems biology, to understand root causes of disease onset, to assess treatment options and to understand clinical and epidemiological aspects. EMS and EMS-like diseases have afflicted thousands, remain incurable, and continue to be difficult to diagnose.

The conferees are aware that NIH has recently completed a Trans-NIH Liver Disease Research Action Plan and urge that steps be taken to ensure that its implementation begins in fiscal year

2006. The conferees further request a report by March 1, 2005 to discuss the timeline and priorities for implementing the full plan.

The conferees acknowledge the positive conclusions of the evidence-based review recently completed by the Office of Dietary Supplements on the potential benefits of omega-3 fatty acids in significantly lowering the risks of cardiovascular disease, especially coronary heart disease. The conferees urge NIH to undertake the design and planning of the recommended clinical trials needed to provide conclusive evidence regarding the potential of omega-3 fatty acids in reducing cardiovascular morbidity and mortality in the general U.S. population.

BUILDINGS AND FACILITIES

The conference agreement includes $111,177,000 for buildings and facilities instead of $99,500,000 as proposed by the House and $114,500,000 as proposed by the Senate.

The conference agreement includes bill language granting full scope authority for the contracting of construction of the first and second phases of the John E. Porter Neurosciences Building as proposed by the Senate. The House did not have a similar provision. The agreement provides $14,700,000 to continue construction of the building. The Senate report provided $15,000,000 for this purpose.

The conferees wish to recognize and honor former Congressman Joseph Daniel Early for his contribution to the National Institutes of Health. Mr. Early served in Congress from 1975 to 1993, and served on the House Labor, Health, and Human Services Appropriations Subcommittee. During his time on the Subcommittee, he tirelessly advocated on behalf of the NIH, and the importance of medical research. Even before this Subcommittee undertook bold efforts such as the recent doubling of NIH funding, Mr. Early was on the forefront of recognizing the critical role of the federal government in supporting medical research, and the significance of the work of the NIH. His efforts have undoubtably improved the health of many Americans. The conferees strongly urge the NIH to honor Mr. Early's contribution to the NIH by designating one of the two outdoor courtyards in the Mark O. Hatfield Clinical Research Center as the "Joseph D. Early Plaza (or Courtyard)". The conferees hope that such a space will include a stone marker, plaque, or sculpture that would prominently pay tribute to Mr. Early's contributions to the NIH.

SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES ADMINISTRATION

SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES

The conference agreement includes $3,418,664,000 for substance abuse and mental health services, of which $3,295,361,000 is provided through budget authority and $123,303,000 is provided through the evaluation set-aside. The House bill had proposed $3,391,663,000 for SAMHSA, of which $121,303,000 was from the evaluation set-aside and the Senate proposed $3,484,729,000, of which $123,303,000 was from the evaluation set-aside. The detailed table at the end of this joint statement reflects the activity distribution agreed to by the conferees.

Within the total provided, the conference agreement includes funding at no less than the fiscal year 2004 level for activities throughout SAMHSA that are targeted to address the growing HIV/AIDS epidemic and its disparate impact on communities of color, including African Americans, Latinos, Native Americans, Asian Americans, Native Hawaiians, and Pacific Islanders.

The conference agreement includes bill language identifying $23,107,000 for projects in the amounts specified in the statement of the managers on the conference report.

CENTER FOR MENTAL HEALTH SERVICES

The conference agreement includes $276,646,000 for programs of regional and national significance instead of $257,420,000 as proposed by the House and $303,128,000 as proposed by the Senate.

The conference agreement provides $20,000,000 for the State incentive grants for transformation as proposed by the House rather than $43,782,000 as proposed by the Senate. These competitive grants will support the development of comprehensive State mental health plans and improve the mental health services infrastructure.

Within the total provided, the conference agreement provides $95,000,000 for counseling services for school-aged youth as proposed by the Senate. In addition, $3,000,000 is provided to support the national suicide prevention resource center and continued support is also provided for the suicide prevention hotline program at $3,070,000 as proposed by the Senate.

The conference agreement includes $7,000,000 for grants and cooperative agreements to develop early intervention and prevention strategies, training and technical assistance to address the growing problem of youth suicide.

The conference agreement provides $2,000,000, rather than $4,500,000 as proposed by the Senate, to make grants to local educational systems or non-profit entities in conjunction with local educational systems to further test the use and identify evidence-based practices for facilitating treatment for teenagers suffering from mental, emotional or behavioral disorders. The House did not propose funding for these grants.

The conference agreement provides $2,000,000 to continue the current level of funding for the consumer and consumer-supported national technical assistance centers as proposed by the Senate. The conferees direct the center for mental health services to support multi-year grants to fund five such national technical assistance centers.

The conference agreement provides $5,000,000 for the elderly treatment and outreach program as proposed by the Senate rather than $4,970,000 as proposed by the House.

As proposed by the Senate, the conference agreement provides $7,000,000 for the jail diversion program instead of $6,959,000 as proposed by the House.

The conference agreement includes $4,000,000 for the minority fellowship program rather than $5,320,000 as proposed by the House.

The conferees include the following amounts for the following projects and activities in fiscal year 2005:

AgriWellness, Inc. in Harlan, IA to support the Sowing the Seeds of Hope rural mental health project	$50,000
Allegheny County, Pittsburgh, PA for adolescent mental health services	100,000
Arc of Lackawanna County, Scranton, PA for mental health services	100,000
Center for Multicultural Human Services, Falls Church, VA for mental health and related services to at-risk immigrant and refugee families	100,000
Children's Aid and Family Services, Paramus, NJ to develop and implement a Clinical Excellence Institute to provide training for children's services staff	150,000
Citizens Acting Together Can Help, Inc. (CATCH), Philadelphia, PA for mental health services	75,000
City of Denver, CO Department of Health and Human Services for mental health services to homeless and at-risk youth	250,000
Community Counseling Center, Portland, ME for services for adults and children who have experienced emotional trauma	300,000
DeKalb Crisis Center, Decatur, GA for mobile mental health outreach, assessment and intervention services	150,000
El Monte Police Department, El Monte, CA, for youth violence prevention	200,000
Family Communications, Inc. in Pittsburgh, PA for the Managing Anger, Promoting Safety (MAPS) project with a focus on childcare settings in underserved communities in Mississippi	100,000
Family Communications, Pittsburgh, PA for an antiviolence program entitled the National Project Managing Anger, Promoting Safety	100,000
Family Support Systems Unlimited, Inc., Bronx, NY for mental health services	200,000
Holy Family Institute, Pittsburgh, PA to expand mental health services	100,000
Horizon Health Care in Howard, South Dakota for mental health services at the Community Health Center in Martin, South Dakota	150,000
Horizon House, Philadelphia, PA for mental health and substance abuse treatment services	75,000
Illinois Collaboration on Youth/Youth Network Council, Chicago, IL to increase access to mental health services for young people involved in the juvenile justice system	1,200,000
Jewish Association for Residential Care, Farmington Hills, MI—mental health support services and long-term case management for adults with developmental disabilities	425,000
Keifer Mercy Health Center, Springfield, OH to provide Multisystemic Therapy in a school/home-based environment for high-risk youth	200,000
Lane County, OR for mental health services for youth	225,000
Mattie Rhodes Center, Kansas City, MO for mental health, family counseling and related services	250,000
Mental Health Association of Tarrant County, Fort Worth, TX—School Mental Health Education Program	200,000
Middlecreek Area Community Center, Beaver Springs, PA for adolescent mental health programs	75,000
National Center for Children Exposed to Violence, Yale University Child Study Center, New Haven, CT for training, technical assistance, consultation and other services relating to the effects of violence on children	500,000
Noah's Ark—A Safe Place, Inc., for mental and emotional counseling for young men in several Pennsylvania counties	150,000
Northwestern Human Services, Lafayette Hill, PA to implement their "Building Bridges for Girls" Residential Program"	150,000
Ohel Children's Home and Family Services, Brooklyn, NY for adult mental health services	300,000

Ohio Department of Mental Health, Columbus, OH—Ohio Mental Health Network for School Success	250,000
Oklahoma Department of Mental Health and Substance Abuse Services, Oklahoma City for implementation of a cross-training initiative for mental health, substance abuse and domestic violence professionals	200,000
Oregon Partnership, Portland, OR to implement the Oregon Youth Suicide Prevention Program	100,000
Pacific Clinics, Arcadia, CA for mental health and suicide prevention programs for Latina youth	500,000
Pennsylvania Psychological Association, Harrisburg, PA for a mental health/primary care collaborative care project directed by the Geisinger Health System	25,000
Potter County Human Services, Roulette, PA to continue and enhance Yellow Ribbon youth suicide prevention efforts begun in 2003 and continued in 2004, in the rural community	100,000
Saint Boniface Neighborhood Outreach Program, Inc., Louisville, KY, for Phases II and III of a prisoner re-entry program	100,000
San Diego Lesbian, Gay, Bisexual and Transgender Community Center, San Diego, CA for mental health services	80,000
San Francisco Department of Public Health, San Francisco, CA for mental health and substance abuse services for homeless persons in supportive housing	1,500,000
Screening for Mental Health, Inc., Loveland, OH for the SOS High School Suicide Prevention Program	100,000
Senior Community Centers, San Diego, CA for mental health and related services in their supportive housing program	100,000
State of Alaska Department of Health and Social Services, Division of Behavioral Health, Juneau, AK for the Targeted Gatekeeper Suicide Prevention Training and Public Education Program	250,000
Tanana Chiefs Conference, in partnership with Fairbanks Native Association and the University of Alaska/Fairbanks, to treat behavioral health problems of children throughout Interior Alaska	750,000
Task Force on Family Violence of Milwaukee, Inc in Milwaukee, WI to provide mental health services for children who have experienced or witnessed domestic violence	70,000
United Way of Anchorage, AK for its 211 Project to develop an integrated system of resources for people with substance abuse, mental illness and homelessness	600,000
University of South Florida, Louis de la Parte Florida Mental Health Institute, Tampa, FL to close the knowledge/practice gap in mental health and substance abuse programs	500,000
Ventura County Probation Agency, Ventura, CA for the Emotionally Challenged Juvenile Offender Intervention Program	300,000
Wisconsin Department of Agriculture, Trade and Consumer Protection in Madison, WI for the Sowing the Seeds of Hope rural mental health project	50,000
YWCA of Carlisle, Carlisle, PA to provide sexual assault counseling	25,000

The conference agreement includes $436,070,000 for the mental health block grant, which includes $21,803,000 from the evaluation set-aside, the same numbers as proposed by both the House and the Senate.

The conference agreement includes $34,620,000 for the protection and advocacy for individuals with mental illness program as proposed by the Senate instead of $36,000,000 as proposed by the House. The conferees intend that technical assistance be provided through a competitive multiyear grant with a national nonprofit organization that has the demonstrated capacity to carry out these activities. The conferees intend that the technical assistance be responsive to requests from the protection and advocacy network, based on the identified needs of individuals with mental illness and do not intend that technical assistance funds be used for administrative responsibilities of the agency administering the programs.

CENTER FOR SUBSTANCE ABUSE TREATMENT

The conference agreement includes $425,946,000 for programs of regional and national significance, which includes $4,300,000 from the evaluation set-aside, instead of $419,219,000 as proposed by the House and $424,017,000 as proposed by the Senate. Both the House and Senate bills included the evaluation set-aside at $4,300,000.

Within funds provided, $100,000,000 is for the access to recovery program as proposed by both the House and the Senate. The conferees expect that addictive disorder clinical treatment providers participating in the access to recovery program, as well as their respective staff, shall meet the certification, accreditation, and/or licensing standards recognized in their respective States.

The conference agreement provides $10,000,000 for treatment programs for pregnant, postpartum and residential women and their children as proposed by the Senate. Within these funds, no less than last year's level shall be used for the residential treatment program for pregnant and postpartum women, authorized under section 508 of the Public Health Service Act.

The conferees include the following amounts for the following projects and activities in fiscal year 2005:

Akeela, Inc., in Anchorage, AK to continue its Re-Entry Program for newly released prisoners with substance abuse problems	$200,000
Augsburg College, Minneapolis, MN for the StepUP Program to assist students in recovery from chemical dependency	200,000
Baltimore City, MD for drug treatment services	250,000
City of Jackson, TN for substance abuse prevention and treatment services	240,000
City of Wrangell in Wrangell, AK for its Avenues Program to provide comprehensive substance abuse treatment	100,000
Community Rehabilitation Center, Jacksonville, FL for services for people with co-occurring mental health and substance abuse disorders	300,000
Cook Inlet Council on Alcohol and Drug Abuse in Kenai, Alaska for treatment of women and children with substance abuse problems on the Kenai Peninsula	200,000
Cullman Area Mental Health, Cullman, AL, for a substance abuse program	20,000
Doe Fund, Inc., Philadelphia, PA to provide substance abuse treatment services	100,000
Fairbanks Memorial Hospital, Alaska for the Fairbanks Community Initiative for Chronic Inebriates	500,000
Fairbanks Native Association in Fairbanks, AK for treatment programs at the Ralph Perdue Center	500,000
Fenway Community Health Center, Boston, MA, to provide services to low-income HIV and AIDS patients	150,000
Fighting Back Partnership, Vallejo, CA for an intervention, treatment and aftercare program for students identified with drug and alcohol use	250,000
Florida Certification Board, Tallahassee, FL—Florida Center for Prevention Workforce Development	400,000
Gavin Foundation, South Boston, MA for substance abuse treatment services at its Cushing House facility for adolescents	300,000
Hitchcock Center for Women, Cleveland, OH for substance abuse treatment and related services	100,000
Jefferson County Medical Society Outreach Program, Inc., (The Healing Place) Louisville, KY—Women's Recovery Program	200,000
Mental Health Systems, Inc., Family Recovery Center, Oceanside, CA, to enhance and expand substance abuse treatment services for women at-risk for HIV	50,000

Mountain Lakes Behavioral Healthcare, Guntersville, AL for co-occurring disorder treatment	20,000
ODAAT, Inc., Philadelphia, PA to expand mental and behavioral health services to disadvantaged drug addicted populations	200,000
Ramsey County, MN, for the All Children Excel Program	667,000
Saint Barnabus on the Lake Drug and Alcohol Rehab Center, Erie, PA to implement a faith-based drug and alcohol rehabilitation program for males 18 and older.	25,000
Salvation Army of Anchorage to support detox programs at the Clitheroe Center in Anchorage, AK	500,000
SBH Community Services, Brooklyn, NY, for an Addictive Behavior/Family Preservation Program	100,000
South Dakota Division of Alcohol and Drug Abuse, Pierre, SD for treatment services for methamphetamine addiction and co-occurring mental health and substance abuse disorders	700,000
Teen Challenge of Rehrersburg, PA to establish a transitional rehabilitation program for recovering drug and alcohol addicts	100,000
WestCare Kentucky, Inc., Pikesville, KY for a comprehensive substance abuse treatment service system pending receipt of state licensure	750,000
Wyoming Substance Abuse Treatment and Recovery Center, Sheridan, WY to expand residential treatment services	1,100,000

The conference agreement includes $1,789,235,000 for the substance abuse prevention and treatment block grant, of which $1,710,035,000 is budget authority and $79,200,000 is provided through evaluation set-aside. These are the same numbers as proposed by the House. The Senate bill had proposed $1,832,235,000 with the same evaluation set-aside.

CENTER FOR SUBSTANCE ABUSE PREVENTION

The conference agreement includes $200,428,000 for programs of regional and national significance instead of $200,000,000 as proposed by the House and $198,940,000 as proposed by the Senate.

Included in the conference agreement is $10,000,000 for fetal alcohol syndrome/fetal alcohol effect (FAS/FAE) prevention and treatment programs, with an emphasis on teenage mothers instead of $11,000,000 as proposed by the Senate.

The conferees expect States receiving funding under the strategic prevention framework State incentive grant to give priority in the use of the 20 percent prevention set-aside in the substance abuse prevention and treatment block grant to funding the specific priorities in the comprehensive community strategies developed by the communities in their States.

The conferees include the following amounts for the following projects and activities in fiscal year 2005:

ALERT Partnership, Allentown, PA for a substance abuse prevention program	$25,000
Alliance for Consumer Education (ACE), in cooperation with the Pennsylvania School Counselors Association, to provide parents and counselors with prevention information about inhalant abuse	100,000
Boys and Girls Club of Erie, Erie, PA to implement the SMART Moves prevention program	50,000
C.B. Johnson Campaign for a Drug Free Westside, Chicago, IL for substance abuse prevention and treatment services	340,000
Centre County, PA, to implement, in coordination with Clinton County, educational programming targeting the prevention of drug use by students	200,000

Clinton County Communities That Care, Lock Haven, PA for a prevention program to identify and reduce risk factors leading to juvenile delinquency	100,000
CODAC Behavioral Healthcare, Cranston, RI to reduce substance abuse and violence with troubled students	100,000
Community Health Center on the Big Island of Hawaii for Youth Anti-Drug Program	250,000
Community Prevention Partnership of Berks County, Reading, PA to implement the Grandparents Raising Resilient Youth program	25,000
Community Services for Children, Allentown, PA for a substance abuse prevention program	100,000
Corporate Alliance for Drug Education, Bala Cynwyd, PA for an elementary school-based prevention program to teach children to reject substance abuse and violence while helping them to identify positive alternatives to harmful situations	250,000
Drug Free Pennsylvania, Harrisburg, PA to implement a drug-free workplace training program	50,000
Institute for Research, Education & Training in Addictions (IRETA), Pittsburgh, PA to implement substance abuse prevention programs	200,000
Institute for the Study and Practice of Nonviolence, Providence, RI for the Streetworkers Program to reduce youth substance abuse and violence	100,000
Life Haven, Inc., New Haven, CT for services to promote resilience for homeless and other at-risk children	200,000
NAIVE Program, Langhorne, PA, to provide drug prevention programs for students and teachers	25,000
Ohio Association of Alcoholism and Drug Abuse Counselors, Worthington, OH—expansion of the Ohio Alcohol and Other Drug Workforce Resource Center	100,000
South Boston Community Health Center, South Boston, MA for substance abuse prevention services	340,000
Strength Incorporated, Wilkinsburg, PA, for a drug and alcohol prevention program that provides individuals with life skills	100,000
Sunshine Center, Port Jefferson Station, NY for substance abuse and violence prevention services for children and families	100,000
Susan P. Byrnes Health Education Center, Inc., York, PA, for a tobacco education program in schools and community organizations	230,000
University of South Dakota School of Medicine Center for Disabilities in Sioux Falls, South Dakota to continue the work of the Consortium on Fetal Alcohol Syndrome	350,000
Warren County Department of Human Services, Warren, PA for outreach and training for substance abuse prevention programs	25,000
Youth in Action, Providence, RI for a teen substance abuse reduction program	50,000

PROGRAM MANAGEMENT

The conference agreement includes $94,455,000 for program management, of which $18,000,000 is provided through the evaluation set-aside, the same as proposed by the Senate. The House bill had proposed $92,455,000 with a $16,000,000 evaluation set-aside.

Within the total, $2,000,000 is included, as proposed by the Senate, to establish surveillance measures to address the mental and behavioral health needs of the population of the United States. The House did not include funding for this program.

AGENCY FOR HEALTHCARE RESEARCH AND QUALITY

HEALTHCARE RESEARCH AND QUALITY

The conference agreement includes $318,695,000 as proposed by the Senate instead of $303,695,000 as proposed by the House. The agreement makes these funds available through the policy evaluation set-aside, as proposed by both House and Senate.

The conferees provide $15,000,000 within this total for clinical effectiveness research as proposed by the Senate. The House did not have a similar provision.

The conferees are aware of the use of home health monitoring devices that guide patients and their physicians in managing chronic diseases, thereby avoiding rehospitalization and emergency room visits. The conferees encourage AHRQ to study the effectiveness of programs using these devices with patients suffering from chronic illnesses, compare monitored patients with non-monitored patients taking into account the number of hospitalizations, and quantify any overall cost reductions resulting from these programs.

CENTERS FOR MEDICARE AND MEDICAID SERVICES

PROGRAM MANAGEMENT

The conference agreement includes $2,696,402,000 for program management instead of $2,746,253,000 as proposed by the House and $2,756,644,000 as proposed by the Senate. An additional appropriation of $720,000,000 has been provided for the Medicare Integrity Program through the Health Insurance Portability and Accountability Act of 1996. The conference agreement does not include language included in the House bill that would have reduced Program Management by a total of $12,500,000.

The conference agreement includes $78,119,000 for research, demonstration, and evaluation instead of $68,400,000 as proposed by the House and $77,791,000 as proposed by the Senate. Within the total provided, the conference agreement provides $40,000,000 for Real Choice Systems Change Grants to States.

The conferees are pleased with the demonstration project at participating sites licensed by the Program for Reversing Heart Disease and encourage its continuation. The conferees further urge CMS to continue the demonstration project being conducted at the Mind Body Institute of Boston, Massachusetts. The conferees urge CMS to continue its research activities targeted towards ensuring culturally sensitive health care for American Samoans.

The agreement includes bill language for the following projects and activities for fiscal year 2005:

Advocate Metro Outreach Initiative, Oak Brook, to implement an initiative to provide comprehensive health education and services to the deaf and hard-of-hearing community	$100,000
African American Interdenominational Ministries, Inc., Philadelphia, PA to implement an insurance outreach program	150,000
AIDS Healthcare Foundation, Los Angeles, CA for a demonstration of residential and outpatient treatment facilities	1,900,000
Bronx-Lebanon Hospital Center, Bronx, NY for a comprehensive adolescent and young adult health program to demonstrate means of improving health care and preventive services for underserved inner city teenagers and young adults	450,000
Children's Institute for Palliative Care, Children's Hospitals and Clinics, Minneapolis, MN for a pediatric palliative care demonstration program	300,000
City of Detroit, MI for a project to improve access to primary care and preventive health services for low-income and uninsured persons	600,000
Community Catalyst, Inc., Boston, MA, for the expansion of a benefits management program	100,000
Cook County Bureau of Health Services in Chicago, IL for the Antibiotic Resistance Program	150,000

Donald R. Watkins Memorial Foundation, Houston, TX, for a comprehensive HIV/AIDS treatment and research demonstration program	340,000
Focus on Therapeutic Outcomes, Inc., Knoxville, TN	100,000
Hamot Medical Center, Erie, PA and the Ohio Health System, Columbus, OH to implement a demonstration project on the Medicare Advantage program	250,000
HealthRight, Inc., Philadelphia, PA for their Care Access Program	25,000
Inglis Foundation, Philadelphia, PA for healthcare and social services for low-income adults with severe physical disabilities in an effort to promote independent living	75,000
Medical Care for Children Partnership, Fairfax, VA for access to specialty health care for children who have serious medical needs	50,000
Memphis Biotech Foundation in Memphis, Tennessee to develop a biologistics network in Mississippi and Tennessee	500,000
Muskegon Community Health Project, Muskegon, MI for the Access Health Program	225,000
Our House of Portland, Portland, OR, to develop a Care Program for people living with AIDS	30,000
Pace Vermont, Burlington, VT, for the Rural Program for All-inclusive Care for the Elderly	750,000
Patient Advocate Foundation, Newport News, Virginia, to assist the PAF in serving patients experiencing difficulty accessing quality health care services	150,000
Puerto Rico's Governor's Office of Elderly Affairs for the Medication Error Prevention Pilot Program	450,000
San Francisco Department of Public Health, San Francisco, CA for a demonstration project to improve HIV/AIDS treatment and prevention services	1,500,000
Santa Clara County, CA for outreach and enrollment assistance activities of the Children's Health Initiative	300,000
Susquehanna Health System, Williamsport, PA for stabilizing workforce for patient care	500,000
Swope Health Services, Kansas City, MO to supplement recurring healthcare costs for underemployed, uninsured, and income-qualified patients in Wyandotte and Johnson Counties, KS	500,000
Temple University, Crime and Justice Research Center, Philadelphia, PA for DNA backlog and utilization	100,000
University of Maine, Partnership for Early Childhood Health & Services	250,000

The conference agreement includes $1,746,879,000 for Medicare operations instead of $1,796,879,000 as proposed by the Senate and $1,793,879,000 as proposed by the House. The conference agreement does not include the $155,000,000 reduction to Medicare operations included in general provision 217 of the House bill.

The conference agreement includes bill language identifying not less than $79,000,000 for processing Medicare appeals. The House and Senate bills had similar language, which also provided for a transfer of $50,000,000 to the Social Security Administration for processing appeals. The conference agreement provides the funding for SSA through the General Departmental Management account.

The conference agreement includes bill language proposed by the Senate making up to an additional $18,000,000 available to CMS for Medicare claims processing if unit costs of claims exceed particular thresholds. The House bill did not contain similar language.

The conference agreement provides $3,000,000 within Medicare operations to support Benefit Improvement and Protection Act of 2000 (BIPA) section 522 activities, as proposed by the Senate. The

House proposed that these activities be supported through Federal administration.

The conferees concur with language in the Senate report regarding funding for the State health insurance counseling program. The House report did not have similar language.

The conference agreement provides $586,182,000 for Federal administration instead of $589,182,000 as proposed by the House and $587,182,000 as proposed by the Senate.

The conference agreement includes bill language making funds available for the Healthy Start, Grow Smart program. The Senate had proposed similar bill language; the House report contained similar language.

The conference agreement does not provide $1,000,000 for an Institute of Medicine study of the Medicare 75 percent rule as proposed by the Senate. The House did not have a similar provision.

The conferees are aware that the funding provided by section 508 of the Medicare Modernization Act was inadequate to fully fund all of the hospitals that qualified for reclassification under this section. The conferees are concerned that inadequate funding under this provision has adversely affected patient access to care. Therefore, the conferees request that CMS submit a report with the following information: the number of hospitals that qualified for funding under section 508; the number of hospitals that qualified but received no funding under this provision; and a cost estimate, by year, of the amount needed to fully fund these hospitals over the next three years. The conferees request that this report be submitted to the Senate and House Appropriations Committees no later than 90 days after enactment of this Act.

The conferees are concerned that phase-in of Medicare Part D may result in significant increases in out-of-pocket costs to Medicare enrollees with HIV/AIDS who now rely on Medicaid for their prescription medications, as well as to the state AIDS Drug Assistance Programs (ADAP). The inability of enrollees with chronic and costly medical conditions such as HIV/AIDS to pay such increased expenses and the inability for the ADAPs to meet increased costs may harm the public health. The conferees request CMS to report within 160 days the potential impact to dual-eligibles as well as to outline measures it will take to protect the public health.

The conferees are aware of changes being developed by CMS to alter the Medicare coverage policy for power mobility devices and strongly encourage CMS to use its resources to develop a coverage policy firmly based on a functional standard of nonambulatory. The conferees support controlling fraud and abuse through requiring the proper substantiation of medical need without narrowing the definition of "nonambulatory" to exclude beneficiaries who have a medical need for it. The conferees have heard from beneficiaries organizations' that the "in the home" rule often denies beneficiaries access to medically necessary wheelchairs they need to move about their home, community and in some instances, to return to work. The conferees would like CMS' views on what steps can be taken to modify this rule in a manner that enhances the independence of beneficiaries with disabilities of all ages, while being cost effective and providing for effective safeguards against fraud and abuse. Finally, the conferees believe that the medically

necessary application of this benefit can save Medicare money through avoiding expensive institutional care or hospitalization resulting from falls by the growing elderly population and beneficiaries with disabilities under age 65.

The conferees recognize the Hawaii Health Systems Corporation's success in responding to the healthcare needs of the State of Hawaii. The conferees encourage CMS to recognize the special consideration a unique island state requires when calculating population density requirements.

The conferees encourage CMS to exclude blood clotting factors from the definition of "competitively biddable drugs and biologicals" in section 1847A(a)(2)(A) of the Social Security Act. Individuals with hemophilia and other bleeding disorders are dependent upon lifesaving blood clotting factors and need unfettered access to sustain life.

The conferees encourage CMS to provide technical assistance to the Commonwealth of Puerto Rico to help it to compete successfully for Real Choice Systems Change grants.

To build on the Department of Labor Office of Disability Employment Policy's (ODEP) efforts to increase telework opportunities in the federal government, the conferees direct that $1,000,000 be transferred from ODEP to the Centers for Medicare and Medicaid Services (CMS) to build on a previous pilot between ODEP and CMS.

The conferees are pleased that CMS has piloted the performance of CMS call center work by individuals with severe disabilities working from home-based workstations. This model has the potential to be expanded within CMS and replicated outside of CMS by government agencies and others interested in following CMS's lead.

The conference agreement provides such transfer to expand and refine the existing CMS model in conjunction with National Telecommuting Institute, Inc., as well as disseminate information about this telework model to other agencies.

ADMINISTRATION FOR CHILDREN AND FAMILIES

PAYMENTS TO STATES FOR CHILD SUPPORT ENFORCEMENT AND FAMILY SUPPORT PROGRAMS

The conference agreement provides $2,873,802,000 for payments to States for child support enforcement and family support programs, the same as both the House and Senate.

LOW-INCOME HOME ENERGY ASSISTANCE

The conference agreement provides $2,200,000,000 for low-income home energy assistance rather than $2,249,000,000 as proposed by the House and $2,000,500,000 as proposed by the Senate. Of the amount provided $1,900,000,000 is provided for formula grants to States. The House bill had proposed $1,911,000,000 for State formula grants and the Senate bill proposed $1,901,090,000. Within the funds available, $27,500,000 is included for the leveraging incentive fund as proposed by the Senate.

The conference agreement includes $300,000,000 for the emergency fund to meet the additional home energy assistance needs arising from a natural disaster or other emergency pursuant to sec-

tion 402 of S. Con. Res. 95 (108th Congress), as made applicable to the House by H. Res. 649 (108th Congress) and applicable to the Senate by section 14007 of Public Law 108–287. The House bill proposed $100,000,000 and the Senate bill proposed $99,410,000 for the contingent emergency fund, but neither bill designated funds as an emergency.

The conference agreement does not include funding for the Department of Energy's weatherization assistance program in this title. The House bill proposed $238,000,000 for this program while the Senate bill included funding for this program in the Interior and Related Agencies Appropriations bill. Funding for this program is provided in Division J.

REFUGEE AND ENTRANT ASSISTANCE

The conference agreement includes $488,336,000 for the refugee and entrant assistance programs rather than $491,336,000 as proposed by the House and $477,239,000 as proposed by the Senate. The detailed table at the end of this joint statement reflects the activity distribution agreed to by the conferees.

The conference agreement provides $166,218,000 for social services, the same level as proposed in the House bill. The Senate had proposed $155,121,000 for this program. Within the funds provided, the conference agreement includes $19,000,000 as outlined in the House report. The conferees intend that funds provided above the request for social services shall be used for refugee school impact grants and for additional assistance in resettling and meeting the needs of the Hmong and Somali Bantu refugees expected to arrive during 2004 and 2005. The conferees also urge the Office of Refugee Resettlement to continue supporting discretionary grant activities, such as the individual development accounts, community service employment, and elderly refugee programs, to the extent they have been successful in integrating refugees into society and promoting their self sufficiency.

The conference agreement provides $54,229,000 for the unaccompanied minors program, the same level as proposed by both the House and Senate. The conferees intend that the funds provided by this appropriation be used, in part, to increase the number of field coordinators in the program and to ensure increased capacity at the field level for the assessment of placements and family reunification and to continue improvements in the provision of healthcare, including mental health care, to children in the program.

The conference agreement provides $10,000,000 for the victims of torture program as proposed by the Senate. The House bill had included $13,000,000 for this program.

PAYMENTS TO STATES FOR THE CHILD CARE AND DEVELOPMENT BLOCK GRANT

The conference agreement includes $2,099,729,000 for the child care and development block grant, the same level as both the House and Senate bills. Included in the bill is $10,000,000 within the total funds provided, for child care research, demonstration, and evaluation activities as proposed by the Senate. The House bill had included $9,864,000 for these activities.

SOCIAL SERVICES BLOCK GRANT

The conference agreement provides $1,700,000,000 for the social services block grant, the same level as proposed in both the House and Senate bills. The conference agreement provides 10 percent transfer authority from the temporary assistance for needy families program (TANF) to the social services block grant as proposed by the Senate. The House bill had proposed 4.5 percent transferability.

CHILDREN AND FAMILIES SERVICES PROGRAMS

The conference agreement includes $9,080,353,000 for children and families services programs, of which $10,500,000 is provided through the evaluation set-aside. The House bill proposed $8,996,145,000 for these programs with $10,482,000 from the evaluation set-aside and the Senate proposed $9,104,646,000 with $10,500,000 from the evaluation set-aside. The detailed table at the end of this joint statement reflects the activity distribution agreed to by the conferees.

Head Start

The conference agreement includes $6,898,580,000 for Head Start as proposed by the House instead of $6,935,452,000 as proposed by the Senate. The agreement includes $1,400,000,000 in advance funding, the same level as proposed by both the House and Senate.

The conference agreement also includes, as a general provision, a limitation against the use of funds for Head Start to pay the compensation of an individual, either as direct costs or any proration as an indirect cost, at a rate in excess of Executive Level II, as proposed by the House.

Consolidated Runaway and Homeless Youth Program

The conference agreement includes $89,447,000 for the consolidated runaway and homeless youth program, the same level as proposed by the House, rather than $95,000,000 as proposed by the Senate.

Prevention Grants to Reduce Abuse of Runaway Youth

The conference agreement includes $15,302,000 for prevention grants to reduce abuse of runaway youth as proposed by the House. The Senate bill had proposed $15,802,000 for these grants.

Child Abuse State Grants and Discretionary Activities

The conference agreement includes $27,500,000 for child abuse State grants as proposed by the Senate instead of $28,484,000 as proposed by the House.

The conference agreement includes $31,912,000 for child abuse discretionary programs instead of $26,266,000 as proposed by the House and $34,386,000 as proposed by the Senate. Within the funds provided for child abuse discretionary activities, the agreement includes the following items:

AGAPE of Central Alabama, Inc., Montgomery, AL, to recruit and train families to foster at-risk children and to expand education and intervention services to pregnant women in crisis	$25,000
Alameda County Social Services Agency, Oakland, CA for the Another Road to Safety early intervention and prevention program	650,000
Catholic Community Services of Juneau, AK to continue operations at its Family Resource Center for child abuse prevention and treatment	400,000
Children's Home & Aid Society of Illinois, Chicago, IL—Child Abuse Prevention Project	171,000
Children's Hospital Foundation, Columbus, OH for the Center for Child and Family Advocacy	400,000
Children's Resource Center, Harrisburg, PA for training, education and services related to child abuse prevention and treatment	100,000
Columbus Children's Hospital Center for Child and Family Advocacy, Columbus, OH, for expansion and research	450,000
Crisis Shelter of Lawrence County, New Castle, PA for anti-domestic violence program	100,000
Domestic Violence HELP, Pittsburgh, PA, to undertake a study of the prevalence and incidence of domestic violence in select clinic populations in Western PA	100,000
Family Violence Prevention Fund, San Francisco, CA for family violence prevention programs for children, youth and young families through its International Center to End Violence	500,000
Forrest County and Youth Court, Hattiesburg, MS to improve child welfare outcomes for infants and toddlers	100,000
James Whitcomb Riley Hospital for Children, Indianapolis, IN, for the Child Abuse Program	25,000
Jefferson County Colorado, Golden, CO to re-engineer its child welfare system	200,000
Lake Erie Research Institute, Inc., (LERI) Girard, PA for their Child Abuse Prevention program	25,000
Missouri Bootheel Regional Consortium, Inc., Sikeston, MO, for the Fatherhood First project	400,000
Northern Virginia Family Service, Oakton, VA, for the Healthy Families Fairfax program	75,000
State of Alaska Department of Health and Social Services, Office of Children's Services to continue its Healthy Families Alaska home visitation program	1,750,000
Stop It Now!, Philadelphia, PA to expand their public education campaign on child abuse	25,000
Synergy Services, Inc., Parkville, MO, to expand treatment for children suffering from Attachment Disorders caused by neglect, child abuse, post traumatic stress disorder and secondary trauma associated with domestic violence, household disruption, and distant parenting	100,000
YMCA Youth and Family Services, San Diego, CA, to provide safe shelter and supportive services to young homeless women	50,000

Abandoned Infants Assistance

The conference agreement provides $12,052,000 for the abandoned infants assistance program, the same level as proposed by the Senate. The House bill had proposed $12,086,000 for this program.

Adoption Awareness

The conference agreement includes $12,906,000 for the adoption awareness program as proposed by both the House and the Senate. Within the funds provided, $9,906,000 is for the infant adoption awareness training program and $3,000,000 is for the special needs adoption campaign.

Compassion Capital Fund

The conference agreement includes $55,000,000 for the compassion capital fund as proposed by the House, instead of $47,702,000 as proposed by the Senate.

Social Services and Income Maintenance Research

The conference agreement includes $32,229,000 for social services and income maintenance research, of which $6,000,000 is provided through the evaluation set-aside. The House proposed $5,982,000 for this program entirely funded through the evaluation set-aside and the Senate proposed $19,168,000, of which $6,000,000 was from the evaluation set-aside.

The conferees note that efforts undertaken through the State information technology consortium have led to greatly improved systems communications and compliance in both the TANF and child support enforcement (CSE) programs. For TANF, the conferees have provided $2,000,000 to permit States to utilize uniquely designed web-based technology to improve benefit delivery and fulfill new Federal reporting requirements. For CSE, the conferees have provided $3,000,000 to continue the consortium's efforts to improve data exchange between CSE and the courts in ways that will significantly reduce the time lag between court orders and enforcement/collections activities.

The conferees also provide sufficient funding for the following:

A+ for Abstinence, Waynesboro, PA for abstinence education and related services	$45,000
AIDSCARE, Inc., Chicago, IL for social services and related programs at its facilities for people living with AIDS	250,000
Americana Community Center, Inc., Louisville, KY, for community involvement training	19,000
Andrus Children's Center, Yonkers, NY for the Yonkers Early Childhood Initiative	50,000
Anna Maria College, Paxton, MA, for program development at the Molly Bish Center for the Protection of Children and the Elderly	100,000
Annandale Christian Community for Action, Annandale, VA—Child Development Center	50,000
Arrowhead Economic Opportunity Agency, Inc., Virginia, MN for the Family to Family community-based mentoring program to assist low-income families	600,000
Atlanta Interfaith AIDS Network, Atlanta, GA for the Common Ground day program for adults living with HIV/AIDS	40,000
Best Friends and Best Men Program at the Indian River School District, Sebastian, FL	50,000
Birth Choice Pregnancy Centers, Mission Viejo, CA to support counseling and medical services at three pregnancy centers in Orange County, CA	150,000
Breakaway Ministries, Gadsden, AL, for the Silver Ring Thing Program for abstinence education and related services	80,000
Catholic Social Services, The Bridge, Wilkes Barre, PA for abstinence education and related services	46,000
Cesar Chavez Center, Davenport, IA to assist the Hispanic community in accessing social services and community resources	100,000
Child and Family Network Centers, Alexandria, VA—First Step Program	250,000
Children's Home Society of Idaho, Boise, ID—Idaho Children's Home	200,000
Children's Rights Council, Inc., Hyattsville, MD, for Safe Haven Access sites in Stark County, Ohio	75,000
ChildServ, Chicago, IL—Family Service Center in Lake County	500,000
Christian Family Ministries, Inc., Joliet, IL—Lamb's Fold Women's Center	50,000

City Connect Detroit, Detroit, MI for the Detroit Data Partnership, for data collection and integration and development of data sharing partnerships to support design, implementation and measurement of social and economic development programs	200,000
City of Chester, Bureau of Health, SABER Project, Chester, PA for abstinence education and related services	105,000
Coalition to End Family Violence, Oxnard, CA for family violence prevention and treatment and other social services for youth and families	200,000
Community Empowerment Association, Pittsburgh, PA to provide community re-entry programs	100,000
Community Options, Inc., Princeton, NJ, for the Dr. York Development Project	90,000
Community Services of Stark County, Inc., Canton, OH—"Stark STRONG" (Stark Standing Together Reaching Ohio's New Generations)	300,000
Concerned Citizens Community Creation Center, Pittsburgh, PA for education, counseling, crisis intervention and other services for at-risk families	240,000
Connecticut Council of Family Service Agencies, Wethersfield, CT for the Empowering People for Success welfare-to-work initiative	400,000
Covenant House Alaska to expand services to runaway and homeless youth in the Anchorage, AK area	300,000
Covenant House Pennsylvania, Philadelphia, PA to provide support services to homeless and runaway youth	25,000
Daily Bread, Melbourne, FL to provide nutritional, mental health and counseling referral services to the working homeless population	50,000
Darkness to Light in Charleston, SC to develop an online training and certification program to prevent child sexual abuse	450,000
Diakon Lutheran Social Ministries, Mechanicsburg, PA for abstinence education and related services	136,000
Diakon Lutheran Social Ministries, Topton, PA for abstinence education and related services	95,000
East Harlem Building for the Community, Inc., New York, NY for its Women's Network to provide counseling, referrals and other services related to domestic violence	100,000
Eckerd Youth Alternatives, Clearwater, FL, for Transition to Independence—An Expansion of a Foster Care Pilot Demonstration project serving youth aging out of the foster care system	1,000,000
EDGE Outreach, Louisville, KY, for community outreach programs at The Mission House	30,000
Family First Support Center, Waukegan, IL—Educational Assessment Program	200,000
Food for Life, Glenside, PA to implement a pilot project to monitor children of prisoners and parolees in PA	200,000
Fred Leroy Health and Wellness Center, Omaha, Nebraska, to provide health services to Native Americans in the Northern Ponca Service Unit	250,000
Friends Association, West Chester, PA, to support adoption and foster child services	50,000
Generations of Hope, Rantoul, IL—to replicate the program which is a unique community setting enriching the lives of foster children and the elderly by entwining their daily lives	125,000
George Washington Carver Community Center, Project A.C.E., Norristown, PA for abstinence education and related services	86,000
Girl Scout Totem Council in Seattle, WA, to expand the Fostering A Future program	100,000
Good News Doctor Foundation and the International Child Development Resources Center, Inc., Melbourne, FL to provide care and to develop best practices for children suffering from autism	150,000
Greater Calvary Community Development Corporation, Erie, PA for abstinence education and related services	50,000
Greater Philadelphia Urban Affairs Coalition, Philadelphia, PA, to provide housing and mortgage assistance, as part of an initiative to stabilize a community	1,000,000

Growth & Development Services, Inc, New York, NY, for support services to at-risk families in Hispanic neighborhoods	50,000
Guidance Center, project RAPPORT, Ridgeway, PA for abstinence education and related services	74,000
Harbor House of Louisville, Inc., Louisville, KY, for a Training and Development Center for individuals with developmental disabilities	50,000
Heart Beat, Millerstown, PA for abstinence education and related services	51,000
Helping Hands Unlimited, Brooklyn, NY for a transitional supportive housing program for women	300,000
HERO Family Resource Center, Greensboro, AL to reduce and prevent teenage pregnancies through the "Bright Beginnings" program	50,000
Hispanic Counseling Center, Hempstead, NY for domestic violence prevention and intervention programs	140,000
Horizons for Homeless Children, Boston, MA, for mentoring, educational, and social development programs	125,000
Iowa Mentor Center, Sioux City, IA, for programmatic functions and equipment	30,000
Keystone Central School District, Central Mountain Middle School East, Mill Hall, PA for abstinence education and related services	79,000
Keystone Economic Development Corporation, Johnstown, PA for abstinence education and related services	88,000
L.V.C.P.T.P., St Luke's Health Network, CHOICE program, Bethlehem, PA for abstinence education and related services	92,000
Lackawanna Trail School District, Factoryville, PA for abstinence education and related services	74,000
Lady B Ranch, Apple Valley, CA, for a Therapeutic Horseback Riding Program	150,000
LaSalle University, Philadelphia PA for abstinence education and related services	112,000
Life House, Duluth, MN for transitional and supportive housing facilities for youth that are homeless, have mental health or substance abuse problems or are otherwise in need of such services	200,000
Mary's Family, Orlean, VA	75,000
Mercy Hospital of Pittsburgh, Pittsburgh, PA for abstinence education and related services	111,000
Monterey County Probation Department, Salinas, CA for a gang prevention and intervention program	1,300,000
National Energy Assistance Directors Association, Washington, DC for studies regarding low-income home energy assistance	200,000
Neighborhood United Against Drugs, Philadelphia, PA for abstinence education and related services	136,000
Network for Family Life Education, Piscataway, NJ for the Teen-to-Teen Education Project to encourage teens to make responsible choices about sexual health	300,000
New Brighton School District, New Brighton, PA for abstinence education and related services	23,000
Nexus Diversified Community Services in Minneapolis, MN to treat developmentally delayed adolescent males	1,000,000
Nueva Esperanza, Philadelphia, PA for abstinence education and related services	72,000
Ohel Children's Home and Family Services, Brooklyn, NY for school-based programs to prevent substance abuse, violence, child abuse and related problems	340,000
Ohio Educational Television Stations (OETS), Toledo, OH for the Ohio Cares project	200,000
Operation Warm, Chadds Ford, PA—Pennsylvania Youth Coat Distribution Project	125,000
Orange County, Orlando, FL, for Harbor House to provide services to victims of abusive relationships	150,000
Parents Anonymous, Claremont, CA to establish, operate, publicize and maintain a national parent helpline, toll free, 24 hours a day, 7 days a week, for parents throughout the US	32,000
Partners for Healthier Tomorrows, Ephrata, PA for abstinence education and related services	50,000

Partners in Family and Community Development, Athens, PA for abstinence education and related services	72,000
Perseus House, Inc., Erie, PA for abstinence education and related services	50,000
Potter County Court of Common Pleas, Coudersport, PA to implement the Youth/Community project to break the cyclical effect of the dysfunctional family	100,000
Potter County Human Services, Roulette, PA for abstinence education and related services	50,000
Providence House, Shreveport, LA—Child Development Center	166,000
Puerto Rico Administration for Children and Families, San Juan, PR for implementation of automated information systems for child welfare and other programs	600,000
Rape and Victim Assistance Center of Schuykill County, Pottsville, PA for abstinence education and related services	71,000
Real Alternatives, Harrisburg, PA, for counseling and pregnancy support services	150,000
Real Commitment, Gettysburg, PA for abstinence education and related services	82,000
Resources for Human Development, Inc., Philadelphia, PA to support an outreach project organizing groups focusing on social services to low-income families	25,000
School District of Lancaster, Project IMPACT, Lancaster, PA for abstinence education and related services	101,000
School District of Philadelphia, Philadelphia, PA for abstinence education and related services	102,000
Shaw Jewish Community Center of Akron, OH	200,000
Shepherd's Maternity House Inc., East Stroudsburg, PA for abstinence education and related services	50,000
Silver Ring Thing South Carolina, Columbia, SC to establish an innovative abstinence education program	100,000
Silver Ring Thing, Sewickley, PA for abstinence education	75,000
Sisters of Charity Foundation of Canton, OH—Quality Child Care Initiative	100,000
T.O.P.S. FOR YOU, Inc., Brooklyn, NY for services to children and families at the Garrity Post Daycare Center	400,000
To Our Children's Future with Health, Inc., Philadelphia, PA for abstinence education and related services	109,000
Tri County Women's Network, New Carlisle, OH for programs serving pregnant women in crisis who choose to keep their babies learn to become self-sufficient	150,000
Tuscarora Intermediate Unit, McVeytown, PA for abstinence education and related services	84,000
Uhlich Children's Advantage Network, Chicago, IL for programs at its Family Resource Center in Riverdale to increase self-sufficiency, improve parenting skills and reduce family violence among teenage and young adult parents	150,000
United Christian Ministries Inc., Osceola, PA for social services focusing on homeless families	75,000
Urban Family Council, Philadelphia, PA for abstinence education and related services	126,000
Victim Resource Center Inc., Franklin, PA for abstinence education and related services	41,000
Visitation Home, Inc., Yardville, NJ, to support services for developmentally disabled residents	100,000
Volunteers of America/Alaska in Anchorage, AK, in cooperation with the State of Alaska Dept. of Health and Human Services, for a respite camp for children being raised by grandparents in Alaska	200,000
Warren Coalition, Front Royal, VA—Family Care Connections	150,000
Washington Hospital Teen Outreach, Academy for Adolescent Health, Washington, PA for abstinence education and related services	136,000
West Central Wisconsin Community Action Agency, Glenwood City, WI for the Western Wisconsin JumpStart Replication Project to assist TANF households in purchasing reliable automobiles to help them secure and maintain employment	300,000

Women's Care Center of Erie County, Inc. to support prenatal medical services to an at-risk population	100,000
Women's Care Center of Erie County, Inc., Abstinence Advantage Program, Erie, PA for abstinence education and related services	136,000
Women's Haven of Tarrant County, Inc., Fort Worth, TX—services at an emergency domestic violence shelter and for a 24–hour emergency hotline	55,000
YMCA of Metropolitan Fort Worth-McDonald Community Branch, Fort Worth, TX—Together Reaching Unity Concerning Everyone (TRUCE) program	175,000
York County Human Life Services, Inc. York, PA for abstinence education and related services	50,000
Youth Crisis Center, Jacksonville, FL, for family and youth counseling	100,000
YWCA of Bucks County, Trevose, PA to promote strong families, positive youth development and safe communities	50,000
ZERO TO THREE, Washington, DC, for the development of multidisciplinary Court Teams to raise awareness and increase knowledge and skills regarding the needs of maltreated infants and toddlers and their families involved in the child welfare system to include a program in Fort Bend County, Texas	1,000,000

Developmental Disabilities

Within developmental disabilities programs, the conference agreement includes $38,416,000 for protection and advocacy services as proposed by the House instead of $40,000,000 as proposed by the Senate. The conferees intend that technical assistance be provided through a competitive multiyear grant with a national nonprofit organization that has the demonstrated capacity to carry out these activities. The conferees intend that the technical assistance be responsive to requests from the protection and advocacy network, based on the identified needs of individuals with disabilities and do not intend that technical assistance funds be used for administrative responsibilities of the agency administering the programs.

The conference agreement includes $15,000,000 for voting access for individuals with disabilities as proposed by the House rather than $14,912,000 as proposed by the Senate. Within the funds provided, $5,000,000 shall be for State protection and advocacy systems, the same level as proposed by the House rather than $4,912,000 as proposed by the Senate.

The conference agreement also includes $11,642,000 for projects of national significance as proposed by both the House and the Senate. Within the funds for special projects, $4,000,000 is available to expand the activities of the Family Support Program.

For university centers for excellence in developmental disabilities, the conference agreement includes $31,803,000 as proposed by the Senate instead of $26,803,000 as proposed by the House. The level provides funding for existing centers at the authorized level and will support a new grant competition permitting new centers to join the network.

Native American Programs

The conference agreement includes $45,157,000 for Native American programs as proposed by the Senate, instead of $45,155,000 as proposed by the House.

Community Services

The conference agreement includes $641,935,000 for the community services block grant rather than $627,500,000 as proposed by the House and $650,000,000 as proposed by the Senate. The conferees direct the Secretary to prepare a 3-year strategic plan for the office of community services use of training and technical assistance funds in the fiscal years 2005–2008, as requested by the House, and should be provided to the House and Senate Committees on Appropriations by no later than June 15, 2005.

The conference agreement includes $33,000,000 for economic development instead of $32,492,000 as proposed by the House and $38,000,000 as proposed by the Senate. The conferees expect this appropriation to be used for the principal purpose of the program, which is making grants to experienced community development corporations working in low-income urban and rural communities.

Within the total for community economic development, $5,481,000 is provided for the job opportunities for low-income individuals program authorized by the Family Support Act. The conferees direct that of the funds allocated for the job opportunities for low-income individuals program, not more than $500,000 be set-aside for program support and technical assistance as proposed by the House. The Senate did not include a similar restriction.

The conference agreement includes $7,300,000 for rural community facilities instead of $7,184,000 as proposed by the House and $7,500,000 as proposed by the Senate.

The conference agreement provides $18,000,000 for the National youth sports program as proposed by the House. The Senate did not propose funding for this program.

The conference agreement includes $7,238,000 for community food and nutrition as proposed by the Senate. The House did not propose funding for this program.

Violent Crime Reduction Programs

For the domestic violence hotline, the conference agreement includes $3,250,000 rather than $3,000,000 as proposed by the House and $3,500,000 as proposed by the Senate.

For family violence prevention and services and battered women's shelters, the conference agreement includes $126,648,000 instead of $125,648,000 as proposed by the House and $128,000,000 as proposed by the Senate.

Early Learning Fund

For the early learning fund, the conference agreement includes $36,000,000 as proposed by the Senate. The House did not include funding for this program.

Independent Living Training Vouchers

The conference agreement includes $47,000,000 for independent living training vouchers instead of $50,000,000 as proposed by the House and $44,734,000 as proposed by the Senate.

Community-based Abstinence Education

The conference agreement includes $104,500,000 for community-based abstinence education as proposed by the Senate instead

of $109,546,000 as proposed by the House. The conference agreement includes $4,500,000 in program evaluation funds for the abstinence education program and $100,000,000 in budget authority. The conferees concur with language included in the House report regarding technical assistance and capacity-building support to grantees. The Senate report did not include similar language.

Within the total for community-based abstinence education, up to $10,000,000 may be used to carry out a national abstinence education campaign as proposed by the House. The Senate proposed $2,500,000 for the campaign within the Office of the Secretary. Prior to advertising the availability of funds for any grant or contract for the national abstinence education campaign, the conferees request that the Department of Health and Human Services brief the House and Senate Committees on Appropriations regarding the planned use of these funds.

Center for Faith-based and Community Initiatives

The conference agreement provides $1,386,000 for the center for faith-based and community initiatives as proposed by the Senate rather than $1,400,000 as proposed by the House.

Program Direction

The conference agreement includes $187,050,000 for program direction instead of $190,206,000 as proposed by both the House and the Senate.

PROMOTING SAFE AND STABLE FAMILIES

The conference agreement includes $99,383,000 for the discretionary grant program of promoting safe and stable families as proposed by the Senate rather than $105,000,000 as proposed by the House.

ADMINISTRATION ON AGING

AGING SERVICES PROGRAMS

The conference agreement includes $1,404,634,000 for aging services programs instead of $1,403,479,000 as proposed by the House and $1,395,117,000 as proposed by the Senate. Within the total, $5,500,000 is available for medication management, screening, and education activities as proposed by the House in bill language and by the Senate in report language. The detailed table at the end of this joint statement reflects the activity distribution agreed to by the conferees.

The conference agreement includes $21,790,000 for preventive health rather than $21,919,000 as proposed by both the House and the Senate.

The conference agreement includes $19,444,000 for activities for the protection of vulnerable older Americans instead of $18,559,000 as proposed by the House and $20,474,000 as proposed by the Senate. Within the funds provided $14,276,000 is provided for the ombudsman services program.

The conference agreement includes $724,497,000 for nutrition programs rather than $730,178,000 as proposed by the House and $718,814,000 as proposed by the Senate. Within the total,

$390,397,000 is provided for congregate meals rather than $392,148,000 as proposed by the House and $388,646,000 as proposed by the Senate, $184,301,000 is provided for home delivered meals rather than $187,616,000 as proposed by the House and $180,985,000 as proposed by the Senate, and $149,799,000 is provided for the nutrition services incentives program rather than $150,414,000 as proposed by the House and $149,183,000 as proposed by the Senate.

The conference agreement includes $11,883,000 for Alzheimer's disease demonstrations instead of $11,500,000 as proposed by the House and $12,883,000 as proposed by the Senate.

The conference agreement includes $43,640,000 for program innovations instead of $37,943,000 as proposed by the House and $37,647,000 as proposed by the Senate. The conferees continue to support funding at no less than last year's level for national programs scheduled to be refunded in fiscal year 2005 that address a variety of issues, including elder abuse, native American issues and legal services.

Within the funding provided, the conference agreement includes $3,000,000 for social research into Alzheimer's disease care options, best practices and other Alzheimer's research priorities that include research into cause, cure and care, as well as respite care, assisted living, the impact of intervention by social service agencies on victims, and related needs. The agreement recommends this research utilize and give discretion to area agencies on aging and their non-profit divisions in municipalities with aged populations (over the age of 60) of over 1,000,000, with preference given to the largest population. The conferees also recommend that unique partnerships to affect this research be considered for the selected area agency on aging.

Given the enormous demands on Alzheimer's family caregivers, the conferees have included $1,000,000 to support an Alzheimer's family contact center for round-the-clock help to Alzheimer's families in crisis.

The conference agreement includes the following amounts for the following projects and activities in fiscal year 2005:

Alzheimer's Association—North Central Texas Chapter, Fort Worth, TX	$100,000
Boise State University, Boise, ID, for the Center for the Study of Aging	400,000
Carolinas Center for Hospice and End of Life Care, Cary NC for development of a national data collection system on the needs of end-of-life and terminally ill patients	100,000
City of Rancho Cucamonga, CA, for a Senior Health, Nutrition and Transportation Program	150,000
College Misericordia, Dallas, PA	100,000
Commission on Jewish Eldercare Services, Jewish Federation of Metropolitan Detroit, Bloomfield Hills, MI for a naturally occurring retirement community demonstration	500,000
Comprehensive Housing Assistance, Inc in Baltimore, MD, for a Naturally Occurring Retirement Communities (NORC) demonstration	712,000
CyberSeniors, Inc., Detroit, MI—Experience Senior Power Program	300,000
Faith in Action of Central Stark County, Inc., Louisville, OH	50,000
Family Caregiver Alliance, San Francisco, CA for a National Resource Center on Family Caregiving	250,000

Forsyth County Senior Services, Winston-Salem, NC to improve capacity of senior support services through civic, church and volunteer efforts	500,000
Foundation on Aging, Merriam, KS for design and execution of programs to improve community-based care for older adults	150,000
Greater Miami Jewish Federation, Inc., Miami, FL, for its "Aging in Place" Initiative	100,000
Haddington Multi Services for Older Adults, Philadelphia, PA for demonstration programs involving education, counseling, and services to help seniors with chronic illnesses or disabilities continue living in their homes	100,000
Iowa Department of Elder Affairs to establish the Office of Substitute Decision Maker	400,000
Jefferson Area Board for Aging, Charlottesville, VA, for a study of the long-term care environment for those being cared for and their caregivers	100,000
Jefferson Regional Medical Center, Pittsburgh, PA for senior services	100,000
Jewish Association for Services for the Aged, New York, NY for a naturally occurring retirement community demonstration in Co-Op City in the Bronx	250,000
Jewish Community Federation of Cleveland, Cleveland, OH for a Naturally Occurring Retirement Community resource center	50,000
Jewish Family & Child Service, Portland, OR, for a Naturally Occurring Retirement Communities (NORC) demonstration project	30,000
Jewish Family and Children's Service of Greater Mercer County, Princeton, NJ—NORC "Aging in Place" Initiative	125,000
Jewish Family and Children's Service of Greater Philadelphia, Philadelphia, PA for a Naturally Occurring Retirement Communities (NORC) demonstration program	300,000
Jewish Family and Children's Service of Minneapolis, Minnetonka, MN—NORC "Aging in Place" Initiative	100,000
Jewish Family and Children's Service, Sarasota, FL, for a Naturally Occurring Retirement Communities "Aging in Place" initiative	75,000
Jewish Family Service of Albuquerque, NM to support a Naturally Occurring Retirement Communities (NORC) demonstration project	500,000
Jewish Family Service of Buffalo and Erie County New York, Buffalo, NY—NORC project	50,000
Jewish Family Service of Rochester, Inc., Rochester, NY—NORC project	50,000
Jewish Family Service of Sacramento, CA for a naturally occurring retirement community demonstration	200,000
Jewish Family Service of Salt Lake City, Utah for a Naturally Occurring Retirement Communities (NORC) demonstration project	300,000
Jewish Family Service of San Diego, CA—Naturally Occurring Retirement Community "Aging in Place" demonstration	150,000
Jewish Family Service, Cincinnati, OH—Naturally Occurring Retirement Communities Aging in Place initiative	100,000
Jewish Family Service, Clifton, NJ for a naturally occurring retirement community demonstration initiative	200,000
Jewish Family Services of Los Angeles, CA for a Naturally Occurring Retirement Communities (NORC) demonstration	500,000
Jewish Federation of Central New Jersey, Scotch Plains, NJ, for a Naturally Occurring Retirement Communities (NORC) demonstration	200,000
Jewish Federation of Des Moines, IA for a naturally occurring retirement community demonstration	300,000
Jewish Federation of Greater Atlanta, GA, for a Naturally Occurring Retirement Communities (NORC) demonstration project	100,000
Jewish Federation of Greater Washington, Rockville, MD for a Naturally Occurring Retirement Communities demonstration project	1,000,000
Jewish Federation of Las Vegas, NV, for a NORC program	250,000
Jewish Federation of Los Angeles, California, for a Naturally Occurring Retirement Communities (NORC) demonstration project	150,000

Jewish Federation of Metropolitan Chicago, Chicago, IL for continued implementation of its Naturally Occurring Retirement Communities demonstration program	150,000
Jewish Federation of Southern New Jersey, Cherry Hill, NJ—Naturally Occurring Retirement Communities "Aging in Place" Initiative	400,000
Jewish Federation of St. Louis, Missouri for a Naturally Occurring Retirement Communities (NORC) demonstration project	225,000
Leon Mathieu Senior Center, Pawtucket, RI for the HOME ALONE program of services to help elders maintain themselves in the community as long as possible	25,000
Madlyn and Leonard Abramson Center for Jewish Life, North Wales, PA to expand their family caregiver programs	75,000
Medford Senior Center, Medford, OR—Senior Advocacy Program	25,000
Mount Airy Bethesda, Inc., Philadelphia, PA to provide a computer-focused program for senior citizens	300,000
PACE CNY, North Syracuse, NY—third PACE Center	450,000
Rebuilding Together, Inc., Washington, DC for education, training, technical assistance and other services related to its national program to reduce the risk of injury to seniors through home modifications	400,000
Saint Luke Lutheran Community, North Canton, OH—Nursing Home Quality Improvement Project	250,000
SCC Senior Adult Center, Brooklyn, NY for a demonstration project involving support services for frail elderly living alone	300,000
Shenandoah Area Agency on Aging, Inc., Front Royal, VA	50,000
Southcare, Inc., Glenside, PA for nutrition counseling and elderly services	25,000
State University System of Florida, Type I Policy and Exchange Center on Aging, Tampa, FL—Preparing for an Aging America Project	1,000,000
United Jewish Federation of Greater Pittsburgh, Pittsburgh, PA for a Naturally Occurring Retirement Communities (NORC) demonstration project	100,000
University of Indianapolis, Indianapolis, IN for expansion of programs and services offered by the Center for Aging and Community	320,000
University of Missouri, Columbia for development and evaluation of technology to support independence of seniors	1,000,000
University of Wisconsin-Milwaukee in Milwaukee, WI to establish training and research programs on dementia	300,000
Utah Department of Human Services for computer training that will allow seniors to live independently and remain engaged with their community	30,000
Vermont Department of Aging and Independent Living, Waterbury, VT for a demonstration project involving rural multi-purpose senior centers	280,000
Visiting Nurse Association Healthcare Partners of Ohio, Cleveland, OH—Healthy Town	250,000
Wasilla Area Seniors, Inc., Wasilla, AK for programs at Knik Manor	300,000
Wexner Heritage Village, Columbus, OH—NORC "Aging in Place" initiative	50,000
Wisconsin Alzheimer's Association Chapter Network in Madison, WI to provide Certified Dementia Care Specialist training	400,000

OFFICE OF THE SECRETARY

GENERAL DEPARTMENTAL MANAGEMENT

The conference agreement includes $371,975,000 for general departmental management instead of $349,298,000 as proposed by the House and $376,704,000 as proposed by the Senate, along with $55,851,000 from Medicare trust funds. In addition, $21,552,000 in program evaluation funding is provided.

The conference agreement does not include language reducing funding for the account by a total of $31,000,000, which was contained in the House bill.

The conference agreement includes bill language providing $13,120,000 for abstinence service demonstration grants as proposed by the House instead of $16,891,000 as proposed by the Senate.

The conference agreement does not include bill language earmarking $25,000,000 for a new health care information technology program as proposed by the House.

The conference agreement does not include bill language identifying $2,500,000 for a national abstinence education campaign as proposed by the Senate. The conferees provide that up to $10,000,000 of the funds provided for abstinence education within the Administration for Children and Families may be used for such an education campaign.

The conference agreement includes bill language providing $6,000,000 for assistance to maternal and child health clinics in Afghanistan as proposed by the Senate instead of $5,000,000 as proposed by the House.

The conference agreement includes bill language proposed by the Senate limiting the funding available to the HHS Office of the Assistant Secretary for Legislation to no more than $2,754,000. The House did not have a similar provision.

The conference agreement includes bill language providing $50,000,000 from the Medicare trust funds to be transferred to the Social Security Administration for processing Medicare appeals. The House and Senate bills had provided this funding within the CMS program management account.

The conference agreement includes bill language directing that specific information requests from the chairmen and ranking members of the Subcommittees on Labor, Health and Human Services, and Education, and Related Agencies, on scientific research or any other matter, be transmitted to the Committees on Appropriations in a prompt professional manner and within the time frame specified in the request. The bill language further directs that scientific information requested by the Committees on Appropriations and prepared by government researchers and scientists be transmitted to the Committees on Appropriations, uncensored and without delay. The Senate report included similar language. The House did not include such a provision in either bill or report language.

The conferees include the amounts within the Office of the Secretary for the following projects and activities in fiscal year 2005 listed below:

A technology internet based weight loss demonstration program for 1,000 federal employees at the Department of Health and Human Services headquarters, with use of the latest technology, including a private automated weigh station to track participants' progress; daily email support on nutrition and exercise; and education and detailed instruction on exercise techniques, meal ideas and motivational success stories	$35,000
Advertising Council, Inc., New York, NY, for an adult oriented public service campaign focusing on underage drinking	250,000
Children's Hospital & Regional Medical Center in Seattle, WA, to establish to the Center for Pediatric Bioethics	340,000

Community Transportation Association of America for TA to human services transportation providers on ADA requirements	1,000,000
Delaware Health Information Network, Dover, DE	700,000
Erie County Department of Health, Buffalo, NY for the Western NY Regional Health Information Infrastructure	300,000
Florida Institute of Technology, Melbourne, FL for the Center for Information Assurance	400,000
Foundation for eHealth Initiative, Washington, DC	4,000,000
Palmer College on Chiropractice, Consortial Center for Chiropractic Research in Davenport, Iowa, and the Policy Institute for Integrative Medicine in Philadelphia, PA for a best practices initiative on lower back pain	200,000

The conferees include the amounts for the following Office of Minority Health projects and activities in fiscal year 2005 listed below:

California State University, Long Beach, for professional training, research and health initiatives at the NCLR Center for Latino Community Health, Leadership Training and Evaluation	$500,000
Esther's Pantry of the Metropolitan Community Church of Portland, OR to provide food and supplies for people living with AIDS	30,000
Hispanic Health Initiatives, Inc. in Central Florida for an educational program on Type-2 Diabetes	100,000
Hospices of the National Capital Region, Hospice of Northern Virginia, Fairfax, VA	300,000
Huston-Tillotson College, Austin, Texas, for the Huston-Tillotson College Systems of Care Wraparound Initiative for underserved children	250,000
Nazareth Hospital, Philadelphia, PA to establish stroke treatment and prevention programs for African American seniors	250,000
Our Lady of the Lake, Baton Rouge, LA for the South LA Community Health Alliance	100,000
Padres Contra El Cancer, Glendale, CA for patient education and family support services for Latino children with cancer and their families	150,000
Phoebe Putney Memorial Hospital, Albany, Georgia to expand the School Nurse Program in school-based health clinics serving minority populations	100,000
Pregnancy Crisis Center, Wichita, KS, for development of a STD integrity program	420,000
Saint Francis Hospital, Wilmington, DE, to expand health outreach programs to minority and underserved communities	250,000
South Fork Community Health Initiative, East Hampton, NY for programs to improve health services and access to care for minority and underserved persons	100,000
Town of Herndon, Herndon, VA, for Neighborhood Resource Center	50,000
University of Medicine and Dentistry of New Jersey, School of Public Health, Piscataway, NJ for research, education and community outreach activities of the Institute for the Elimination of Health Disparities in Newark	650,000
University of Pittsburgh Medical Center, Braddock, PA to develop and implement a health care delivery model that will provide services to a historically underserved population	100,000
University of South Carolina Arnold School of Public Health, Columbia, SC, for the Institute for Partnerships to Eliminate Health Disparities	275,000
University of Texas Southwestern Medical Center, Dallas, TX (in cooperation with UT Dallas) for a program to recruit minority students into biomedical research (including outreach, mentoring and/or scholarships and fellowships)	150,000

The conference agreement includes $1,000,000 to continue the embryo adoption awareness campaign, as proposed by the Senate. The House report did not include a similar provision.

The conference agreement includes $3,000,000 to establish a Citizens' Health Care Working Group as authorized in the Medi-

care Modernization Act. The Senate proposed $3,000,000 for this activity; the House report did not contain a similar provision.

The conference agreement includes $500,000 for a study by the Institute of Medicine regarding the training of physicians for public health careers, as proposed by the Senate. The House report did not contain a similar provision.

The conference agreement includes $1,000,000 to establish an interagency committee to examine major regulations governing the health care industry to simplify them to reduce cost. The House report provided $2,000,000 through policy evaluation funds for this activity. The Senate report did not contain a similar provision.

The conferees are concerned about the absence of mechanisms to ensure the delivery of necessary psychosocial care to individuals with cancer and their family members. The conference agreement provides $1,000,000 for the Secretary, working in collaboration with the Institute of Medicine and relevant government agencies and non-profit entities, to study the delivery of psychosocial services to cancer patients and their families in the community setting. Specifically, the report should include an analysis of: (1) the capacity of the current mental health and oncology provider system to deliver such care and the anticipated resources required nationwide; (2) available training programs for professionals providing psychosocial and mental health services; and (3) existing barriers to access to such care. The Secretary is encouraged to issue recommendations to address these issues.

The conferees support the efforts of HHS to provide for a stronger and more consistent approach to the review process for drug and most therapeutic biologics used to diagnose, treat, and prevent cancer.

Unprecedented progress in fields such as nanotechnology, proteomics, and genomics hold the promise of vast improvements in our ability to prevent cancer, diagnose it an earlier stage, and treat it more effectively through targeted therapies. The conferees encourage and support the efforts of HHS agencies, including NCI and FDA, to keep pace with scientific discovery in these areas, particularly as they apply to the prevention and early detection of cancer.

The conferees intend that, of the funding provided to the Office of Minority Health, no less than the fiscal year 2004 funding level be allocated to a culturally competent and linguistically appropriate public health response to the HIV/AIDS epidemic.

OFFICE OF INSPECTOR GENERAL

The conference agreement includes $40,323,000 for the Office of Inspector General as proposed by both the House and the Senate. The conference agreement concurs with House bill language pertaining to the hire of passenger motor vehicles for investigations. The Senate did not include this language.

POLICY RESEARCH

The conference agreement provides $20,750,000 for policy research from program evaluation funding, which is the same as the

amount proposed in the House bill. The Senate proposed $28,750,000 for this activity through program evaluation funding.

PUBLIC HEALTH AND SOCIAL SERVICES EMERGENCY FUND

The conference agreement includes $2,308,287,000 for the Public Health and Social Services Emergency Fund (PHSSEF) to enhance Federal, State, and local preparedness to counter potential biological, disease, chemical, and radiological threats to civilian populations, instead of $2,352,247,000 as proposed by the House and $2,330,058,000 as proposed by the Senate.

The conference agreement continues bill language, applicable during fiscal year 2004, exempting from any personnel ceiling applicable to the Agency, Service, or the Department of Health and Human Services both civilian and Commissioned Officers detailed to States, municipalities or other organizations under authority of Section 214 of the Public Health Service Act for purposes related to homeland security during their period detail or assignment.

The conference deletes bill language proposed by the House relating to the transfer of Strategic National Stockpile assets, unexpended balances, and liabilities from the Department of Homeland Security to the Department of Health and Human Services. This language is no longer necessary because similar provisions already have been enacted into law.

Within the amount provided: $1,173,300,000 is for the Centers for Disease Control and Prevention; $400,000,000 is for the Strategic National Stockpile; $523,149,000 is for the Health Resources and Services Administration; $47,400,000 is for the National Institutes of Health; and $64,438,000 is for the Office of the Secretary.

Within the amounts available to the Centers for Disease Control and Prevention (CDC): $934,300,000 is for State and Local Preparedness, including $871,900,000 to be provided to State and local health departments through grants and cooperative agreements; $142,200,000 is for Upgrading CDC Capacity; $80,000,000 is to support and expand biosurveillance activities; and $16,800,000 is for the research program on anthrax vaccine.

The conferees concur with language in the Senate report regarding the provision of funding for the Health Alert Network at not less than the fiscal year 2004 level.

The conference agreement includes sufficient funds to continue to discover, develop, and transition anti-infective agents to combat emerging diseases from within amounts available for Upgrading CDC Capacity.

Within the funds available to the Health Resources and Services Administration (HRSA) is $495,405,000 for Hospital Preparedness and $27,744,000 to provide incentives for curricular reform in health professions schools and the delivery of continuing education to those already in practice.

The conferees are aware of concerns that no single organization is equipped to respond to the diverse needs of citizens in the wake of a terrorist incident. The conferees encourage the Secretary to work with organizations with experience in working with national-level entities in disaster situations to develop a technical assistance, social response model that can be incorporated into the

process of emergency management and pre-disaster planning in communities.

The conferees applaud CDC's commitment to continue the implementation and evaluation of the Lehigh Valley, PA Bioterrorism Response Pilot.

In addition to the funds for terrorism preparedness and response, the conference agreement includes $100,000,000 for activities to ensure year-round production capacity of influenza vaccine, instead of $60,000,000 as proposed by the House and $75,000,000 as proposed by the Senate.

The conference agreement includes bill language proposed by the Senate to permit pandemic preparedness funding to be used to purchase influenza vaccine.

GENERAL PROVISIONS

HEAD START SALARIES

The conference agreement includes a general provision that prohibits the use of funds for Head Start to pay the compensation of an individual, either as direct costs or any proration as an indirect cost, at a rate in excess of Executive Level II, as proposed by the House. The Senate bill did not contain a similar provision.

EVALUATION TAP AUTHORITY

The conference agreement includes a provision to allow for a 2.4 percent evaluation tap pursuant to section 241 of the Public Health Service Act. This tap is to be applied to programs authorized under the Public Health Service Act. The House bill contained a provision to allow for a 2.3 percent evaluation tap and the Senate bill allowed for a 2.5 percent evaluation tap.

ONE PERCENT TRANSFER AUTHORITY

The conference agreement modifies language proposed by the Senate providing the Secretary of HHS with the authority to transfer up to 1 percent of discretionary funds between a program, project, or activity, but no such program, project or activity shall be increased by more than 3 percent by any such transfer. Additionally, a program, project or activity may be increased up to an additional 2 percent subject to written approval of the House and Senate Appropriations Committees.

REFUGEE STATUS OF CERTAIN PERSECUTED GROUPS

The conference agreement includes a provision proposed by the Senate to extend the refugee status for persecuted religious groups. The House bill contained no similar provision. The conferees intend to fully protect religious minority refugee applicants from Iran, including the current caseload of Iranian Christians, Jews, Bahai, Mandeans and Zoroastrians. Therefore, the Administration should implement the provisions of section 213 of the conference report with respect to new applications, as well as to review previously denied applications for refugee applicants who have remained outside of Iran without a viable solution after being denied refugee status.

COUNCIL ON GRADUATE MEDICAL EDUCATION

The conference agreement includes a general provision proposed by the Senate allowing for the continued operation of the Council on Graduate Medical Education. The House bill contained no similar provision.

CANCER HOSPITAL CONSTRUCTION LOANS

The conference agreement does not include a general provision proposed by both the House and Senate that rescinded funds appropriated by section 1897(g) of the Social Security Act.

CMS PROGRAM MANAGEMENT

The conference agreement does not include a general provision proposed by the House reducing the amounts provided to CMS program management. The Senate bill contained no similar provision.

CDC MANAGEMENT/IT SAVINGS

The conference agreement does not include a general provision proposed by the House reducing the amounts provided to CDC for management and information technology. The Senate bill contained no similar provision.

75% RULE

The conference agreement includes a general provision that none of the funds appropriated in this Act may be expended by the Secretary of HHS to change the designation of a hospital that was certified by the Secretary as an in-patient rehab facility on or before June 30, 2004 until after a GAO report is issued. This is the same as language in the House bill. The Senate bill prohibited the expenditure of funds, but did not require a GAO report.

CMS OFFICE OF THE ACTUARY

The conference agreement does not include a general provision proposed by the House that none of the funds appropriated in this title may be used to impede the exchange of information between the Office of the Actuary of CMS and Congress. The Senate did not propose a similar provision.

NATIONAL FOUNDATIONS FOR CDC AND NIH

The conference agreement deletes without prejudice a general provision proposed by the Senate that provides official reception and representation expenses to the National Foundations for CDC and NIH. The House did not propose a similar provision. Funding for this purpose is included in each agency's relevant account.

SUMMER HEALTH CAREER INTRODUCTORY PROGRAMS

The conference agreement does not include a general provision proposed by the Senate authorizing a new summer health career introductory program for middle and high school students. The House bill contained no similar provision.

HHS OIG OVERSIGHT ACTIVITIES

The conference agreement includes a general provision transferring $25,000,000, rather than $35,000,000 as proposed by the Senate, to the Office of the Inspector General of HHS from amounts previously appropriated under the Medicare Modernization Act for activities relating to oversight of programs. The House bill contained no similar provision.

HEALTH PROFESSIONS STUDENT LOAN RESCISSION

The conference agreement includes a general provision, which rescinds unobligated balances associated with the health professions student loan program authorized in subpart II, federally-supported student loan funds, of title VII of the Public Health Service Act.

NURSING STUDENT LOAN RESCISSION

The conference agreement includes a general provision, which rescinds unobligated balances associated with the nursing student loan program authorized by Section 835 of the Public Health Service Act.

MEDICAL FACILITIES GUARANTEE AND LOAN FUND RESCISSION

The conference agreement includes a general provision, which rescinds unobligated balances, excluding amounts necessary for the costs of potential defaults, associated with the medical facilities guarantee and loan fund within the Health Resources and Services Administration.

SMALLPOX VACCINE INJURY COMPENSATION RESCISSION

The conference agreement includes a general provision, which rescinds $20,000,000 in unobligated balances from amounts appropriated in P.L. 108–11 under the heading "Public Health and Social Services Emergency Fund", the smallpox compensation program. The conferees understand that the remaining unobligated balances in the program will be sufficient to cover claims anticipated with at least 200,000 more smallpox vaccinations.

C.W. BILL YOUNG CENTER FOR BIODEFENSE AND EMERGING INFECTIOUS DISEASES

The conference agreement includes a general provision naming the Center for Biodefense and Emerging Infectious Diseases (Building 33) at the National Institutes of Health, the C.W. Bill Young Center for Biodefense and Emerging Infectious Diseases.

TITLE III—DEPARTMENT OF EDUCATION

EDUCATION FOR THE DISADVANTAGED

The conference agreement includes $14,963,683,000 for Education for the Disadvantaged instead of $15,515,735,000 as proposed by the House and $15,500,684,000 as proposed by the Senate.

For Grants to Local Educational Agencies (LEAs) the agreement provides $12,842,309,000 instead of $13,342,309,000 as proposed by the House and $13,457,607,000 as proposed by the Senate. The conference agreement includes $7,037,592,000 for basic grants and $1,365,031,000 for concentration grants. The agreement also includes $2,219,843,000 for targeted grants, and $2,219,843,000 for education finance incentive grants. Concentration grants, targeted grants, and incentive grants are all provided on an advance-funded basis.

The House proposed $7,037,592,000 for basic grants, $1,365,031,000 for concentration grants, $2,469,843,000 for targeted grants and $2,469,843,000 for education finance incentive grants. The Senate bill proposed $7,104,447,000 for basic grants, $1,365,031,000 for concentration grants, $2,231,954,000 for targeted grants, and $2,756,175,000 for education finance incentive grants.

The conference agreement includes language proposed by the Senate allowing $1,000,000 of title I evaluation funding to be used to provide technical assistance to States and school districts regarding the title I program. The conference agreement does not include language proposed by the Senate for a supplemental appropriation to States that received less in fiscal year 2004 than they received in fiscal year 2003.

The conferees believe that states should utilize their four percent school improvement set-aside funds, estimated at $514,000,000 in fiscal year 2005, to support implementation of comprehensive school reform (CSR) models with demonstrated success. The conferees are aware that recent evaluations of the CSR program conducted by the Department of Education show that schools utilizing comprehensive school reforms are more likely to offer professional development for all teachers and to engage in research-based reform. The conferees strongly urge States to examine methods for distributing school improvement funds that will result in awards of sufficient size and scope to support the initial costs of comprehensive school reforms and to limit funding to programs that include each of the reform components described in section 1606(a) of the No Child Left Behind Act of 2001 and have the capacity to improve the academic achievement of all students in core academic subjects within participating schools. The conferees urge states to express a clear competitive preference for CSR programs that have been shown through scientifically based research to be effective, and that are supported by organizations capable of assisting multiple schools and districts.

The conference agreement includes $226,910,000 for the Even Start program as proposed by the House. The Senate did not propose funding for this program.

The conference agreement also includes $1,050,000,000 for Reading First State Grants instead of $1,125,000,000 as proposed by the House and $1,062,000,000 as proposed by the Senate. It also includes $105,000,000 for Early Reading First instead of $132,000,000 as proposed by the House and $110,000,000 as proposed by the Senate.

The conference agreement includes $25,000,000 for Striving Readers as proposed by the Senate instead of $100,000,000 as pro-

posed by the House. Striving Readers will make competitive grants to develop, implement, evaluate and bring to scale reading interventions for middle- or high-school students who are reading significantly below grade level, prioritizing services to those schools and districts with one or more high or middle schools that include a significant number of students reading below grade level. The conferees recognize that both middle and high schools have significant needs, and direct the Secretary to ensure that awards are balanced between these two grade spans, and are of sufficient size and scope to allow for meaningful change that improves student achievement. In addition, the conferees direct the Institute of Education Sciences to work with the Secretary to create a competitive preference system whereby schools would receive priority for awards by agreeing to participate in randomized research studies. One potential system would entail funding schools in pairs, where at random one school would receive a new program immediately and the other would receive it a year later, thereby creating conditions conducive to randomized controlled studies.

The conference agreement also includes $19,842,000 for Literacy through School Libraries as proposed by the House instead of $22,842,000 as proposed by the Senate.

The conference agreement includes $50,000,000 for the neglected and delinquent program instead of $48,395,000 as proposed by the House and $52,000,000 as proposed by the Senate.

The conference agreement does not include $100,000,000 for a new local school improvement program proposed by the Senate.

The conference agreement includes $207,000,000 for comprehensive school reform instead of $80,000,000 as proposed by the House and $233,613,000 as proposed by the Senate. The conferees intend that $7,050,000 be made available for quality initiatives as authorized in section 1608 of ESEA. The conferees also request that the Department submit a letter report no later than May 30, 2005 that identifies those states that have not complied with the statutory requirement for an annual evaluation of the implementation of comprehensive school reforms and describes the steps the Department will take to ensure that such evaluations are meaningful, rigorous and timely.

The conference agreement also includes $18,888,000 for the migrant education high school equivalency program as proposed by the Senate instead of $22,545,000 as proposed by the House.

IMPACT AID

The conference agreement includes $1,253,893,000 for the Impact Aid programs instead of $1,250,893,000 as proposed by the House and $1,229,527,000 as proposed by the Senate. Within this amount, $1,083,687,000 is provided for basic support payments as proposed by the House instead of $1,063,687,000 as proposed by the Senate and $63,000,000 is provided for payments for Federal property as proposed by the House instead of $61,634,000 as proposed by the Senate. The conference agreement includes language proposed by the House regarding eligibility for school districts that enroll children whose parents have died or been deployed on active duty. The conference agreement includes $48,936,000 for construc-

tion programs instead of $45,936,000 as proposed by both the House and the Senate. The agreement also includes the following:

Fairbanks North Star Borough, Fairbanks, AK, for relocation of the district's kitchen facilities	$2,000,000
White River School District 47–1, Mellette County, SD	1,000,000

SCHOOL IMPROVEMENT PROGRAMS

The conference agreement includes $5,664,977,000 for School Improvement Programs instead of $5,661,401,000 as proposed by the House and $5,730,632,000 as proposed by the Senate. The agreement provides $4,229,977,000 in fiscal year 2005 and $1,435,000,000 in fiscal year 2006 funding for this account.

The conference agreement includes $2,940,126,000 for State grants for improving teacher quality instead of $2,950,000,000 as proposed by the House and $2,975,126,000 as proposed by the Senate.

The conference agreement includes $180,000,000 for math and science partnerships instead of $269,115,000 as proposed by the House and $200,000,000 as proposed by the Senate. In light of the tremendous overlap in math and science goals and objectives between the math and science partnership program and the Advanced Placement (AP) initiatives, grantees are encouraged to incorporate AP training into their proposals. As in the math and science program, the AP professional development initiative focuses on increasing teachers' math and science content understanding to help them meet the highly qualified criteria required under the Elementary and Secondary Education Act as amended by the No Child Left Behind Act of 2001. The AP professional development initiative supports teachers' content development so that all students, regardless of whether or not they take AP, will receive rigorous, challenging math and science instruction. The AP math and science initiative has the primary objective of increasing the number of AP opportunities, AP participation rates, and post-secondary acceptance and success rates for disadvantaged students.

The conference agreement includes $200,000,000 for the education block grant instead of $20,000,000 as proposed by the House. The Senate did not propose funding for this activity. The agreement also includes $500,000,000 for education technology state grants instead of $600,000,000 as proposed by the House and $691,841,000 as proposed by the Senate. The agreement also includes $999,070,000 for the 21st Century Community Learning Centers program as proposed by the House instead of $1,007,000,000 as proposed by the Senate. The agreement also includes $415,000,000 for State assessments instead of $410,000,000 as proposed by the House and $420,000,000 as proposed by the Senate. The agreement also includes language proposed by the House stating that the amount made available in the fiscal year 2004 bill for state assessments shall not be less than $390,000,000. The agreement also includes language proposed by the House stating that notwithstanding any across-the-board reductions, the amount available for state assessments in fiscal year 2005 shall not be less than $400,000,000.

The conference agreement includes $11,111,000 for the Javits gifted and talented program as proposed by the House instead of

$12,111,000 as proposed by the Senate. The agreement also includes $18,000,000 for the foreign language assistance program instead of $19,000,000 as proposed by the Senate. The House did not propose funding for this program. The conference agreement also includes $63,000,000 for education for homeless children instead of $70,000,000 as proposed by the House and $62,000,000 as proposed by the Senate.

The conference agreement includes $34,500,000 for the Education of Native Hawaiians instead of $36,000,000 as proposed by the Senate and $33,302,000 as proposed by the House. The agreement also includes language notwithstanding any other provision of law to allow funds under this program to be used for construction, renovation and modernization of any elementary school, secondary school, or structure related to an elementary school or secondary school run by the Department of Education of the State of Hawaii that serves a predominantly Native Hawaiian student body as proposed by the Senate. The conferees direct that no less than $1,000,000 shall be made available for early childhood activities, no less than $1,000,000 shall be made available to the Hawaii Department of Education for school construction/renovation activities, and $600,000 shall be made available for the University of Hawaii law school's Native Hawaiian legal center.

The conference agreement includes $34,500,000 for the Alaska Native Educational Equity program instead of $36,000,000 as proposed by the Senate and $33,302,000 as proposed by the House. The agreement also includes language notwithstanding any other provision of law to allow funds under this program to be used for construction, as proposed by the Senate, and directing the Department in use of these funds in specific locations in Alaska.

The conference agreement includes $172,000,000 for rural education programs, instead of $167,831,000 as proposed by the House and $175,000,000 as proposed by the Senate.

The conference agreement also includes $18,330,000 for supplemental education grants to the Federated States of Micronesia (FSM) and the Republic of the Marshall Islands (RMI), in accordance with the Compact of Free Association Amendments Act of 2003, as proposed by the House instead of $17,214,000 as proposed by the Senate. The agreement also includes language allowing up to five percent of the grants to be reserved by the FSM and RMI to provide technical assistance, oversight and consultancy services and to allow the Departments of Labor, HHS and Education to be reimbursed for these services. The conference agreement does not include a provision relating to eligibility for individuals in the Republic of Palau as proposed by the Senate.

INNOVATION AND IMPROVEMENT

The conference agreement includes $1,101,454,000 for programs in the Innovation and Improvement account, instead of $669,936,000 as proposed by the House and $1,144,346,000 as proposed by the Senate.

The conference agreement includes $20,500,000 for the National Writing Project instead of $17,894,000 as proposed by the House and $24,000,000 as proposed by the Senate.

The conference agreement includes $120,000,000 for the Teaching of Traditional American History as proposed by the Senate. The House did not propose funding for this activity. The conferees direct the Department to continue its current policy of awarding 3-year grants.

The conference agreement includes $15,000,000 for school leadership as proposed by the House instead of $16,000,000 as proposed by the Senate. The conference agreement includes $17,000,000 for advanced credentialing activities as proposed by the Senate instead of $18,391,000 as proposed by the House.

The conference agreement includes $37,279,000 for credit enhancement for charter schools as proposed by the Senate instead of $50,000,000 as proposed by the House.

Fund for the Improvement of Education (FIE)

The conference agreement includes $417,418,000 for the Fund for the Improvement of Education.

Within the total for FIE, the conference agreement includes funding for the following activities in the following amounts:

Reading is Fundamental	$25,500,000
Star Schools	21,000,000
Ready to Teach	14,406,000
Exchanges with Historic Whaling and Trading Partners	8,700,000
Arts in Education	35,920,000
Parental Assistance Information Centers	42,224,000
Excellence in Economics Education Act	1,500,000
Women's Educational Equity	2,980,000
Teacher Quality initiatives	9,500,000
CSR clearinghouse	1,500,000
Facilities clearinghouse	700,000
Foundations for Learning grants	1,000,000
Mental Health Integration in Schools	5,000,000
Peer Review	25,000

For Arts in Education, the conferees intend that within this total, $7,500,000 is for Very Special Arts, $6,420,000 is for the John F. Kennedy Center for the Performing Arts. In addition, $8,000,000 is for model professional development programs for music, drama, dance and visual arts educators and $500,000 is for evaluation activities, as outlined by the Senate. The remaining $13,500,000 is available to continue model arts programs, including a new grant competition.

The conferees expect that the Office of Safe and Drug-Free Schools will administer the mental health integration grants program.

While the conferees applaud the Department's efforts to help students learn foreign languages, they remain concerned that the Department, using data provided by the e-Language Learning System (eLLS), is developing web-based learning products that could be used in direct competition with the private sector. The conferees understand that, based on the President's budget request, the Department had no plans to continue this project in fiscal year 2005. However, the conference agreement includes funds for the Star Schools program, which has been the source of funds for this activity. Therefore, the conferees direct the Department not to fund any grant that will compete directly with the private sector and further direct the Department to report to the Committees on Appropria-

tions of the House and Senate on the activities undertaken with federal funds by the e-Language Learning System and their impact on the private sector. The conferees expect to receive this report no later than April 15, 2005. The conferees further direct the Department to notify the House and Senate Appropriations Committees 15 days prior to any Department expenditures regarding the eLLS project.

The conferees direct the Department to implement the Act consistent with their intent, as reflected above, and request an implementation plan to be submitted to the House and Senate Committees on Appropriations within 30 days of enactment of the Department of Education Appropriations Act, 2005. To the extent that the Department wishes to reprogram funds in order to address other activities or alter the allocation of funds for activities listed in the chart above, the conferees expect the Department to follow the guidance provided in this statement of the managers.

The conferees concur that the Secretary shall notify States that schools that will not receive continuing comprehensive school reform awards with fiscal year 2005 funds shall receive priority for targeted grants and/or technical assistance under section 1003(a) of ESEA.

Within the total for FIE, the following amounts are also provided:

Reach Out and Read	$10,000,000
Abaertern Academy, Bozeman, MT to support distance learning	500,000
Abbotsford School District, WI, for after school programs	250,000
Abilene Christian University, Abilene, TX for reading instruction to children from local school districts	100,000
Academy of Fine Arts, Lynchburg, VA for programming, exhibits, and outreach	50,000
Academy of Urban School Leadership, Chicago, IL, for the Chicago Academy and Chicago Academy High School, including resident stipends	600,000
Access Living, Chicago, for continuation of educational and education access programs for youth with disabilities	500,000
AFI Silver Theatre and Cultural Center to expand the Screen Education Program in Maryland	100,000
AFSA Education Foundation, Washington DC, for MoneySKILL	200,000
Afterschool Alliance, Flint, MI, to develop and disseminate model practices and provide technical assistance for after school programs	150,000
Akron Zoological Park, Akron, OH for educational programs	200,000
Alabama School of Math and Science, Mobile, AL for a computer lab	100,000
Alabama School of Mathematics and Science, Mobile, AL for curriculum development and training	40,000
Alabama Sports Hall of Fame, Birmingham, AL to expand student outreach programs and promote good sportsmanship	35,000
Alachua County, Gainesville, FL, for an at-risk youth development initiative	100,000
Alaska Educational Services in Anchorage, AK for its Youth Summer Challenge Program	475,000
Alaska Hospitality Alliance Education Foundation, Anchorage, AK for high school hospitality industry training programs	100,000
Alaska Humanities Forum, Anchorage, AK to produce and deliver an Alaskan history curriculum and to train teachers throughout Alaska in its use	600,000
Alaska Online Consortium in Delta Junction, AK for middle school writing math courses for online delivery across Alaska	300,000
Alaska SeaLife Center in Seward, AK for a Marine Ecosystems Education Program	250,000

Albuquerque Public Schools, Albuquerque, NM to improve the teaching of math and science	750,000
Alhambra Unified School District, Alhambra, CA, for after-school and other academic programs at Mark Keppel High School	40,000
All Kinds of Minds Schools Attuned Teacher Training, Chapel Hill, NC for teacher training	1,000,000
All Kinds of Minds, Chapel Hill, NC for the Schools Attuned Teacher Training Program in North Texas	250,000
Allegheny County Housing Authority, Pittsburgh, PA, for an after school program	100,000
Allens Lane Art Center, Philadelphia, PA, for scholarships for low-income children to participate in summer camp and art classes	50,000
Allentown Art Museum, Allentown, PA, for arts education	75,000
American Film Institute, Los Angeles, CA, for its Screen Education program	1,250,000
American Foundation for Negro Affairs (AFNA) National Education and Research Fund, Philadelphia, PA, to raise the achievement level of minority students and increase minority access to higher education	650,000
American Red Cross, Bronx Service Center, Bronx, NY, for mentoring and after school programs	50,000
American Society of Educators, Philadelphia, PA, for teacher and administrator professional development	50,000
American Theater Arts for Youth, Inc., Philadelphia, PA, for an arts in education program	75,000
American Theater Arts for Youth, Philadelphia, PA for Mississippi Arts in Education	150,000
Americana Community Center, Inc., Louisville, KY, for after school programs	53,000
AMISTAD America, Inc., New Haven, CT, for education materials, education programs, and teacher professional development	500,000
An Achievable Dream, Newport News, VA for a research and training center, including teacher stipend scholarships	100,000
Anchorage School District in Anchorage, AK to implement the PLATO Learning program	200,000
Anchorage's Promise of Anchorage, AK to implement America's Promise child mentoring and support program in Anchorage	100,000
Anita M. Stone Jewish Community Center, Flossmoor, IL, for a computer technology initiative for youth	100,000
Annette Strauss Institute, Austin, TX, for a civics education project	85,000
Annis Water Resources Institute, Grand Valley State University, Allendale, MI, for a hands-on, investigative science experience	250,000
Anoka Technical College, Anoka, MN, for a Secondary Technical Education Program	250,000
Appleton Area School District, Appleton, WI for English Language instruction	12,000
Arden Theatre Company, Philadelphia, PA, to expand education programs	50,000
Arkansas State University, State University, AR, in collaboration with the University of Memphis, and the University of Mississippi, for the Delta Bridge Education project to provide professional development for teachers	750,000
Armstrong School District, Ford City, PA, for an interactive instructional system	50,000
ART of Leadership Foundation, Birmingham, MI for mentoring programs	100,000
Arthur Ashe Youth Tennis and Education, Philadelphia, PA for educational enrichment programs	100,000
Arts and Education In Concert, Centreville, VA, for arts education	100,000
ArtsAlliance of Jackson and Hinds County, MS, for an arts based after school and summer outreach program	100,000
Ashland City Schools, Ashland, OH for professional development	200,000
Athens Area High School, Athens, PA, for a health and technology career program	50,000
Athens City Schools Foundation, Athens, AL, for the third grade violin music education program	10,000

Auburn University at Montgomery, Montgomery, AL, for the Alabama Urban and Rural Student Citizenship and History Education Outreach Program for history education	50,000
Ballet Theater Foundation, Inc., New York, NY, for the Make a Ballet program at the Waterside School, Stamford, CT	100,000
Baltimore City Board of School Commissioners, Baltimore, MD, for teacher recruitment, retention and professional development initiatives	240,000
Baltimore City Public School System, MD, to restock public school libraries	200,000
Banana Factory, Bethlehem, PA, for an arts and technology after school program	25,000
Bass Lake School District, CA, for music and art education programs	75,000
Batelle for Kids, Columbus, OH for a multi-state effort to evaluate and learn the most effective ways for accelerating student academic growth	1,000,000
Beaver County, PA, to implement educational programming for K–12 students, including safe and appropriate use of the Internet	200,000
Bellefaire Jewish Children's Bureau, Cleveland, OH for the Monarch School	500,000
Bethany Education and Human Services Programs, Inc., Clearwater, FL for after school programs	250,000
Bethesda Children's Home, Meadville, PA, for vocational education and prevention based services	50,000
Big Brothers Big Sisters of Bucks County, Jamison, PA, for mentoring programs	25,000
Big Brothers Big Sisters of San Luis Obispo County, San Luis Obispo, CA, for mentoring at-risk youth	80,000
Big Brothers Big Sisters, Columbia, SC, for community-based and school-based mentoring programs	200,000
Big Brothers/Big Sisters of Anchorage, Fairbanks and Southeast AK, in partnership with AK Department of Education, the Boys and Girls Club and Cook Inlet Tribal Council for a comprehensive mentoring program for at-risk children	300,000
Boston History Collaborative, Boston, MA, for youth educational programs	50,000
Boys & Girls Club of the Cheyenne River Sioux Tribe	200,000
Boys & Girls Club of the Grand River Area	150,000
Boys & Girls Club of Whittier, Whittier, CA, for after school programs	150,000
Boys & Girls Clubs of America, Atlanta, GA, for an education technology initiative for at-risk youth	500,000
Boys and Girls Club of Greater Kansas City, Kansas City, MO for Project Learn	1,000,000
Boys and Girls Club of the Northern Shenandoah Valley, Winchester, VA for after school programs	72,000
Boys and Girls Clubs, Springfield, for educational programs targeted toward at-risk students in partnership with the Springfield Public Schools	150,000
BRIDGES USA, Inc., Memphis, TN, to develop and implement a middle school intervention program	490,000
Brigham Young University of Provo, UT for the Comprehensive Literacy Program to improve the literacy performance of low achieving students	600,000
Brooklyn Academy of Music, Brooklyn, NY, for K–12 education programs	490,000
Broome County Early Childhood Coalition, Binghamton, NY, for its Building Brighter Futures for Broome early childhood training and mentoring program	100,000
Business Council, Inc., Stockton, CA, for its San Joaquin Reads Program	650,000
CableLife Community Enrichment Corporation, Louisville, KY, for educational programs	30,000
California Institute of the Arts, Valencia, CA, for equipment for the Community Arts Partnership digital arts project for middle and high school students	150,000

California Professional Firefighters Foundation, Sacramento, CA, for development of an emergency preparedness curriculum and training materials for K–12 schools	850,000
Calumet Park School District 132, Calumet Park, IL, for staff development and instructional programs, including summer school	100,000
Camp Fire USA of Alaska for an after school program in Anchorage, AK	100,000
Canaan Community Development Corporation, Louisville, KY, for after school programs	25,000
Carnegie Hall, New York, NY, for the Isaac Stern Education Legacy project	1,450,000
Carnegie Science Center, Pittsburgh, PA for education programs for teachers and students as part of the Pittsburgh International Science and Technology Festival	50,000
Carnegie Science Center, Pittsburgh, PA, to develop a Final Frontier exhibit	75,000
Carson City Public School District, Carson City, NV for an English Instruction Program	419,000
Center for Advancing Partnerships in Education (CAPE), Allentown, PA, for distance learning programs and technology upgrades	200,000
Center for Houston's Future, in collaboration with the Greater Houston Collaborative for Children, Houston, TX for improving the quality of early education programs through the Preschool for ALL program	200,000
Center for Jewish History, New York, NY, for education programming on Jewish history and technology upgrades	100,000
Central Alabama Community College, Alexander City, AL for scholarships	150,000
Central Pennsylvania Institute of Science and Technology, Pleasant Gap, PA, for curriculum development	100,000
CESA 9, WI, for after school programs	1,000,000
Challenger Learning Center for Science and Technology, Woodstock, IL for an education program	200,000
Challenges, Choices and Images Literacy and Technology Learning Center, Aurora, CO for educational programs	75,000
Champions of Caring, Villanova, PA, to develop and disseminate the Journey of a Champion curriculum focusing on character education	25,000
Charter School Development Corporation in Las Vegas, NV to focus on technology and college preparation	1,000,000
Charter School Institute, Philadelphia, PA for the Shipyard Industrial Charter High School	200,000
Chesapeake Bay Foundation, Annapolis, MD in cooperation with the Living Classrooms Foundation, Baltimore MD, for educational programming	250,000
Chicago Academy in Illinois in cooperation with the Chicago Public Schools for a teacher training initiative	200,000
Chicago Public Schools, Chicago, IL, for after school programs	225,000
Chicago Public Schools, Chicago, IL, for its career academies enhancement project	340,000
Chicago Public Schools, Chicago, IL, for its Child-Parent Center Program	600,000
Children's Chorus of Maryland, Inc., Towson, MD, for a music education initiative in Prince George's County, Maryland	100,000
Children's Coalition, Inc., West Palm Beach, FL, for equipment and technology to enable at-risk youth to participate in the Veteran's History Project	160,000
Children's Home and Aid Society of Illinois, Chicago, IL, for development of one or more community schools, including case management, academic, enrichment and support services	125,000
Children's Land Alliance Supporting Schools (CLASS), American Fork, UT for continued research	300,000
Children's Literacy Initiative, Philadelphia, PA, to improve the reading readiness and early literacy of children in high-poverty communities by providing professional development to teachers and principals	150,000

Children's Museum at LaHabra, CA, for a Hands On English Program	120,000
Chippewa Falls School District, WI, for after school programs	300,000
Cincinnati Zoo and Botanical Garden, Cincinnati, Ohio, for educational programs	250,000
Citrus County School Board, Inverness, FL, for staff development and training	60,000
City College of New York, New York City, NY, for the Nuestra Herencia family literacy program	100,000
City of Bell Gardens, Bell Gardens, CA, for computers and software to serve low-income youth	35,000
City of Brea, CA, for after school programs	123,000
City of Dallas, Dallas, TX, for after school programs	525,000
City of East Palo Alto, CA, for after-school activities for at-risk youth	100,000
City of Fairfield, Fairfield, CA, for after school programs	600,000
City of Lynwood, Lynwood, CA, for after school programs	165,000
City of Macon, Macon, GA, to support after school programs at area elementary schools	100,000
City of Oak Ridge, Oak Ridge, TN for integrating math, science and technology disciplines at Oak Ridge High School	200,000
City of Orlando Science Center in Orlando, FL for exhibits and education on the hydrogen economy	100,000
City of Palmdale, Palmdale, CA, for after school programs	100,000
City of Pomona, Pomona, CA, in conjunction with the Pomona Unified School District, for after school and weekend academic enrichment programs	140,000
City of Portsmouth, Portsmouth, VA, for after school programs	115,000
City of Providence, Providence, RI, for the family literacy campaign, Providence Reads!	100,000
City of San Diego, CA for the 6 to 6 Extended Day Program	100,000
City of St. Charles, MO for the St. Charles Foundry Arts Center in support of arts education	780,000
City of Stockton, Stockton, CA, for after school programs	328,000
City School District of New Rochelle, New Rochelle, NY, for after school and summer school programs, faculty professional development, and parent education workshops	425,000
City Schools of Decatur, Decatur, GA, to implement the International Baccalaureate Program in selected schools	14,000
City Year New Hampshire, Stratham, NH to expand out-of-school programs for at-risk kids	250,000
Clarion County Career Center, Shippenville, PA for curriculum development	100,000
Clark County Public Education Foundation, NV, for the Global Learning Village	150,000
Clark County School District, Las Vegas, NV, for equipment	500,000
Clark County School District, Las Vegas, NV, for its Alternative Drop Out Prevention Program	390,000
Clark County School District, Las Vegas, NV, to implement the Advancement Via Individual Determination (AVID) Program at selected school sites	200,000
Clark County School District, NV, for a dropout prevention program	200,000
Clark County School District, NV, for curriculum development on the study of mariachi music	25,000
Clarke County Public Schools, Berryville, VA for foreign language programs in D.G. Cooley Elementary School in Berryville, Berryville Primary School in Berryville, and Boyce Elementary School in Boyce, VA	100,000
Clarkstown Central School District, New City, NY, for a multimedia center, technology and curricula	125,000
Clayton School District, WI, for after school programs	200,000
Clemson University, Clemson, South Carolina, for Call Me Mister program	250,000
Cleveland Botanical Garden, Cleveland, OH for the One to One Thousand project	150,000
Cleveland Institute of Music, Cleveland, OH, for distance education	350,000

Cleveland Metroparks Zoo, Cleveland, OH for educational programs	250,000
Cleveland Museum of Art, Cleveland, OH for education through the arts	650,000
Cleveland Play House, Cleveland, OH for educational programs	200,000
Clovis Unified School District, CA, for Career-Focused Instructional Lab Models	100,000
COA Youth and Family Centers in Milwaukee, WI for the Home Instruction for Parents of Preschool Youngsters (HIPPY) program	200,000
Coahoma Community College Workforce Development Center, Clarksdale, MS for the STEP-UP Program	100,000
Cobbs Creek Environmental Education Center, Inc., Philadelphia, PA, to support environmental education programs for high school students	100,000
College Summit, Inc., Washington DC for expansion of pilot sites	1,000,000
Colorado Charter Schools Institute, Denver, CO for educational programs	100,000
Columbus Public Schools, Columbus, OH, for the Attaining Achievement through Technology project	150,000
Communities in Schools—Bell-Coryell Counties, Inc., Killeen, TX, for education services for at-risk youth	300,000
Communities in Schools Dallas, Inc., Dallas, TX, for case management, academic and social services for at-risk students	475,000
Communities in Schools of East Texas, Inc., Marshall, TX, for services for at-risk students	475,000
Communities in Schools of Northeast Texas, Pflugerville, TX, for services for at-risk students	325,000
Communities in Schools of San Antonio, San Antonio, TX, to implement its Stay-in-School program in Bexar County, TX	300,000
Communities in Schools of Virginia, Richmond, VA, to help students achieve academic success, particularly those at risk of school failure	100,000
Communities in Schools, Alexandria, VA, for national program activities to coordinate community resources to help youth stay in school	1,200,000
Community Arts Program, Chester, PA for arts education	100,000
Community College of Baltimore County, Baltimore, MD, for its Closing the Gap college preparation and retention initiative for minority students, including student scholarships	320,000
Community Consolidated School District 168, Sauk Village, IL, for education services for at-risk students	100,000
Community Economic Empowerment Corporation, Louisville, KY, for a childcare development center	60,000
Community Foundation of Louisville, Louisville, KY for educational programs	60,000
Community Music School of Collegeville, Trappe, PA for music education	100,000
Community of Caring, Salt Lake City, UT, to support a National Office, in partnership with the University of Utah, and to provide staff and program support	500,000
Community Service Society of New York, NY, for the Experience Corps Project, including volunteer stipends, to provide literacy and educational services to students	300,000
Compassion Coalition, Utica, NY for after school programs	75,000
Congreso De Latinos Unidos, Philadelphia, PA for education programs for adjudicated adolescents ages 13–18	100,000
Connecticut Humanities Council, Middletown, CT, to implement the Motheread/Fatheread family literacy program	100,000
Connecticut International Baccalaureate Academy, East Hartford, CT, for a Spanish Studies Program and a Library of International Studies	400,000
Cooperative Education Service Agency 8, Gillett, WI, for staff development, training and technology	75,000
Cornell School District, WI, for after school programs	250,000
Corridor Community Charter School, Bennett, CO for educational programs	100,000

COSI (Ohio Center of Science and Industry), Columbus, OH, for professional development	100,000
Council for America's First Freedom, Richmond, VA, to expand its educational programs	100,000
Cray Youth and Family Services, New Castle, PA, for mentoring initiatives and program support for disadvantaged youth	25,000
Creative Visions in Des Moines, IA for outreach to at-risk youth	100,000
Crispus Attucks Association, Inc., York, PA for education programs for high-risk, low-income youth	100,000
Crispus Attucks YouthBuild Charter School, York, PA, for a school readiness initiative	50,000
Crispus Attucks YouthBuild Charter School, York, PA, for training and stipends	50,000
Cumberland School District, WI, for after school programs	200,000
Cuyahoga County Board of County Commissioners, Cleveland, OH for an early childhood initiative	400,000
Daytop Village of New Jersey, Mendham, NJ for educational programs	500,000
Delaware Valley Historical Aircraft Association, Willow Grove, PA, for education programs	75,000
Delta Regional Partnership, Rosedale, MS for the Delta Education Partnership Online Assessment and Interactive Accountability Instructional Program to improve student achievement	200,000
Delta-School Craft Intermediate School District in Escanaba, MI for educational programs in the global economy	500,000
Denison Independent School District, Denison, TX, for a Help One Student to Succeed (HOSTS) Reading Centered School Program	300,000
Denton Independent School District, Denton, TX for English language program	250,000
Denver Public Schools Foundation, Denver, CO for Lights On After School programs	250,000
DePaul School, Louisville, KY, for computer equipment	50,000
Des Moines Community School District and Urban Dreams, Des Moines, IA, to continue a demonstration on full service community schools	300,000
Des Moines Community School District to expand pre-kindergarten programs	250,000
Detroit Lakes Community Center, Detroit, MN, for K–12 education programs	300,000
Diamond Bar Center, Diamond Bar, CA, for Children's Programs	257,000
Dinwiddie County Public School, Dinwiddie, VA, for equipment	150,000
Director's Council of Des Moines, IA, to coordinate youth services	250,000
Discovery Center of Science and Technology, Bethlehem, PA, for educational programs and exhibits that will demonstrate best practices for teaching science	100,000
DoubleTake Community Service Corporation, Somerville, MA, for documentary curriculum development for public school students	100,000
Dougherty County Public Schools, Albany, GA, for a parent-teacher communications system	225,000
Eastchester Union Free School District, Eastchester, NY, for after school programs and technology	200,000
Edinboro University, Edinboro, PA, for a Student Achievement Gap Study	125,000
EdSolutions, Inc., Nashville, TN, for an After School Learning Program Pilot	500,000
Education Leaders Council, Washington, D.C., to expand the Following the Leaders project in Iowa	3,000,000
Education Leaders Council, Washington, DC, for the Following the Leaders project	5,000,000
Education Leaders Council, Washington, DC, for the Following the Leaders project in the State of Tennessee	500,000
Education Leaders Council, Washington, DC, for the Following the Leaders project program in Alaska	1,000,000
Education Service Center, Region 12, Hillsboro, TX, for a GEAR UP college preparedness program	500,000
Endeavor Academy in Titusville, FL for math and science initiatives	100,000

Envision Schools, San Francisco, CA, for the City Arts and Technology High School	250,000
Ephrata Performing Arts Center, Ephrata, PA, to develop a music and arts education summer school program	25,000
Erie Art Museum, Erie, PA, for curriculum development and educational outreach	75,000
Erie Civic Theatre Association, Erie, PA, for outreach and education programs for school students at the Erie Playhouse	25,000
Erie Philharmonic, Erie, PA, for music education	25,000
ESF, Inc., Bryn Mawr, PA, for the after school and summer school programs	50,000
Everybody Wins, NY, NY, for childhood literacy programs	1,000,000
Exploratorium, San Francisco, CA, for an initiative to integrate science, mathematics and technology education into after school programs	250,000
Fairbanks North Star Borough School District in Fairbanks, AK for the PLATO Learning system	100,000
Fairbanks North Star Borough School District, Fairbanks, AK, for the 4 R (Reading, Reasoning, Relationships and Relevance) Children's program	200,000
Fairfax County Public Schools, Fairfax VA, for the Emergency Medical Services Academy	50,000
Fairfax County Public Schools, Fairfax, VA for Chinese language programs in Franklin Sherman Elementary School and Chesterbrook Elementary School in McLean, Virginia	200,000
Fairfax County Public Schools, Fairfax, VA for the Enterprise School	80,000
Fairfax County Public Schools, Fairfax, VA, for a Waterford Early Reading Project	100,000
Fairfax County Public Schools, VA, for the Advancement Via Individual Determination Program at Glasgow Middle School and Stuart High School	75,000
Fairmont School District #89, Lockport, IL for technology, equipment and textbooks	150,000
Family Communications, Inc., Pittsburgh, PA, to develop the Girls and Math Science Pittsburgh Partnership	100,000
Family Life Center, Inc., Louisville, KY, for the St. Stephen's Academy	40,000
Father Maloney's Boy's Haven, Louisville, KY, for an education program for children with special needs	50,000
Fayetteville Technical Community College, Fayetteville, North Carolina, for technology-training program for teachers	250,000
Fight to Learn After School Program, Philadelphia, PA, for after school programs	50,000
First Book, Washington, DC to provide books to disadvantaged children in Mississippi	100,000
First Gethsemane Center for Family Development, Louisville, KY, for education programs	40,000
Florida 4–H Foundation, Gainesville, FL, for youth/adult partnerships to strengthen civic engagement	100,000
Florida Learning Alliance, Inc., Tallahassee, FL, for a Collaborate with Florida Virtual School Project	250,000
Florida Orchestra, Inc., Tampa, FL, for an educational program	250,000
Florida State University, Tallahassee, Florida, for a Florida reading, math and science initiative	1,000,000
Flossmoor School District 161, Chicago Heights, IL, to implement its Supporting Students with Appropriate Interventions program for junior high school students	100,000
Education Leaders Council, Washington, DC, for for the Following the Leaders project in Clay County, WV and Roane County, WV school districts	72,000
Education Leaders Council, Washington, DC, for the Following the Leaders project to provide education and related services in schools in northern Rhode Island	100,000
Folwell Neighborhood Association, Minneapolis, MN, for the City Kids Co-op Program	475,000
Fontana Teen Center, Fontana, CA, for after school programs	320,000

Forest Area High School, Tionesta, PA, for curriculum development	100,000
Fort Worth Independent School District, Fort Worth, TX, for an English literacy initiative	100,000
Foundation for the Improvement of Mathematics and Science Education, San Diego, CA, to implement the Blueprint for Student Success Project in San Diego City Schools	450,000
Franklin Park Conservatory, Columbus, OH, for an In-Service Training Program	99,000
Frederick County Public Schools, Virginia for Chinese language programs in James Wood High School in Winchester, Sherando High School in Stephens City, and Millbrook High School in Winchester, VA	25,000
Freedoms Foundation at Valley Forge, Valley Forge, PA, for entrepreneurship education programs as part of the Free Enterprise Institute	100,000
French and Indian War 250, Inc., Pittsburgh, PA, for educational programming and activities associated with commemorating the French and Indian War	100,000
Fresno Metropolitan Museum, CA, for the Mobile Science Project	100,000
From the Top, Boston, MA for music education activities in Elgin, IL	100,000
Futures For Children, Albuquerque, NM to expand educational services for Native American children	1,000,000
Galena School District in Galena, AK to support operation of its boarding school for low performing Native students from remote villages across Western Alaska	500,000
Gateway Cities Partnership, Inc., Paramount, CA, for the Math, Engineering, Science Achievement (MESA) enrichment program	50,000
Georgia Project, Inc., Dalton, GA, for initiatives to assist English language learners, including teacher recruitment and professional development activities	300,000
Gerda and Kurt Klein Foundation, Narbeth, PA, for character education, tolerance education and community service programs for high school students	50,000
Gila County Schools, Globe, AZ for educational programming	500,000
Gilman School District, WI, for after school programs	200,000
Girl Scouts of Rhode Island, Inc., Providence, RI, for a character education and after school initiative for at-risk girls	200,000
Girl Scouts of the USA, Washington DC for Fair Play	150,000
Girls Today, Women Tomorrow, Los Angeles, CA, for after school programs	200,000
Give Every Child A Chance, Manteca, CA, for educational enrichment services	300,000
Glendale School District, Flinton, PA, for technology	50,000
Go For Broke Educational Foundation, Gardena, CA, for curricula, materials, and teacher training to support instruction about segregated military units in World War II	100,000
GRAMMY Foundation, Santa Monica, CA for education programs	150,000
Grantsburg School District, WI, for after school programs	250,000
Great Lakes Museum of Science Environment & Technology, Cleveland, OH, for science education programs	550,000
Great Projects Film Company, Inc., Washington, DC, to produce "Educating America," a documentary about the challenges facing our public schools	50,000
Greater Columbus Learning Center, Columbus, MS for literacy services	75,000
Greater Philadelphia Urban Affairs Coalition, Philadelphia, PA, for its Junior Journalism Project	50,000
Greater Sacramento Urban League, Sacramento, CA, for a dropout prevention program	167,000
Greenpoint Monitor Museum, Brooklyn, NY, to implement its "Road Show" in New York City schools, and for related activities	50,000
Groton Public School System, Groton, CT, for a learning center, teacher training and after school programming	100,000
Gulf County School Board, Port St. Joe, FL, for health and physical education equipment	100,000

Harford County Board of Education, Aberdeen, MD, for the Math & Science Academy at Aberdeen High School	320,000
Harrod's Creek Community Development, Inc., Louisville, KY, for education programs	25,000
Haskins Laboratories, New Haven, CT, for the Haskins Early Reading Success Project for a mentor model of teacher professional development in reading instruction	250,000
Hastings-on-Hudson School District, Hastings-on-Hudson, NY, for teacher professional development	30,000
Health Care Medical Technology, Pierre, SD, to develop interactive Internet-based health education software for K–12 students	335,000
Heartbeats to the City, Inc., Canton, OH for after school programs	150,000
Heartland Regional Community Foundation, St. Joseph, Missouri, for technology, equipment and curriculum development for the emPower Plant program	400,000
Helen Keller Worldwide, NY, for the ChildSight Vision Screening Program and to provide eyeglasses to children whose educational performance may be hindered because of poor vision	1,000,000
Helping Energize and Rebuild Ourselves, Inc. (H.E.R.O.), Philadelphia, PA, for its after school program and community computer center	100,000
Heritage Health Foundation Inc., Braddock, PA for early care and after school programs	100,000
Hesperia Unified School District, Hesperia, CA, for an after school program for middle school students	100,000
HighTechHigh-Los Angeles, Van Nuys, CA, for its technology education program	390,000
Hillsborough Community College, Tampa, FL, for its Information Technology, Instructional Technology, Innovative Teaching (IT3) Program to develop and implement a technology training program for K–12 teachers	340,000
Hispanic Committee of Virginia, Falls Church, VA for education programs	100,000
Hollidaysburg Area School District, Hollidaysburg, PA, for an interactive instructional system	50,000
Homeless Children's Education Fund, Pittsburgh, PA, for technology and to develop educational programming for homeless children	25,000
Homewood School District 153, Homewood, IL, for diversity training, and after school and mentoring initiatives	100,000
Horton's Kids, Inc., Washington, D.C., for education support and program expenses	80,000
Houston Independent School District, Houston, TX, to establish multi-purpose early childhood education centers	770,000
Houtzdale Regional Police, Houtzdale, PA, to support improved student achievement through drug prevention activities	25,000
Hudson River Performing Arts Center in Weehawke, NJ for educational outreach programs	16,000
Humphreys County Library System, Belzoni, MS for access and collections improvements	150,000
Huntingdon College, Montgomery, AL, for training K–12 teachers in the use of education technology	250,000
I CAN LEARN Education Systems, New Orleans, LA, to implement its standards-based mathematics program in one or more school districts	500,000
I CAN LEARN, New Orleans, LA	3,000,000
I CAN LEARN, New Orleans, LA to install and implement its pre-algebra and algebra educational software system in at least six additional schools in the Mississippi Delta	2,000,000
I Know I Can, Columbus, OH, for early college awareness programs	350,000
Illinois Mathematics and Science Academy, Aurora, Illinois, for the 21st Century Information Fluency Program	500,000
Illinois State Board of Education, Springfield, IL, for Elgin U 46 for professional growth opportunities	350,000
Illinois State Board of Education, Springfield, Illinois for Aurora East Unit School District #131 for career and technical studies	150,000

Illinois State Board of Education, Springfield, Illinois for Community Unit School District #300 for school improvement	150,000
IN TUNE Foundation, Santa Monica, CA, for its Kids in Tune character education, music and arts education programs	500,000
Independence School District, Independence, MO, for before- and after-school programs	350,000
Inner Harmony Foundation, Scranton, PA for curriculum development	100,000
Institute for Education and the Arts, Washington, DC, to extend the Institute's K–12 education program	200,000
Institute for Educational Leadership, Washington, DC, for a Coalition for Community Schools project to facilitate the creation of community schools	300,000
Institute for Student Achievement, Lake Success, NY, for educational programs for at-risk students	1,000,000
Institute for Student Achievement, Lake Success, NY, for educational programs for at-risk students at Annandale and Falls Church High Schools in Virginia	150,000
Institute for Student Achievement, Lake Success, NY, for school reform activities, at Ossining High School, NY, in partnership with Columbia University	350,000
Institute for Student Achievement, Lake Success, NY, for school reform activities, including teacher stipends, at Park East High School in Manhattan	100,000
Institute for Student Achievement, Lake Success, NY, to implement school reform activities in certain school districts in New York	900,000
Institute of Heart Math, Boulder Creek, CO for a teacher retention and student dropout prevention program	750,000
Intermediate Unit #17, Williamsport, PA, for technological infrastructure to support school districts and enhance their access to information technology	100,000
International Center for the Preservation of Wild Animals, Cumberland, OH, for an educational program	625,000
International House of Philadelphia, Philadelphia, PA, to provide standards-based educational programs to prepare high school students for careers in engineering, science, and math	50,000
International Music Products Association, Carlsbad, California, for music education	125,000
Invent Iowa to encourage kids to invent and hold fairs to display those inventions	100,000
Iowa Association of School Boards, Des Moines, IA for the Lighthouse for School Reform project	650,000
Iowa Department of Education to continue and expand a demonstration program for additional bilingual and English as a Second Language training	1,100,000
Iowa Department of Education to continue the Harkin grant program	15,000,000
iPraxis, Philadelphia, PA to develop and conduct educational programs and workshops to inform teachers and students of opportunities in scientific fields	50,000
Jacob's Pillow, Lee, MA, for performing arts educational programs	100,000
James Madison University, Harrisonburg, VA for the National Center for Rural Science and Mathematics Education	300,000
Jamestown 2007 Commission, Jamestown, VA, for curriculum development associated with the 400th Anniversary of the settling of Jamestown	100,000
JASON Foundation for Education, Needham Heights, MA, for STEP-UP in Ohio	300,000
Jasper Area Family Services Center, Jasper, AL, for technology and education programs	25,000
Jazz at Lincoln Center, New York, NY, for jazz education programs	400,000
Jersey Shore High School, Jersey Shore, PA, for curriculum development	100,000
Jewish Community Centers of Philadelphia—Klein Branch, Philadelphia, PA, for an early childhood development program, which may include scholarships for students	50,000

Joplin R–VII Public Schools, Joplin, MO for Success Builders At Risk program	162,000
Joy2Learn Foundation, Palos Verdes Estates, CA, to create and disseminate curricula integrating the arts, and for professional development	120,000
Junior Achievement, Colorado Springs, CO, to develop JA Enterprise Village	2,500,000
Kanawha County Board of Education, Clendenin, WV for the Herbert Hoover High School Technology Project	135,000
Kensington Area Ministries, Philadelphia, PA, to support after school programs at Iglesia Del Barrio	50,000
Kids Voting USA, Tempe, AZ, for voter participation programs through its national and affiliate offices	250,000
Kids with A Promise—The Bowery Mission, Bushkill, PA	100,000
KIPP Foundation, San Francisco, CA for KIPP schools in Oklahoma City, including subgrants	50,000
KIPP Foundation, San Francisco, CA for leadership training and extended learning time at KIPP schools, including subgrants	3,000,000
KIPP Foundation, San Francisco, CA to subgrant to KIPP schools in the State of Tennessee to support student programs	150,000
KIPP Foundation, San Francisco, CA, for curriculum development and teacher training for California schools, including subgrants	200,000
KIPP Foundation, San Francisco, CA, to subgrant to KIPP Philadelphia Charter School for educational programs	25,000
KnowledgeWorks, Cincinnati, OH for P–16 Education in Ohio	200,000
KnowledgeWorks, Cincinnati, OH for the Ohio High School Transformation Initiative	1,000,000
Kutztown University, Kutztown, PA, to develop education programs to enhance the academic skills and foster the interest of area high school students in higher education	50,000
La Salle University, Philadelphia, PA, for the University Science and Technology Center to support math and science instruction for teachers	100,000
Labor and Industry for Education, Hewlett, NY, for after school and prevention programs for at-risk youth	500,000
Ladysmith-Hawkins School District, WI, for after school programs	250,000
LAMP Life Center Ministries, Inc., Louisville, KY for educational programs	15,000
Lancaster County Career & Technology Foundation, Mount Joy, PA, to develop curriculum and training programs for early childhood educators	50,000
Lanett City Schools, Lanett City, AL, for a JROTC program	50,000
Laramie County School District One, Cheyenne, WY, for an English as a Second Language Pilot Project	185,000
LA's Best in Los Angeles, CA, for the After-School Enrichment Program	400,000
Learning Collaborative, Indianapolis, IN, for the Smart Desktop Initiative	500,000
Learning Point Associates/North Central Regional Education Laboratory, Naperville, IL for No Child Left Behind implementation technical assistance	150,000
Lemay Child & Family Center, St. Louis, MO, for early childhood education and family literacy programs	180,000
Leonardo Center for Art in cooperation with the Salt Lake City Corporation for arts education	300,000
Lesley University in Cambridge, MA for a pilot teacher training program in Nevada	100,000
Line Mountain School District, Trevorton, PA, to develop a pilot project designed to offer specialized curriculum and vocational training related to careers in volunteer firefighting	50,000
Literacy, Education and Ability Program, Memphis, TN to support educational services	250,000
Little Earth Resident's Association, Minneapolis, MN, for a learning and technology center	75,000
Livingston Parish School District, Livingston, LA for equipment	100,000
Loess Hills Area Education Agency in Iowa for a demonstration in early childhood education	750,000

Logan City School District, Logan, UT, for support of the Early Reading Assistance Project	200,000
Loneman School in Oglala, South Dakota for a Lakota language preservation program	150,000
Long Beach Unified School District, CA, for High School reform	100,000
Louisiana Tech University, Ruston, LA for Project LIFE teacher training	150,000
Louisiana Youth Seminar in New Orleans, LA for training high school leaders	150,000
Lucille Beserra Roybal Youth and Family Center, Los Angeles, CA, for computers and technology	75,000
Lycoming Career and Technology Center, Williamsport, PA for an information technology program	40,000
Madison Local School District, Madison, OH, for equipment	75,000
Maine Alliance for Arts Education, Augusta, ME to support arts education	100,000
Mamaroneck Union Free School District, Mamaroneck, NY, for a summer academy for elementary and middle school students	50,000
Manchester Youth Development Center, Pittsburgh, PA, to provide mentoring and after school programs for at-risk youth	75,000
Mann Center for the Performing Arts, Philadelphia, PA to support arts education	100,000
Maricopa County Regional School District, Phoenix, AZ, for educational services at the Thomas J. Pappas Schools in Phoenix and Tempe, AZ	250,000
Marketplace for Kids in Mandan, ND for an entrepreneurial education program	200,000
Marshfield School District, WI, for distance education and equipment	125,000
Maryland State Department of Education, Baltimore, MD, to develop, implement and evaluate Internet-enhanced instruction	250,000
Marywood University, Scranton, PA, for technology and curriculum development for the Center for Assistive Technology laboratories to provide training to K–12 educators on teaching practices	200,000
Maspeth Townhall, Queens, NY, for after school programs	100,000
Matteson Elementary School District 162, Matteson, IL, for the Matteson Fellowship Program for academically talented students, including equipment and technology	100,000
Maui Economic Development Board in Hawaii for the Girls Into Science Program	300,000
McKelvey Foundation, New Wilmington, PA, to support McKelvey entrepreneurial college scholarships for rural, low-income Pennsylvania high school graduates	300,000
Mellen School District, WI, for after school programs	200,000
MENTOR/National Mentoring Partnership, Alexandria, VA, to develop the Pennsylvania Mentoring Partnership and expand mentoring services in Philadelphia	25,000
Mercer School District, WI, for after school programs	250,000
Meredith-Dunn Learning Disabilities Center, Inc., Louisville, KY for a counselor	20,000
Mesorah Heritage Foundation, Brooklyn, NY, for translation of classic texts and development of an English literature curriculum	750,000
Messiah College, Grantham, PA, to support initiatives to improve educational opportunities for children in grades K–12	100,000
Miami University, Oxford, OH, for preservation of the McGuffey Readers collection	150,000
Miami-Dade County Public Schools, FL, for a teacher training program on literacy	250,000
MicroSociety, Inc., Philadelphia, PA, to further develop and disseminate a whole school model of reform	100,000
Military Heritage Foundation, Carlisle Barracks, PA, for the United Sates Army Heritage and Education Center for education materials and programs on military and social history	175,000
Milken Family Foundation, Santa Monica, CA, for the Teacher Advancement Program	2,000,000
Milton S. Eisenhower Foundation, Washington, DC, for its full-service community schools initiative in Maryland	250,000

Milton S. Eisenhower Foundation, Washington, DC, to replicate the full-service community school program in Pennsylvania	200,000
Milwaukee Public Schools, Milwaukee, WI, for before- and after-school programs	1,200,000
Minnesota Humanities Commission, St. Paul, MN for an English literacy initiative	100,000
Mira Loma High School, Sacramento, CA, for the International Baccalaureate program	83,000
Mississippi Museum of Art, Jackson, MS, for Hardy Middle School After School Program	500,000
Mississippi State University, Starkville, MS, Center for Economic Education and Financial Literacy for teacher training in economics instruction	100,000
Missoula Public School District, Missoula, MT to establish a technology and standards based learning program in the Missoula Public School District	500,000
Montana State University, Billings, MT for training of site-bound rural paraeducators in Montana, South Dakota and Wyoming	1,500,000
Montgomery Area School District, Montgomery, PA for curriculum development	100,000
Moore College of Art and Design, Philadelphia, PA for equipment and scholarships for the Young Artists Workshop	50,000
MORE HEALTH, Inc., Tampa, FL, for a nutrition program	90,000
Motown Center, Detroit, MI, to develop and implement curricula, music education, and after school programs	400,000
Mountain Arts Center, Prestonsburg, KY, for expansion of its Music and Arts Development Program	100,000
Muntu Dance Theatre of Chicago, Chicago, IL, for arts education programs	300,000
Murfreesboro City Schools, Murfreesboro, TN, for an early childhood education pilot program	100,000
Murray City School District, Murray, UT, for after school and summer academic and enrichment programs	200,000
Murray State University, Murray, KY for a Center for Teacher Excellence in Science and Mathematics	300,000
National Association of Music Education (MENC), Reston, VA, to develop and disseminate information on model music education programs	50,000
National Aviary, Pittsburgh, PA for technology for the Flite-Zone immersive classroom and expansion of nature education programs	100,000
National Aviation Hall of Fame, Dayton, OH, for Project Sky Reach	200,000
National Baseball Hall of Fame and Museum, Cooperstown, NY for educational outreach using baseball to teach students through distance learning technology	450,000
National Center for Electronically Mediated Learning, Inc., Woodbridge, CT, for the P.E.B.B.L.E.S. Project	400,000
National Center for Family Literacy, Louisville, KY, for education outreach efforts	85,000
National Center for Fathering, Inc., Kansas City, MO to improve student achievement through a school-based safety program	425,000
National Character Education Foundation, PA to conduct outreach programs in character education in PA schools	100,000
National Charter Schools Institute, Mt. Pleasant, MI to expand the Virtual Training Center and Clearinghouse	200,000
National Foundation for Teaching Entrepreneurship Pennsylvania, Pittsburgh, PA, to provide financial literacy and entrepreneurship education to low-income and minority youth and to train educators in Pennsylvania	100,000
National History Day for a history competition in Iowa	100,000
National Italian American Foundation, Inc., Washington, DC, for teacher training and to expand cultural programs	50,000
National Liberty Museum, Philadelphia, PA for a teacher training program to assist educators in addressing violence in schools	500,000

National Native American Professional Development Center Foundation, Sheridan, Wyoming to establish a center to train teachers serving Native American students in an early literacy learning and math framework	100,000
National Student/Parent Mock Election, Tucson, AZ, for its voter education program	225,000
National Urban Technology Center, New York, NY, for the Youth Leadership Academy character education curriculum in Pennsylvania	50,000
Natural Resource Education Center at Moosehead, Inc., Greenville, Maine, for education programs, which may include the purchase of equipment and technology	250,000
Navajo County Schools, Holdbrook, AZ, for educational programming	500,000
Naval Undersea Museum Foundation, Keyport, WA, for its Science Education Alliance program to enhance science instruction in local school districts	240,000
Neighborhood Centers Association, Pittsburgh, PA, for support of after school and mentoring programs, including technology upgrades	50,000
Nevada Humanities, Reno, NV to create the first and only comprehensive reference work on Nevada	350,000
New Auburn School District, WI, for after school programs	200,000
New Futures, Burien, WA, for education and family literacy programs	320,000
New London Public Schools, New London, CT, for the development and implementation of preparatory academies and teacher training	100,000
New Mexico State University for the Southern New Mexico Science, Engineering, Mathematics and Aerospace Academy	15,000
New School University, New York, NY, for a pilot program to provide supplementary services and support for at-risk, low-income high school students	250,000
New York University Child Study Center, New York, NY, for a ParentCorps project	350,000
New Zion Community Foundation, Inc., Louisville, KY, for education programs	49,000
Nome Public Schools for the Northwestern Alaska Career and Technical Center to provide variety of vocational training courses to high school students in Nome, Alaska and the Bering Straits region	500,000
North Carolina Central University, Durham, NC, for academic enrichment and mentoring activities for at-risk students	125,000
North Carolina Electronics and Information Technologies Association Education Foundation, Inc., Raleigh, NC, for a technology demonstration project in the 2nd Congressional District	250,000
North Carolina Electronics and Information Technologies Association Education Foundation, Inc., Raleigh, NC, for a technology demonstration project in the 7th Congressional District	250,000
North Carolina Electronics and Information Technologies Association Education Foundation, Inc., Raleigh, NC, for the school technology demonstration	500,000
North Central Regional Education Laboratory, Naperville, IL for technical assistance activities	250,000
North Country Education Services Agency, Gorham, New Hampshire for educational opportunities through the North Country Gear Up College Prep Initiative	300,000
North East Trees, Los Angeles, CA, for its Youth Environmental Career Training Program, including student support	185,000
North Rockland Central School District, Garnerville, NY, for technology and teacher training to improve student science and literacy skills	60,000
North Slope Borough School District, AK for an Early Childhood Education Program for children in North Slope Borough villages	300,000

Northeastern Pennsylvania Educational Television Association (WVIA), Pittston, PA, to integrate the Between the Lions program into the classroom to improve the English language and literacy skills of Spanish-speaking youth	50,000
Northern Hills Family YMCA in Lead, South Dakota for after-school programs	100,000
Northern Lakes Network Consortium, Brainerd, MN to create the Northern Lakes Network Consortium Online Assessment and Interactive Accountability Instructional Program	100,000
Nuweetooun School at Tomaquag Museum, Exeter, RI to improve education for Native American children	50,000
Nye County School District, Pahrump, NV, for computers	81,000
Oakland Unified School District, Oakland, CA, for the purchase, implementation, and maintenance of a district-wide student information system	320,000
Oakwood School, Annandale, VA, to provide special education services to children with learning disabilities	50,000
Office of Superintendent of Public Instruction, Olympia, WA, to support the student engagement project	175,000
Ogden City School District, Ogden, UT, for After School Remedial and Summer Bridge Program	300,000
Ohio Board of Regents, Columbus, OH for the Third Frontier Network—Science Education	750,000
Ohio Department of Education, Columbus, OH for Education Ohio	750,000
Oklahoma State Department of Education, Oklahoma City, Oklahoma, to sustain and expand their handheld computer program	200,000
Old Fort No. 4 Associates, Charlestown, New Hampshire for an education outreach program, focusing on early American history and early New Hampshire history	200,000
Omaha Home for Boys, Omaha, NE, for a before- and after-school program to improve the quality of education for at risk youth	250,000
One World Now!, Seattle, WA, for after school programs and student scholarships for study in foreign countries	250,000
Ontario School District, Ontario, OR for English language instruction	130,000
Opera Company of Philadelphia, Philadelphia, PA for the Sounds of Learning arts education program	100,000
Orange County Fire Authority, Orange, CA, for K–12 fire safety and emergency preparedness education programs	40,000
Orrville Area Boys and Girls Club, Orrville, OH for computer technology	15,000
Osseo Area Schools—Independent School District 279, Maple Grove, MN, for an online assessment and interactive instructional program	200,000
Ossining Union Free School District, Ossining, NY, for academic, enrichment and technology services for middle school students	100,000
Pacific Islands Center for Educational Development in American Samoa for educational programs	400,000
Parents as Teachers National Center, St. Louis, MO to better reach and serve families with limited English proficiency	1,600,000
Parents Inc., Anchorage, AK for a mentoring and youth program	600,000
Park Falls School District, WI, for educational services	200,000
Patrick County Education Foundation, Stuart, VA, for a college access initiative, including GED assistance for individuals who have dropped out of high school	140,000
Pelham Union Free School District, Pelham, NY, for its "Every Child Can Read" project, including technology	51,000
Pendleton County Board of Education, Franklin, WV, for a Distance Learning Initiative	18,000
Penn State Public Broadcasting, University Park, PA, to develop and disseminate print and multi-media teacher training materials	50,000
Pennsylvania Academy of Music, Lancaster, PA, to develop and conduct a performance-based, classical music education program	50,000

Pennsylvania Association of Latino Organizations, Inc., Harrisburg, PA, to assist Latino organizations in Pennsylvania in developing educational and training resources to enhance education skills and address dropout rates	50,000
Pennsylvania Ballet Association, Philadelphia, PA, for outreach and education programs	100,000
Pennsylvania Educational Leadership Foundation, Summerdale, PA, to implement comprehensive school-to-career program in Pennsylvania schools	50,000
Pennsylvania State System of Higher Education, Harrisburg, PA, to develop a model program to assist teachers in integrating technology into the classroom	150,000
Pennsylvania Veterans Museum, Media, PA, for exhibit development and educational materials	75,000
Performing Arts and Education Association of Southwest Iowa, Red Oak, IA	50,000
Philadelphia Foundation, Philadelphia, PA, for a Sports and Entertainment Career Expo to expose high school students to career opportunities in the sports industry	50,000
Philadelphia Health Management Corporation, Philadelphia, PA, in collaboration with the National Center for Learning Disabilities, to conduct early childhood literacy training and program development activities as part of the Get Ready to Read! Initiative	100,000
Philadelphia Martin Luther King, Jr. Association for Nonviolence Inc., Philadelphia, PA, for the College for Teens program	250,000
Philadelphia Orchestra, Philadelphia, PA, for educational programs	200,000
Philadelphia Safe and Sound, Philadelphia, PA, to offer comprehensive youth development activities, including after-school programming, as part of a full community school approach	100,000
Philadelphia Theatre Company, Philadelphia, PA, for education and outreach programs which will foster artists-in-school partnerships	75,000
Philadelphia Zoo, Philadelphia, PA, for the Zoo Home School Education programs and the Zoo Apprentice programs	250,000
Phipps Conservatory and Botanical Gardens, Pittsburgh, PA, to provide educational programs for students visiting the gardens	100,000
Piedmont Community Foundation, Middleburg, VA for after school programs	50,000
Pinnellas County School District, Largo, FL, for a pilot project for online assessment and interactive accountability instructional program	500,000
Pittsburgh Ballet Theatre, Pittsburgh, PA, for an arts education and outreach program	25,000
Pittsburgh Life Science Greenhouse, Pittsburgh, PA, to develop an educational curriculum to encourage students to pursue careers in life sciences industry	50,000
Pittsburgh Parks Conservancy, Pittsburgh, PA, for education programs and curriculum development	100,000
Pittsburgh School District, Pittsburgh, PA, for a Reserve Teacher Corps initiative	100,000
Pittsburgh Symphony Orchestra, Pittsburgh, PA, for support of music education and outreach programs	100,000
Pittsburgh Voyager, Pittsburgh, PA, for math and science education	75,000
Playhouse Square Foundation, Cleveland, OH for educational programs	400,000
Plymouth Community Renewal Center, Louisville, KY, for education programs	30,000
Pocono Environmental Education Center, Dingmans Ferry, PA, for summer literacy and environmental education programs	50,000
Pointe Coupee Parish School System, New Roads, LA for technology and computer infrastructure	200,000
Polk County School Board, Bartow, FL, for a Leap Track Assessment and Instruction System for Grades K–5	60,000
Polynesian Voyaging Society in Honolulu, Hawaii for educational programming	50,000

Port Chester—Rye Union Free School District, Port Chester, NY, for extended day, teacher professional development, parent education, and other services to implement full service community schools, including the Open Door Clinic	425,000
Portland United Methodist Center, Louisville, KY, for academic support programs	50,000
Powell Gardens, Kingsville, MO to teach elementary and secondary students about water conservation and plant science through educational programs	250,000
Presbyterian Community Center, Louisville, KY, for youth development education	50,000
Prince William County Public Schools, Manassas, VA, for Bilingual Literacy Extended Kindergarten Program	150,000
Prince William County Public Schools, Manassas, VA, for Middle School Reading and Math Remediation Program	150,000
Project 2000, Washington, DC, for after school programs to provide academic and mentoring services to inner city youth	125,000
Project GRAD–USA Inc., Houston, TX, for continued support and expansion of the program focusing on school reform	20,000,000
Project HOME, Philadelphia, PA, for an after school program	150,000
Project Rainbow, Philadelphia, PA, to provide early childhood services and after-school programs	250,000
Proyecto Pastoral, Los Angeles, CA, for computers, furnishings and programmatic support for a pre-school center	75,000
Public/Private Ventures, Philadelphia, PA, for training and technical assistance to support the Youth Education for Tomorrow after school, literacy model	50,000
Puget Sound Center Foundation, WA, for programs in science, technology, engineering and math among girls and other underrepresented groups	200,000
QUILL Productions, Inc., Aston, PA, to develop and disseminate programs to enhance the teaching of American history	25,000
Quindaro Development Corp., Kansas City, KS, for a computer learning center and related services	150,000
Randolph County Board of Education, Cuthbert, GA, for its READS initiative	25,000
Reading Instruction, Chicago, for the Chicago Public Schools' Chicago Reading Initiative, a research-based instruction to improve reading achievement levels in major urban areas	200,000
Reading is Fundamental, Washington, DC to establish a program in Alaska	50,000
ReadNet Foundation, New York, NY, for curriculum development	275,000
Recognizing Achievement and Rewarding Excellence (RARE) Foundation, Troy, MI for a character education program	175,000
Regional Office of Education, Loves Parks, IL, for a Web Wise Kids project	250,000
Re-Inventing Schools Coalition of Anchorage, AK to expand its Alaska Quality Schools Model	500,000
Research for Better Schools, Philadelphia, PA, to provide research-based technical assistance to school districts	50,000
Rio Rancho Public Schools, Rio Rancho, NM for math and science teacher training	400,000
Riverside County Office of Education, Riverside, CA, for the Riverside County Achievement Team Plus Program	200,000
Rodale Institute, Kutztown, PA for development and support of a health and environmental education Web site for children	100,000
Rose Hill Public School District, Rose Hill, KS for technology	300,000
Roseville City School District, Roseville, CA, for an English Instruction Program	200,000
Rosmond Gifford Zoo, Syracuse, NY for an educational program	200,000
Rye Neck Union Free School District, Mamaroneck, NY, for extended day and summer education services for English language learners, and for family literacy services	28,000
Sabine Parish School Board, Many, LA, for a Bridging the Gap in Public Education Project	167,000
Saint Louis Park School District, Saint Louis Park, MN, for the 9th Grade Asset Builders Program at Saint Louis Park High School	150,000

Saint Anthony Community Outreach Center, Inc., Louisville, KY, for program expansion	25,000
Saint Elizabeth's Foundation to develop, implement, and promote a middle school adoption awareness curriculum for use by health-social studies teachers and other youth educators	100,000
Saint Joseph's University, Philadelphia, PA, to develop a Public Education Partnership to provide professional development for area principals and teachers	100,000
Saint Martin Center Inc., Erie, PA, for before and after school programs	25,000
Saint Mary's Center, Louisville, KY, for educational programs	40,000
Salt Lake Community College, Salt Lake City, UT, for an English language software system	200,000
San Bernardino City Unified School District, San Bernardino, CA for vocational training and work opportunities program	350,000
San Bernardino County Superintendent of Schools, San Bernardino, CA, for an English Language Learners Initiative	500,000
San Bernardino County Superintendent of Schools, San Bernardino, CA, for school-to-careers initiatives, including The Alliance and Virtual Hi-Tech High	320,000
Santa Barbara Center for the Performing Arts, California, for arts education programs	60,000
Santa Barbara County Education Office, Santa Barbara, CA, for Sobriety High School	100,000
Save the Children, Washington, D.C. to support the Mississippi River Delta sub office for after school programs for low-income children in rural Mississippi	100,000
Save the Children, Westport, CT, for the Accelerated Reading program for low-income children in Arkansas	350,000
Save the Children, Westport, CT, to implement the Accelerated Reader program for low-income children in South Carolina	450,000
School Board of Broward County, Fort Lauderdale, FL, for the Broward Virtual University online teacher professional development initiative	100,000
School District of Palm Beach County, FL, West Palm Beach, FL, for a Family Literacy Project	480,000
School District of Palm Beach County, West Palm Beach, FL, for its New Teacher Mentor Program	400,000
Scotland County School District, Laurinburg, North Carolina, to implement a HOSTS Reading Centered School Program	50,000
Search to Involve Philipino Americans, Los Angeles, CA, for after school programs, including technology	75,000
Settlement Music School, Philadelphia, PA, to support arts education	100,000
Shawnee Gardens Tenants Association, Inc., Louisville, KY, for education programs	25,000
Shelby County Schools, Memphis, TN, for its Project Start Smart early childhood education initiative	150,000
Shell Lake School District, WI, for after school programs	200,000
Shiloh Community Renewal Center, Louisville, KY, for after school programs	60,000
Sioux City Community School District in Sioux City, IA to continue and expand the implementation of testing software in Iowa	500,000
Smith Memorial Playgrounds and Playhouse, Philadelphia, PA, to develop and expand after school programs with a focus on literacy skills	25,000
Sophia Academy, Providence, RI to support educational programs for girls from socio-economically disadvantaged backgrounds	150,000
South Dakota Department of Education, Office of Career and Technical Education, Pierre, SD, for the Health Occupations for Today and Tomorrow project	65,000
Southern Illinois University—Carbondale, College of Education and Human Services, Carbondale, IL, for the Saluki Kids' Academy	300,000
Southern Tioga School District, Blossburg, PA for curriculum development	100,000
Southwest/West Central Services Cooperative, Marshall, MN, for a youth mentoring and business education program	340,000

Space Education Initiatives, Green Bay, WI for the Wisconsin Space Science Initiative	163,000
Spooner School District, WI, for after school programs	200,000
Springfield Regional Arts Council, Springfield, MO, for arts education	1,400,000
Springfield School District #186, Springfield, IL, for a middle school history experience	95,000
Springfield School District 19, Springfield, OR, for its Schools Plus Initiative	200,000
SquashSmarts, Philadelphia, PA, to provide academic tutoring and mentoring of underserved, urban middle school students as part of an after school program	50,000
St. Petersburg College, St. Petersburg, Florida, to establish the Center for Teaching Transformation	350,000
Stan Hywet Hall and Gardens, Akron, OH, for educational development and curriculum programming	100,000
Stark County Educational Service Center, Canton, OH for an elementary math and science program	250,000
Starr Commonwealth, Van Wert, OH, for the No Disposable Kids (NDK) program	200,000
State of Alaska Department of Education and Early Development for the Alaska Community Pre School Project	500,000
State of Alaska Department of Education and Early Development project to meet standards of No Child Left Behind through teacher mentoring and retention strategies	1,500,000
State of Alaska Department of Education and Early Development to continue funding for its Right Start extended-day kindergarten program	1,000,000
State University of New York at Cortland, Cortland, NY for recruitment of students to science teaching	150,000
State University of New York-Oswego, Syracuse, NY for the Roads from Seneca Falls project	215,000
Success for All Foundation, Inc., Baltimore, MD, for a fully aligned system for district and state education reform in Indiana	1,400,000
Summer Camp Opportunities Provide an Edge (SCOPE), New York, NY for YMCA Camps Skycrest, Speers and Elijabar	30,000
Summerbridge Louisville, Inc., Louisville, KY, for education programs	25,000
SURE Foundation, Washington, DC for computers and educational materials	175,000
Swope Community Builders, Kansas City, MO for education programs serving students in the Brush Creek Strategy Area	125,000
Syracuse Symphony Orchestra, Syracuse, NY for educational programs	200,000
Talladega County Schools, Talladega, AL, for equipment	100,000
Tarrytown Union Free School District, Sleepy Hollow, NY, for after school programs and family literacy activities	250,000
Teach for America to expand into Clark County, NV	250,000
Teach for America, New York, NY for continued expansion	1,000,000
Technical Expositions and Conferences, Inc., Columbia, SC for Camp Success	100,000
Teen Center of Wilton, Inc., Wilton, CT, for after-school programs	100,000
Temple University, Philadelphia, PA, to develop programs to address student achievement in math and literacy	200,000
Texas Tech University, Lubbock, TX, for expanding opportunities in math and science education at the Hill Country Campus	100,000
The Story Project, Culver City, CA, to support after school literacy programs for junior high and high school students	250,000
THINK Together, Santa Ana, California, for after school programs	400,000
Thomas J. Pappas Elementary School, Phoenix, AZ, for Project TEAMS	250,000
Thornton Fractional Township High School District 215, Calumet City, IL, to develop an alternative school for chronic truants	100,000
Thorp School District, WI, for after school programs	250,000
TIDES Center in Seattle, WA, for One World Now!, a project to expand language programs in after school programs	200,000

Tiger Woods Foundation, Los Alamitos, CA, to offer programs to at-risk youth	100,000
Titusville YMCA, Titusville, PA, for technology and equipment	100,000
To provide assistance to low-performing schools, $18,000,000 shall be for a grant to the Commonwealth of Pennsylvania Department of Education to provide assistance, through subgrants, to low-performing school districts. The Commonwealth initiative is intended to improve the management and operations of the school districts; assist with curriculum development; provide after-school, summer and weekend programs; offer teacher and principal professional development and promote the acquisition and effective use of instructional technology and equipment.	18,000,000
Today Foundation, Dallas, TX, for the Imagination Station literacy program to deliver reading curriculum over the Internet using animation	50,000
Toledo Public Schools, Toledo, OH, for its Construction Career Academy	275,000
Toledo Zoo, Toledo, OH for Thinking Works	50,000
Tredegar National Civil War Museum Foundation, Richmond, VA, for a Web-based educational program	200,000
Troy Area School District, Troy, PA, for technology	150,000
Turlock School Districts, Turlock, CA, for English instruction	100,000
U.S. Dream Academy, Columbia, MD to improve student achievement and help bridge the digital divide for disadvantaged children	100,000
U.S. Virgin Islands, Department of Education, St. Thomas, VI, for Beacon after-school community learning centers	300,000
Union Parish School District, Farmerville, LA for the PLATO Learning Project	400,000
United Way of Southeastern Pennsylvania, Philadelphia, PA, for the West Philadelphia Digital Inclusion Project	100,000
Unity School District, WI, for after school programs	500,000
University of Alaska/Fairbanks in Fairbanks, AK, working with the State of Alaska and Catholic Community Services, for the Alaska System for Early Education Development (SEED)	1,250,000
University of Arkansas, Fayetteville, Arkansas, for the National Office for Rural Measurement and Evaluation System	150,000
University of Idaho, Moscow, ID, for the Gateway to Calculus Program, a statewide, WWW-based outreach program for pre-college-calculus students	700,000
University of Iowa Belin Blank Center for Gifted Education to continue the AP Online Academy	1,450,000
University of Louisville, Louisville, KY, for the Center for Research-Based Educational Improvement and Assessment	700,000
University of Maine at Farmington, Farmington, ME, to support professional development for new and current teachers, which may include the acquisition of technology and equipment	250,000
University of Northern Colorado, Greeley, CO for an evaluation of teaching programs	50,000
University of Northern Iowa to continue the 2+2 teacher education demonstration program	500,000
University of Pennsylvania, Philadelphia, PA, to develop educational programming and provide professional development for the West Philadelphia Partnership for Community Schools	200,000
University of Southern Mississippi, Hattiesburg, MS, for the Frances A. Karnes Center for Gifted Studies to support summer gifted and leadership programs and research	175,000
University of Tennessee, Martin, TN, for its Reelfoot Lake Science Center	400,000
University of Wisconsin-Eau Claire in Eau Claire, WI for expansion of the Jumpstart program for early childhood education	100,000
University of Wisconsin-Platteville in Platteville, WI for an online alternative teacher certification program	100,000
Urban League of Metropolitan Denver, Denver, CO, for after school and summer school programs	350,000
Urban League of Morris County, Morristown, NJ, for a youth and family literacy program	200,000

Urban Youth Action, Inc., Pittsburgh, PA, to develop and expand its Youth Development program that provides pre-employment training for high school students	75,000
USD #331 Kingman/Norwich, Kingman, KS for computers at Kingman High School, Kingman Elementary School and Norwich School	300,000
USD 470 Public Schools, Arkansas City, KS for Project XCELL	300,000
Utah State Office of Education to improve reading in rural schools	650,000
Utah State Office of Education, Salt Lake City, UT to improve qualifications for teachers who teach multiple subjects in rural areas	400,000
Venango County AVTS, Oil City, PA, for curriculum development	300,000
Vermont State Colleges of Waterbury, VT for a dual enrollment program for academically at-risk secondary school students	500,000
Vernon Parish School Board, Leesville, LA, for Network Switch Upgrade	167,000
Village of Richton Park, Richton Park, IL, for after school programs	100,000
Virginia Commonwealth University, Richmond, VA, for the Great Cities' Universities Urban Educators Corps Partnership Initiative	350,000
Virginia Community College Systems, Richmond, VA to address severe healthcare workforce shortages in these colleges' service areas	150,000
Voluntary Interdistrict Choice Corporation, St. Louis, MO, for a public school choice program	320,000
Wake Education Partnership, Raleigh, NC, for school leadership and teacher professional development initiatives	225,000
Walnut Grove School District R–IV, Walnut Grove, MO for computer and school equipment	12,000
Warren County Career Center, Warren, PA, for curriculum development	100,000
Washington Education Foundation to replicate mentoring/scholarship programs for low-income students	500,000
Washington National Opera, Washington, DC, for a music education program in Maryland	150,000
Washoe County School District in Nevada for an English Instructional program	250,000
Washoe County School District, NV, for an online assessment and accountability instructional program	250,000
Waubonsee Community College, Sugar Grove, IL, to implement an English language instructional program	300,000
Wayne Art Center, Wayne, PA, for arts education, including teacher training and workshops for students	50,000
Wellsboro Area School District, Wellsboro, PA, for curriculum development	100,000
West Oak Lane Charter School, Philadelphia, PA, for equipment and technology upgrades	75,000
West Virginia High Technology Foundation, Fairmont, WV, for development of a technology-based teacher professional development model	550,000
Westchester Philharmonic, White Plains, NY, for music education programs	100,000
Western Kentucky University, Bowling Green, KY, for education, training, and enrichment, which may include work-related skills training and postsecondary education services, for primary and secondary students, their caregivers, and non-traditional students, including adults	1,500,000
Western Kentucky University, Bowling Green, KY, for the E-Train Initiative	500,000
White Plains Housing Authority, White Plains, NY, for after school and weekend tutorial programs	40,000
Whole Backstage, Inc, Guntersville, AL, for the Children's Theater Education Center	25,000
Winfield Public School District, Winfield, KS for educational programs	300,000
Wittenberg University, Springfield, Ohio, for the Springfield Alliance for Minority Teacher Recruitment and Preparation Program	100,000

Wordsworth Academy, Fort Washington, PA, for the York Alternative Education Program	100,000
World Impact, Los Angeles, CA, for programming to educate and mentor at-risk youth at its Harmony Heart Camp in Jermyn, PA	100,000
WQED Multimedia Pittsburgh, Pittsburgh, PA, to develop educational programming for adolescents focusing on career literacy	50,000
WQLN Educational Services, Erie, PA, to develop on-line educational resources	50,000
WVSA arts connection, Washington, DC, for education and training initiatives for youth with disabilities and special needs	100,000
Wyatt Community and Family Life Center, Chicago, IL, for after school enrichment activities, including its Historic Perspectives of Living Legends in the African American Community: 1912–Present initiative	100,000
Yakima School District, Yakima, WA, for an English Education Software Program	250,000
Yancey County Schools, Burnsville, NC, for equipment and materials	50,000
YMCA of Carlisle, Carlisle, PA, for professional development for teachers on character education	50,000
YMCA of Central Kentucky, Lexington, KY, for its Black Achievers Program	350,000
YMCA of Easton, Easton, PA, for after school programming for K–12 students	50,000
YMCA of Harrisburg, Harrisburg, PA, to provide mentoring services for minority youth	50,000
YMCA of McKeesport, McKeesport, PA, to support the Teen LEAD program serving at-risk, inner city teens	50,000
YMCA of Pennsylvania, Harrisburg, PA, for its Youth in Government program	50,000
YMCA of Pittsburgh, Pittsburgh, PA, for technology upgrades and to develop and implement a Technology Literacy Initiative to train K–12 teachers and students in the use of computers	50,000
YMCA of York and York County, York, PA, to develop and implement a Path for Teens leadership and community program	50,000
Yonkers Public Schools, Yonkers, NY, for after school and Saturday academic and enrichment activities, literacy services, music and arts education, and parent involvement activities	1,000,000
Young Black Men's Association, Warren, OH, for its Community Service Recording Studio project	50,000
Youngstown Symphony Society, Inc., Youngstown, OH for educational programs	150,000
Youngstown/Warren Regional Chamber, Warren, OH, for its Mahoning Valley Educational Initiative	590,000
Youth Alive, Inc., Louisville, KY, for tutoring, homework assistance and mentoring	40,000
Youth Sports and Recreation Commission, Detroit, MI, for youth education and training services	100,000
YouthFriends Michigan, Traverse City, MI, for a school based mentoring program	100,000
Zero to 5 Foundation, East Los Angeles, CA, for a pre-school education project in Boyle Heights in east Los Angeles	150,000

Other programs

The conference agreement includes $23,500,000 for the Ready to Learn program instead of $22,864,000 as proposed by the House and $24,000,000 as proposed by the Senate. The conferees continue to strongly support the educational and outreach objectives of the Ready to Learn Television program. The conferees are especially pleased that television programs such as Dragon Tales and Between the Lions developed with funding from Ready to Learn have been recognized with national parent and television production awards. The conferees reiterate the unique mission of Ready to Learn, which is to use the television medium to help prepare pre-

school age children for school. The television programs that must fulfill this mission are to be specifically designed for this purpose, with the highest attention to production quality and validity of research-based educational objectives, content, and materials. Therefore, the conferees expect that the grant competition administered for a new award under this program will emphasize the importance of investing Ready to Learn resources in those programs that have proven to fulfill this mission, acquiring new programs with scrutiny, and distinguishing Ready to Learn programs from content easily available on commercial and cable television.

The conference agreement includes $4,970,000 for dropout prevention programs instead of $10,000,000 as proposed by the Senate. The House did not propose funding for this program.

The conference agreement includes $30,000,000 for advanced placement fees as proposed by the House instead of $33,534,000 as proposed by the Senate. The conferees intend that the first priority of the program is to award grants to States to subsidize test fees for low-income students who are enrolled in an Advanced Placement class and plan to take an Advanced Placement test. The balance of the funds are allocated for Advanced Placement Incentive Program grants, which are competitive grants to states, school districts and national nonprofit educational agencies for programs that expand access for low-income individuals to Advanced Placement programs. Eligible activities include teacher training and participation in online Advanced Placement courses, among other related purposes.

SAFE SCHOOLS AND CITIZENSHIP EDUCATION

The conference agreement includes $867,713,000 for programs in the safe schools and citizenship education account, instead of $801,369,000 as proposed by the House and $902,008,000 as proposed by the Senate.

The conference agreement includes $153,767,000 for national programs as proposed by the House instead of $156,219,000 as proposed by the Senate. The conference agreement includes funding for the following activities:

School Safety Initiatives	$30,000,000
Planning/Needs Assessment/Data for State Grants	9,548,000
Safe Schools/Healthy Students	90,000,000
Drug Testing Initiative	10,000,000
Postsecondary Ed Drug and Violence Prevention	5,000,000
Impact Evaluation	2,000,000
Information and materials	1,250,000
Data collection and analysis	2,000,000
Other joint projects with Federal agencies	1,000,000
Other program improvement activities	1,819,000
National Recognition Program	850,000
National Clearinghouse for School Facilities	300,000

The conferees direct the Department to implement the Act consistent with their intent, as reflected in the table above, and request an implementation plan to be submitted to the House and Senate Committee on Appropriations within 30 days of enactment of the Department of Education Appropriations Act, 2005. To the extent that the Department wishes to reprogram funds in order to address other activities or alter the allocation of funds for activities

listed in the chart above, the conferees expect the Department to follow the guidance provided in this statement of the managers.

The conference agreement includes bill language requiring the Department to spend $850,000 for the National Recognition Awards program under the guidelines described in section 120(f) of Public Law 105–244.

The conference agreement includes $33,000,000 for grants to reduce alcohol abuse instead of $35,000,000 as proposed by the Senate. The House did not propose funding for this activity.

The conference agreement includes $49,705,000 for mentoring programs as proposed by the House instead of $65,000,000 as proposed by the Senate. The agreement also includes $24,691,000 for character education as proposed by the Senate instead of $24,961,000 as proposed by the House. The conference agreement includes $35,000,000 for elementary and secondary school counseling instead of $33,799,000 as proposed by the House and $36,000,000 as proposed by the Senate.

The conference agreement includes $74,000,000 for physical education programs instead of $69,587,000 as proposed by the House and $75,000,000 as proposed by the Senate. This amount includes $2,000,000 to support the Special Olympics National Games as proposed by the Senate. In addition, within the amounts appropriated, the conferees expect that a portion of the funds will be set aside to be awarded in new grants and projects for fiscal year 2005.

The conference agreement includes $29,642,000 for the Civic Education program to support both the We the People programs and the Cooperative Education Exchange, instead of $28,642,000 as proposed by the House and $30,642,000 as proposed by the Senate. The conferees intend that $17,350,000 will be provided to the nonprofit Center for Civic Education to support the We the People programs. Within the total for the We the People program, the conferees intend that $3,050,000 be reserved to continue the comprehensive program to improve public knowledge, understanding, and support of American democratic institutions which is a cooperative project among the Center for Civic Education, the Center on Congress at Indiana University, and the Trust for Representative Democracy at the National Conference of State Legislatures, and that $1,525,000 be used for continuation of the school violence prevention demonstration program, including $500,000 for the Native American initiative.

The conference agreement also includes $12,292,000 for the Cooperative Education Exchange program. Within this amount, the conferees intend that $4,600,000 is for the Center for Civic Education and $4,600,000 for the National Council on Economic Education, while the remaining $3,092,000 should be used to continue the existing grants funded under the authorizing statute for civics and government education, and for economic education.

The agreement also includes $27,000,000 for State Grants for Incarcerated Youth instead of $28,000,000 as proposed by the Senate. The House did not provide funding for this activity.

ENGLISH LANGUAGE ACQUISITION

The conference agreement includes $681,215,000 for English Language Acquisition programs as proposed by the House instead of $700,000,000 as proposed by the Senate.

SPECIAL EDUCATION

The conference agreement includes $11,767,748,000 for Special Education instead of $12,176,101,000 as proposed by the House and $12,328,391,000 as proposed by the Senate. The agreement provides $6,354,748,000 in fiscal year 2005 and $5,413,000,000 in fiscal year 2006 funding for this account.

Included in these funds is $10,675,147,000 for Grants to States part B instead of $11,068,106,000 as proposed by the House and $11,228,981,000 as proposed by the Senate.

The conference agreement includes $387,699,000 for preschool grants as proposed by the House instead of $390,000,000 as proposed by the Senate. The agreement also includes $444,363,000 for grants for infants and families as proposed by the Senate instead of $466,581,000 as proposed by the House.

The conference agreement includes $52,819,000 for technical assistance as proposed by the House instead of $54,000,000 as proposed by the Senate. The agreement includes $91,357,000 for personnel preparation as proposed by the House instead of $93,357,000 as proposed by the Senate. The agreement includes $26,173,000 for parent information centers as proposed by the House instead of $27,500,000 as proposed by the Senate. The agreement also includes $39,129,000 for technology and media services as proposed by the Senate instead of $32,305,000 as proposed by the House.

The agreement also includes $1,500,000 for Public Telecommunications Information and Training Dissemination as proposed by the Senate. The House did not contain funds for this activity.

REHABILITATION SERVICES AND DISABILITY RESEARCH

The conference agreement includes $3,076,112,000 for Rehabilitation Services and Disability Research instead of $3,054,587,000 as proposed by the House and $3,077,328,000 as proposed by the Senate.

The conference agreement includes $1,000,000 to continue an award to the American Academy of Orthotists and Prosthetists (AAOP) for activities that further the purposes of the grant received by the Academy for the period beginning October 1, 2003.

The conference agreement includes $11,997,000 for client assistance grants as proposed by the House instead of $13,000,000 as proposed by the Senate. The agreement includes $25,814,000 for demonstration and training programs instead of $18,784,000 as proposed by the House and $24,286,000 as proposed by the Senate. Within the amounts provided for vocational rehabilitation demonstration and training programs, the conference agreement includes funding for the following activities:

Alabama Institute for Deaf and Blind, Talladega, AL, for an interpreter training program	$100,000

Alaska Statewide Independent Living Council, Inc. to continue and expand its Personal Care Attendant Program and to expand outreach efforts to the disabled living in rural Alaska	300,000
American Hearing Impaired Hockey Association, Chicago, IL, for program expansion and recruitment	130,000
Angels' Place, Southfield, MI, for an Abundant Life Services Program	100,000
Center of Vocational Alternatives, Columbus, OH, for support of a computer training center	150,000
Challenge Alaska, Anchorage, AK for a comprehensive recreation program benefiting people and families with disabilities of all ages	200,000
Enable America, Inc., Tampa, Florida, for civic/citizenship demonstration project for disabled adults	1,000,000
Kenai Peninsula Independent Living Center, AK, for its Total Recreation and Independent Living Services Project	150,000
National Federation of the Blind, Baltimore, MD, for blind device testing, development, and dissemination	1,000,000
National Sports Center for the Disabled, Denver, CO, to expand adaptive sports program for therapeutic recreation	75,000
Ohio Alliance of Community Centers for the Deaf, Worthington, OH for development of a model program	250,000
Peregrine Corporation, South Portland, ME, for STRIVE U, a post-secondary educational program for young adults with developmental disabilities	190,000
Pride Industries, Roseville, California, for training for persons with disabilities	250,000
Rainbow Connection for a program of therapeutic horseback riding for the disabled in the Mat-Su Valley region of Alaska	325,000
Southeast Alaska Independent Living, Juneau, AK to continue a joint recreation and employment project with the Tlingit and Haida Tribe of Alaska in Southeast Alaska	200,000
University of Iowa College of Law—Rehabilitation Research and Training Center on Employment Policy for People with Disabilities	750,000
University of South Florida, St. Petersburg, FL, for research	260,000
University of South Florida, Tampa, FL, for a demonstration program in orthotics/prosthetics	1,000,000
City of Anchorage, AK for support of the Veterans Wheelchair Games in Alaska	300,000
Vocational Guidance Services, Cleveland, OH to improve educational opportunities and employment outcomes, which may include the purchase of equipment	300,000

The conference agreement includes $2,321,000 for migrant and seasonal farmworkers as proposed by the House instead of $2,500,000 as proposed by the Senate. The agreement includes $2,564,000 for recreational programs as proposed by the House instead of $2,750,000 as proposed by the Senate. The agreement includes $16,790,000 for protection and advocacy as proposed by the House instead of $18,000,000 as proposed by the Senate. The conferees intend that technical assistance for this activity be provided through a competitive multiyear grant with a small business or a national nonprofit organization that has the demonstrated capacity to carry out these activities. The conferees intend that the technical assistance be based on the identified needs of individuals with disabilities and do not intend that technical assistance funds be used for administrative responsibilities of the organization administering the programs.

The conference agreement includes $21,799,000 for projects with industry as proposed by the House instead of $22,000,000 as proposed by the Senate. The agreement includes $37,680,000 for

supported employment as proposed by the House instead of $38,000,000 as proposed by the Senate.

The conference agreement includes $23,000,000 for independent living state grants as proposed by the Senate instead of $25,000,000 as proposed by the House. The agreement also includes $76,000,000 for Independent Living Centers instead of $75,000,000 as proposed by both the House and Senate. The agreement also includes $33,495,000 for services for older blind individuals instead of $35,000,000 as proposed by the House and $31,811,000 as proposed by the Senate. The agreement also includes $8,666,000 for the Helen Keller National Center as proposed by the House instead of $9,000,000 as proposed by the Senate.

The conference agreement includes $108,652,000 for the National Institute on Disability and Rehabilitation Research instead of $106,652,000 as proposed by the House and $109,152,000 as proposed by the Senate. Within the conference agreement, the conferees have included an additional $2,000,000 to support NIDRR's spinal cord injury model systems program. These funds, in addition to the $7,200,000 available within the budget request, will support $8,000,000 in new awards in fiscal year 2005 and $1,200,000 for continuation grants. The conferees intend that the additional funds should be used to support investments that could facilitate multicenter research on therapies, interventions and the use of technology, and encourage NIDRR to continue its collaboration with other federal agencies in order to leverage Federal investments in this area.

The conferees are aware of field evidence and growing recognition that participation in sports by people with disabilities is a predictor of successful employment outcomes. The conferees urge the National Institute on Disability and Rehabilitation Research to conduct a study to validate the impact of adapted sports participation on employment outcomes for adults with physical disabilities and report the results of this study to Congress no later than May 31, 2005. The study shall identify the population of people with physical disabilities who have participated in organized adapted sports programs; analyze the academic achievements, post secondary education attainment, and rate of employment among people with physical disabilities who participated in organized adapted sports programs compared with those who did not; and evaluate the impact of adapted sports participation on the mental, physical, and social well-being of the person with a disability and on the family.

The conference agreement includes $30,000,000 for assistive technology instead of $15,000,000 as proposed by the House and $31,495,000 as proposed by the Senate. The conference agreement does not include language proposed by the Senate relating to the allocation of assistive technology funds. This language is no longer needed since the Assistive Technology Act was recently reauthorized.

SPECIAL INSTITUTIONS FOR PERSONS WITH DISABILITIES

GALLAUDET UNIVERSITY

The conference agreement includes $105,400,000 for Gallaudet University as proposed by the Senate instead of $104,000,000 as proposed by the House.

VOCATIONAL AND ADULT EDUCATION

The conference agreement includes $2,027,166,000 for Vocational and Adult Education instead of $2,025,456,000 as proposed by the House and $2,102,086,000 as proposed by the Senate. The agreement provides $1,236,166,000 in fiscal year 2005 and $791,000,000 in fiscal year 2006 funding for this account.

The conference agreement includes $1,203,963,000 for Vocational Education basic State grants instead of $1,215,008,000 as proposed by the House and $1,194,295,000 as proposed by the Senate.

The conference agreement includes $4,939,000 for the tech-prep education demonstration authorized under section 207 of the Perkins Act as proposed by the Senate. The agreement also includes $9,382,000 to continue the occupational and employment information program as proposed by the Senate. The House did not include funding for these activities.

The conference agreement includes $574,266,000 for adult education state grants as proposed by the Senate instead of $574,372,000 as proposed by the House.

The conference agreement also includes $95,238,000 for the smaller learning communities program instead of $101,698,000 as proposed by the House and $173,967,000 as proposed by the Senate. The conferees concur in the directions in House report 108–636. The conferees intend that the smaller learning communities program competition in calendar year 2005 include an increase in the size and scope of implementation grants, allow for 5-year implementation awards, and permit schools that have previously received implementation grants to receive additional assistance if needed to complete effective interventions in smaller learning communities. The conferees are concerned that the Department is using the 5 percent set-aside funds to support its broad high school reform agenda rather than providing direct technical assistance to schools receiving smaller learning awards. The conferees believe that a greater share of the 5 percent set-aside funds should be used to support direct technical assistance to grantees through providers with expertise in designing and implementing smaller learning communities.

The conference agreement includes $5,000,000 for community technology centers instead of $11,000,000 as proposed by the Senate. The House did not propose funding for this activity.

STUDENT FINANCIAL ASSISTANCE

The conference agreement includes $14,380,795,000 for Student Financial Assistance instead of $14,755,794,000 as proposed by the House and $14,859,694,000 as proposed by the Senate.

The agreement provides a program level of $12,464,715,000 for Pell Grants instead of $12,830,000,000 as proposed by both the House and the Senate. The conference agreement also includes $785,000,000 for the supplemental educational opportunity grant program instead of $794,455,000 as proposed by the House and $799,850,000 as proposed by the Senate. The agreement includes $998,243,000 for Federal work study as proposed by the Senate instead of $998,502,000 as proposed by the House. The agreement does not include funding in fiscal year 2005 for Perkins capital contributions as proposed by the House. The Senate included $98,764,000 for this program.

STUDENT AID ADMINISTRATION

The conference agreement includes $120,247,000 for student aid administration as proposed by the House instead of $121,000,000 as proposed by the Senate.

HIGHER EDUCATION

The conference agreement includes $2,134,269,000 for Higher Education instead of $1,976,056,000 as proposed by the House and $2,148,458,000 as proposed by the Senate.

Aid for Institutional Development

The conference agreement includes $80,986,000 for strengthening institutions as proposed by the House instead of $85,000,000 as proposed by the Senate. The conference agreement includes $95,873,000 for Hispanic Serving Institutions as proposed by the House instead of $100,000,000 as proposed by the Senate. The conference agreement also includes $12,000,000 for Alaska and Native Hawaiian Institutions instead of $13,000,000 as proposed by the Senate and $10,935,000 as proposed by the House.

The conference agreement includes $24,000,000 for strengthening tribal colleges and universities, instead of $23,753,000 as proposed by the House and $25,000,000 as proposed by the Senate. The conferees agree that funds are to be used to support continuation of existing basic grants and new planning or implementation grant awards. The remaining funds shall be available for grants for renovation and construction of facilities, including repair and expansion.

The conference agreement includes $7,500,000 for Tribally Controlled Postsecondary Vocational Institutions instead of $7,185,000 as proposed by the House and $8,000,000 as proposed by the Senate. The agreement also includes language proposed by the Senate notwithstanding any other provision of law or any regulation that the Secretary of Education shall not require the use of a restricted indirect cost rate for grants issued pursuant to the tribally controlled postsecondary vocational and technical institutions program.

International Education and Foreign Language Studies

The conference agreement includes $93,211,000 for the domestic activities of the international education and foreign language studies programs as proposed by the House instead of $89,211,000

as proposed by the Senate. Within the conference agreement, $1,500,000 is included for a study by the National Research Council as described in House Report 108–636.

Fund for the Improvement of Postsecondary Education

The conference agreement includes $163,915,000 for the Fund for the Improvement of Postsecondary Education instead of $32,011,000 as proposed by the House and $157,700,000 as proposed by the Senate. Within the amounts provided for the Fund for the Improvement of Postsecondary Education, the conference agreement includes funding for the following:

AIB College of Business, Des Moines, IA, for scholarships in captioning and court reporting	$500,000
Alabama A&M University Research Institute, Normal, AL, for programmatic activities and research	600,000
Alaska Christian College, Soldotna, AK for student scholarships, recruitment and salaries	435,000
Alaska Pacific University in Anchorage, AK to continue support of its Rural Alaska Native Adult Distance Education Program	300,000
Albany State University, Albany, GA, in partnership with Darton College, for an initiative to increase the success of minority males and non-traditional students in postsecondary education, including student scholarships	350,000
Alcorn State University, Alcorn State, MS, in partnership with Mississippi State University, for The National Institute for Rural Community Colleges	750,000
Allegheny College, Meadville, PA, for civic education activities	50,000
American Academy of Liberal Education, Washington, DC, to develop a national model for the study of American democracy at colleges and universities	100,000
American Prosthodontic Society Foundation, Osceola, PA for scholarships and program costs related to prosthetic dentistry and clinical prosthodontics	150,000
American Samoa Community College, Pago Pago, AS, for its Trades, Industries and Technology Program	640,000
Anderson University, Anderson, IN, for educational programming related to the Flagship Enterprise Center	250,000
Artspace Projects, Inc, Minneapolis, MN for the Artspace Projects Distance Education Initiative, which may include the acquisition of technology	100,000
Association of Jesuit Colleges and Universities, Washington, DC, for its Center for Online Bioethics Education	250,000
Augsburg College, Minneapolis, MN, for a postbaccalaureate program for underrepresented students, including student stipends	240,000
Ball State University, Muncie, IN, for Digital Middletown	250,000
Baylor University, Health and Education Wellness Department, Waco, TX, for GEAR UP Waco, a college preparedness program	500,000
Belin-Blank Center at the University of Iowa, Iowa City, IA for the Big 10 school initiative to improve minority student access to Advanced Placement courses	145,000
Bennett College, Greensboro, NC, for technology, equipment, curricula, and library collections	320,000
Berea College, Berea, KY for support of science education programs, which may include the acquisition of technology and equipment	500,000
Berea College, Louisville, KY, for an educational partnership initiative including scholarships	50,000
Bethel College, McKenzie, TN to improve science facilities and to purchase equipment	100,000
Bethune Cookman College, Daytona Beach, FL to expand services at the Continuing Education Center at St. John	100,000
Bevill State Community College, Sumiton, Alabama, for English as a Second Language (ESL) Laboratories	300,000

Bloomfield College, Bloomfield, NJ, for an initiative to recruit and retain minority students in nursing and allied health professions	140,000
Boston College, MA, to equip a science facility	750,000
Bowie State University, Bowie, MD, for a project to attract, prepare and retain African American and other minority males in the teaching profession, including student support	350,000
Brookdale Community College, Lincroft, NJ, for technology	75,000
Bucknell University, Lewisburg, PA, for campus-wide technology infrastructure upgrades, including wireless technology	420,000
C*R*E*A*T*E for Mississippi, Tupelo Mississippi Public Schools for statewide teacher network to model successful, replicable technology application and utilization in classrooms	300,000
Cabrini College, Radnor, PA, for equipment and educational programming for the Center for Science, Education and Technology	200,000
Caldwell College, Caldwell, New Jersey, for Center for Excellence in Teaching Initiative	50,000
Caldwell County Education Consortium, Hudson, NC for The Teaching Center	112,000
California Institute of Arts, Valencia, CA, for technology and training	200,000
California State University Channel Islands, Camarillo, CA, for a baccalaureate degree program in nursing	200,000
California State University, Bakersfield Department of Nursing, Bakersfield, CA, for nurse training equipment	180,000
California State University, Chico, CA for equipment	500,000
California State University, Hayward, CA, for professional development, equipment and technology for distance education programs	425,000
California State University, Long Beach, CA, for its Technology Enhanced Literacy Project	250,000
California State University, San Marcos, CA, to establish a nursing program	400,000
Calumet College of St. Joseph, Whiting, IN, for a Public Safety Support Center Program	1,300,000
Carlow College, Pittsburgh, PA for program and administrative support, which may include acquisition of technology	100,000
Cazenovia College, Cazenovia, NY, to provide equipment for Art & Design building	100,000
Centenary College, Hackettstown, NJ, to expand IT infrastructure	105,000
Center for Community Transformation, Chicago, IL, to support faculty, student fellowships, and ongoing secular educational activities in community leadership transformation	100,000
Central Florida Community College, Lecanto, FL, for a nursing program	250,000
Central Florida Community College, Ocala, FL, for curriculum development and technology	150,000
Central Michigan University, Mt. Pleasant, MI, for education and training programs	100,000
Central Piedmont Community College, Charlotte, NC, for a Geospatial Technology Training Center	500,000
Centralia College, Centralia, WA, for nursing laboratory equipment, setup and training, and for library resources and technology	200,000
Charleston Southern University, Charleston, SC, for technology and equipment	250,000
Cheyney University, Cheyney, PA for planetarium upgrades	100,000
Chicago State University, Chicago, IL, for the School of Pharmacy	225,000
Christopher Newport University, Newport News, VA to support international studies	200,000
City of Oelwein, IA to plan for a new higher education facility and programs	100,000
Clarion University, Clarion, PA for the CONNECT NWPA Clarion U/North West Regional Commission Collaborative Educational Technology Initiative	100,000
Clark State Community College, Springfield, OH, for equipment	300,000
Clatsop Community College, Astoria, OR, for equipment and technology for its Technology for Student Access Initiative	320,000

Cleary University, Ann Arbor, MI, for equipment and technology for the Washtenaw campus	210,000
Cleary University, Howell, MI, for technology	200,000
Cleveland Institute of Art, Cleveland, OH for expansion of programs	250,000
Cleveland Scholarship Programs, Inc., Cleveland, OH, for student scholarships	400,000
Clinton School of Public Service at the University of Arkansas, for endowment scholarships and curriculum development	1,000,000
College of Lake County, Grayslake, IL, to develop and implement English Second Language instructional classes	250,000
College of New Jersey, Ewing, NJ, for the Bonner Center for Civic and Community Engagement	340,000
College of Southern Idaho, to implement the Partnership to Build Capacity for Latino Access and Leadership Project	250,000
College of Southern Idaho, Twin Falls, ID, to implement an Enhanced Paraprofessional Training program	200,000
College of St. Elizabeth, Morristown, NJ, for a teacher training program for math and science	100,000
Columbus Healthcare Workforce Center, Columbus, OH, for nurse training	450,000
Community College of Allegheny County, Pittsburgh, PA for technical education	500,000
Community College of Allegheny County, Pittsburgh, PA, to develop a Health Career Education Institute	100,000
Community College of Beaver County, Beaver Falls, PA, for educational programs, including the acquisition of technology	100,000
Community College of Rhode Island (CCRI), Warwick, RI, for Learning and Literacy Centers	265,000
Concurrent Technologies Corporation, Largo, FL for the community college/vocational industry cluster hubs project	1,000,000
Connecticut State University System, Hartford, CT, for a project to enhance teacher workforce diversity, recruitment and retention	750,000
Culver-Stockton College, Canton, MO, for equipment and technology	100,000
Cumberland College, Williamsburg, KY for equipment and curriculum development for its science programs and facilities	500,000
Cuyahoga Community College, Cleveland, OH for equipment and programming for the Centers for Nursing and Health Careers	425,000
Dakota State University in Madison, South Dakota for the Information Assurance Program	250,000
Darton College, Albany, GA, for the rural technology network	650,000
Dean College, Franklin, MA, to improve services for students with disabilities, including technology, curricula and assessment activities	150,000
Defiance College, Defiance, OH, for curriculum development and equipment for forensic science program	250,000
Del Mar College, Corpus Christi, TX, for faculty and equipment for nursing, dental and allied health programs	340,000
Delaware County Community College, Media, PA, for technological infrastructure and to support career counseling at the Small Business Resource and Development Center	50,000
Delta College, University Center, MI, for equipment and technology for its technical trades and manufacturing complex	200,000
Delta State University, Cleveland, MS for the Delta Education Initiative	1,000,000
Des Moines Area Community College, Ankeny, IA, for a Career Academy Consortium Project	400,000
Des Moines Area Community College, IA, for a Comprehensive Deaf Services Center	400,000
Des Moines Higher Education Collaborative for wiring and curriculum development at the John and Mary Pappajohn Higher Education Center	650,000
DeSales University, Center Valley, PA, for computer wiring and technology upgrades related to training K–12 teachers and students	200,000

Dillard University, New Orleans, LA, for equipment for its Consolidated Sciences Institute	200,000
Dowling College, Oakdale, NY, for development of a certificate program in integrated emergency management	300,000
Duquesne University, Pittsburgh, PA, for equipment and wiring for a supercomputing facility	100,000
Dutchess Community College, Poughkeepsie, NY, for the upgrade of the college computer network	50,000
EARTH University Foundation, Atlanta, GA for student scholarships	500,000
East Stroudsburg University, East Stroudsburg, PA, for technological infrastructure related to the Center for Research and Economic Development	200,000
Eastern Oregon University to train rural community nurses	250,000
Eastern University, St. Davids, PA, for equipment, professional development and outreach to develop the Nueva Esperanza Center for Higher Education as a branch of the university	100,000
Eckerd College, St. Petersburg, FL, for the Leadership Training Program	500,000
Eckerd College, St. Petersburg, FL, to upgrade educational computing and technology	1,000,000
Edison Community College, Punta Gorda, FL, to expand nursing programs	100,000
Edmonds Community College, Lynnwood, WA, to expand the Mathematics Across the Curriculum Project	100,000
Emerson College, Boston, MA for the completion of the Tufte Performance and Production Center	560,000
Emmanuel College, Boston, MA, for educational equipment and program development	200,000
Emporia State University, Emporia, KS for technology	250,000
Esperanza USA, Philadelphia, PA, for education programs and to prepare individuals for post-secondary education	75,000
Everett Community College, Everett, WA, to plan, develop and implement one or more Early College High Schools, in conjunction with Whatcom Community College and Skagit Valley College	600,000
Fairleigh Dickinson University, Madison, NJ, for equipment, technology, and personnel for its Global Virtual Faculty distance education initiative	150,000
Federation of American Scientists for Digital Promise, Washington, DC, for creating a Digital Opportunity Investment Trust (DO IT) project	500,000
Federation of Independent Illinois Colleges and Universities, Springfield, IL, for the Illinois Century Network	75,000
Florida Campus Compact, Tallahassee, FL, to enhance service learning on college campuses throughout Florida	450,000
Folsom Lake College, Folsom, CA, for computers, program development and teacher stipends	150,000
Fort Hays State University, Hays, KS for distance learning	250,000
Fort Lewis College, Durango, CO, for the Institute of Southwest Studies	100,000
Gateway Community College, New Haven, CT, for equipment for a skilled nursing laboratory	100,000
George Meany Center for Labor Studies—the National Labor College for curriculum development	900,000
Georgetown College, Georgetown, KY, for its Center for Commerce, Language & Culture	200,000
Georgia College and State University, Milledgeville, GA, Paul Coverdell Institute and Archives	100,000
Georgian Court University, Lakewood, NJ, for distance learning	225,000
Governors State University, University Park, IL, for the College of Education's Family Development Center	150,000
Greater Philadelphia Bioinformatics Alliance, Philadelphia, PA to implement training, research and dissemination efforts to form a national and international center of excellence in bioinformatics	25,000
Grossmont-Cuyamaca Community College District, El Cajon, CA, for equipment and student assistance	95,000

Grossmont-Cuyamaca Community College District, El Cajon, CA, for science equipment	99,000
Harcum College, Bryn Mawr, PA to develop curriculum and acquire technology	200,000
Harrisburg University of Science and Technology, Harrisburg, PA for curriculum development, laboratory equipment and technology and personnel	1,000,000
Haskell Indian Nations University, Lawrence, KS, for equipment and technology for mathematics, science, and engineering laboratories	700,000
Heartland Community College, Normal, IL, for computer equipment	63,000
Hepatitis B Foundation, Doylestown, PA for education programs to prepare post-secondary students for careers in biomedical research, public health and biotechnology	150,000
Hickory Metropolitan Higher Education Center, Hickory, NC for expanded programming	112,000
Highline Community College, Des Moines, WA, for its Marine Science and Technology Center	320,000
Hillsborough Community College, Tampa, FL, for a veterinary technician education program	200,000
Hofstra University, Hempsted, NY, to produce and offer distance-education on rehabilitation and independent living for persons who are deaf	500,000
Idaho State University, Pocatello, ID, for a masters degree program in Dental Hygiene	500,000
Idaho State University, Pocatello, ID, for the Virtual Idaho Museum of Natural History	250,000
Ihanktonwan Community College in Marty, South Dakota for curriculum and institutional development	150,000
Ilisagvik College in Barrow, AK for infrastructure improvements in Barrow, AK and North Slope villages to improve access to distance education courses provided by the college	250,000
Illinois Institute of Independent Colleges and Universities, Springfield, IL, for Project Connect	600,000
Illinois State University, Normal, IL for the Joe Warner Teaching Nursing Home Project	62,000
Immaculata University, Immaculata, PA, for technology, equipment, and professional development to enhance nursing education programs	100,000
Indiana University of Pennsylvania, Indiana, PA, for the Computing Services Center to train K–12 teachers and for the National Institute for Corrections Education to provide professional development for corrections education teachers	50,000
Indiana University, Bloomington, IN, to develop a bachelor of science program in biotechnology, including equipment	400,000
Innovation Works, Pittsburgh, PA, to enhance research and development in collaboration with local institutions of higher education and regional manufacturers	100,000
Iowa Central Community College, Fort Dodge, IA, for the Dental Hygienist Program	500,000
Iowa Lakes Community College to create a Wind Energy and Turbine Technology education program	500,000
Iowa Student Aid Commission to continue a program of loan forgiveness for teachers	500,000
Iowa Valley Community College to expand educational outreach in the Hispanic community	500,000
Isothermal Community College, Spindale, NC, for operation of a Material Testing Laboratory	85,000
Ivy Tech State College, Bloomington, IN, for development of an associates degree program in biotechnology and student scholarships	550,000
IWF Leadership Foundation, Washington, DC, for a scholarship fund	500,000
Jackson State University, Jackson, MS for the Project Urban Mississippi: Teachers, Technology, and Research	500,000

Jacksonville State University, Jacksonville, AL, for the Viper Doppler Radar Training System	60,000
Johnson C. Smith University, Charlotte, NC, for a technology education and training initiative	320,000
Jones County Junior College, Ellisville, MS, for equipment for an advanced technology center	300,000
Kansas State University, Manhattan, KS for curriculum development	1,000,000
Kansas State University, National Institute for Academic Alliances, Manhattan, KS, for enhancing academic programs	250,000
Kent State University, Kent, OH for equipment and curriculum for the Northeastern Ohio Consortium for Biopreparedness	750,000
Kentucky Community and Technical College System, Lexington, KY for curriculum development and acquisition of technology for the Center for Excellence in Automotive Manufacturing	500,000
Kishwaukee College, Malta, IL, for a new computer system	250,000
La Sierra University, Riverside, CA, for science and computer equipment software	100,000
Lackawanna College, Scranton, PA, to develop a communication arts program through technology acquisition and program development	200,000
Lake Erie College of Osteopathic Medicine, Erie, PA for a program in pharmacy	155,000
Langston University, Langston, OK for a Thurgood Marshall Scholarship endowment	100,000
Laredo Community College, Laredo, TX for equipment and materials	250,000
Lawrence Technological University, Southfield, MI, for equipment	225,000
Lenoir Community College, Kinston, NC, for a training program in captioning and Communication Access Realtime Translation (CART), including student scholarships	240,000
Lewis and Clark Community College, Godfrey, IL, for its National Great Rivers Research and Education Center	540,000
Lewis-Clark State College, Lewiston, ID to continue and expand the American Indian Students in the Leadership of Education Program	450,000
Lincoln University, Lincoln University, PA for support of science education laboratories and programs, which may include the acquisition of equipment and technology	100,000
Lock Haven University, Lock Haven, PA for professional development partnerships and related services	900,000
Lorain Community College, Elyria, OH to support the Learning Technology Center	300,000
Los Angeles Valley College, Valley Glen, CA, for its Fast-Track Nursing Career Program	200,000
Louisiana State University in Baton Rouge, LA, for the John Breaux Political Papers and Research Collection Project	300,000
Lourdes College, Sylvania, OH, for science equipment, technology and instructional resources, and for the Lourdes College Planetarium	325,000
Loyola University, New Orleans, for the Lindy Boggs National Center on Community Literacy	350,000
Luther College, Decorah, IA, for the Valders Hall of Science Project	250,000
Luzerne County Community College, Nanticoke, PA, for a training program in realtime court reporting and captioning, which may include student scholarships	370,000
Maine Metal Products Association, Westbrook, ME, to establish a National Institute of Metalworking Skills Management Center	250,000
Manatee Community College, Bradenton, FL, for Teaching for 21st Century Student Success demonstration program	75,000
Maricopa County Community College District, Phoenix, AZ, for the Hispanic Bilingual Nursing Fellows Program and for educational programs to train court reporters	200,000
Maricopa County Community College District, Tempe, AZ, for its Bilingual Nursing Fellows Program	250,000

Marquette University, Milwaukee, WI, for service learning and community outreach programs at The Les Aspin Center for Government in Washington, D.C.	200,000
Martin Methodist College, Pulaski, TN, for library materials, technology and personnel for a baccalaureate nursing program	300,000
Mary Mason Community Foundation, Philadelphia, PA, for a college assistance program, including student scholarships	100,000
Marymount University, Arlington, VA, for scholarships for students seeking a dual certification in special and elementary education	100,000
Maryville College, Maryville, TN for the Center for Effective Communities	150,000
McNeese State University, Lake Charles, LA, for the Southwest Louisiana Academy for Innovative Teaching and Learning, including student scholarships	600,000
Mercer University, Macon, GA for a critical personnel development program	250,000
Mercy College, Dobbs Ferry, NY, for the development of a registered nursing program	150,000
Mercyhurst College, Erie, PA to develop an Institute for Arts Based Teacher Education	100,000
Miami University, Oxford, OH, for equipment	400,000
Michigan Jewish Institute, Oak Park and Bloomfield, MI, for a new computing curriculum	150,000
Middle Tennessee State University, Murfreesboro, TN, for equipment and personnel for biotechnology training initiatives	100,000
Middlesex Community College, Lowell, MA, to acquire and implement the SCHEDULE25 program and other technology upgrades	100,000
Millersville University, Millersville, PA for curriculum development and technology for science, environmental, occupational safety and health education programs	100,000
Mills College, Oakland, CA, for its Institute for Civic Leadership	320,000
Mississippi State University, Starkville, MS, for digital production equipment for the Wise Center-Broadcast Facility	315,000
Mississippi State University, Starkville, MS, for the National Center on Rural Early Childhood Learning Initiatives, which shall include the Sesame Street-Between the Lions effort to produce and distribute multi-media educational and training materials	2,100,000
Mississippi University for Women, Columbus, MS, for research and outreach programming of the Southern Women's Institute	500,000
Mississippi University for Women, Columbus, MS, Plymouth Bluff Center for Scientific and Historical Enrichment	500,000
Mississippi Valley State University, Itta Bena, MS, for curriculum development	1,000,000
Missouri Southern State University, Joplin, Missouri, for equipment	1,301,000
Monroe Community College, Rochester, NY, for training and equipment	500,000
Montana State University, Billings, MT, to provide degree and certificate workforce education programs in the healthcare industry	400,000
Montgomery College, Rockville, MD, for equipment and technology to establish wireless mobile classrooms in engineering and computer sciences	410,000
Montgomery County Community College, Blue Bell, PA, for equipment and technology acquisition in support of the Advanced Center for Technology	50,000
Moravian College, Bethlehem, PA, for equipment, technology, and curriculum development for a science initiative	100,000
Morehead State University, Morehead, KY, to establish a center on homeland security policy	500,000
Morehouse College, Atlanta, GA, for an Education Technology and Telecommunications Project	600,000
Morehouse College, Atlanta, GA, to conduct public and social research on issues affecting African American and minority males at the Morehouse Research Institute	160,000
Muhlenberg College, Allentown, PA, to develop a program for advanced discovery in the exploration of the physical and life sciences at the secondary and post-secondary grade levels	175,000

National Academies' Science, Technology and Economic Policy (STEP) Board, Washington, DC to study changing labor force requirements	200,000
National Association of Hispanic Publications Foundation, Washington, DC, to improve access to higher education and financial aid opportunities for Hispanic students, including awareness programs in Spanish	75,000
National Center for Disability and Access to Education in Logan, UT to address distance education for individuals with disabilities	300,000
National College Access Network, Cleveland, OH for expanding and strengthening of programs	500,000
N'DIGO Foundation, Chicago, IL, for a merit-based college scholarship program	100,000
Nevada State College to create a digital learning center	250,000
New Mexico Association of Community Colleges, Santa Fe, NM, for a dental distance education program	250,000
New Mexico State University and Dono Ana Branch Community College to expand its manufacturing bridge program	50,000
New York University, New York, NY, for the John Brademas Center for the Study of Congress, which may include student scholarships and an endowment	1,300,000
North Dakota State College of Science, Wahpeton, ND, for a Center for Nanoscience Technology Training	200,000
North Dakota State School of Science, Wahpeton, ND, to continue telepharmacy training in North Dakota	200,000
North Florida Community College, Madison, FL for a registered nursing program	300,000
North Shore Community College, Danvers, MA, for information technology and educational equipment for science center	200,000
North Shore Community College, Danvers, MA, for workforce development, entrepreneurship education, professional development, distance education, and outreach programs	350,000
Northern Illinois Center for Accelerator and Detector Development at Northern Illinois University, DeKalb, IL	2,000,000
Northern Illinois University, DeKalb, IL for support of the Vibration and Acoustics Center	100,000
Northern Illinois University, DeKalb, IL, for an Intelligent Tutoring Center	300,000
Northern Illinois University, DeKalb, IL, to establish a Nanoscience Institute	500,000
Northern Kentucky University for the Institute for New Economy Technologies	500,000
Northern Kentucky University, Highland Heights, KY, for its Institute for Public Policy Research and Service	300,000
Northern Michigan University, Marquette, MI, for operating expenses of the United States Olympic Education Center, including student support	440,000
Northwest Shoals Community College, Phil Campbell, AL, for new technology upgrades	250,000
Northwestern College, Orange City, IA, for equipment	25,000
Nova Southeastern University, Fort Lauderdale, FL, for a Latino Literacy and Technology Training program	50,000
Nova Southeastern University, Ft. Lauderdale, FL, for the Shepard Broad Law Center Minority Outreach Online Project	250,000
Ocean County College, Toms River, NJ, for the Center for Marine Studies	75,000
Oglala Lakota College in Kyle, South Dakota for nursing education	250,000
Oklahoma State Board of Regents for Higher Education, Oklahoma City, OK to expand the One-Net program for distance learning into rural areas of Oklahoma	100,000
Oregon Institute of Technology, Klamath Falls, OR, for equipment	120,000
Orleans Technical Institute, Philadelphia, PA, for equipment and educational programs to train court reporters	50,000
Pacific Lutheran University, Tacoma, WA, for programmatic support, technology and furnishings for its Center for Learning and Technology	950,000
Palo Verde Community College District, Blythe, CA, for equipment	500,000

Penn State, University Park, PA, for the Penn State Washington Program	25,000
Philadelphia University, Philadelphia, PA, for technology upgrades and to develop an instructional delivery system which will focus on the integration of technology into coursework	500,000
Philander Smith College, Little Rock, AR, for equipment, supplies, furnishings and personnel for the Harry R. Kendall Science and Health Mission Center	320,000
Peirce College, Philadelphia, PA, for technology upgrades and course development for the Peirce Online Four-Year Distance Learning initiative	200,000
Pittsburgh Digital Greenhouse, Pittsburgh, PA, to facilitate work between research universities	150,000
Pittsburgh Tissue Engineering Initiative, Pittsburgh, PA, for professional development and to develop education programs	250,000
Potter County Education Council, Coudersport, PA for equipment	150,000
Pratt Institute, Brooklyn, NY, for equipment and technology, personnel and faculty professional development	320,000
Providence College, Providence, RI, for equipment, technology and education programs for its Center for the Arts	700,000
Pulaski Technical College, North Little Rock, AR, for library equipment, technology, furnishings and collections	320,000
Purchase College, State University of New York, Purchase, NY, to improve postsecondary education, increase access for minority students, and enhance student support services	250,000
Ramapo College, Mahwah, NJ, for technology and equipment for the Sustainability Education Center	70,000
Regional Learning Alliance, Marshall Township, PA, to acquire instructional technology and to develop programming as part of a life-long education services initiative for Pittsburgh regional industry and community residents	200,000
Research Center for Cultural Diversity and Community Renewal, University of Wisconsin—La Crosse, WI, for Project TEACH and Project FORWARD	250,000
Rhode Island College Foundation, Providence, RI, for an interdisciplinary research and education center regarding the history of child welfare	75,000
Rhodes College, Memphis, TN, for the Rhodes College Learning Corridor project to expand an educational outreach and partnership program between the University and the Shelby County public school system	250,000
Riverside Community College District, Riverside, CA for curriculum development of the Middle College initiative	100,000
Robert Morris University, Moon Township, PA, for equipment and development of its nursing and allied health programs	100,000
Roberts Wesleyan College, Rochester, NY for a distance education program	100,000
Rowan University, Glassboro, NJ for an Engineering and Technology Satellite Campus in Pomona, NJ	200,000
Rutgers University School of Law, Camden, NJ, for student scholarships and loan repayment, internships, and public interest programming	640,000
Sacramento City College, Sacramento, CA, for its Allied Health Professions Recruitment and Retention Center	400,000
Saginaw Valley State University, University Center, MI for a crisis intervention training center	200,000
Saint John Fisher College, NY for the School of Pharmacy	100,000
Saint Joseph's College, Brooklyn, NY, for equipment and technology for "smart classrooms" at its Brooklyn and Patchogue campuses	400,000
Saint Leo University, St. Leo, FL, for a Corporate to Classroom Transition Program	130,000
Saint Vincent College, Latrobe, PA, to develop early childhood education programs for the Fred. M. Rogers Center for Early Learning and Children's Media	100,000

Salve Regina University, Newport, RI, for equipment and personnel for its Center for Advanced Teaching and Learning in Science and Technology	400,000
San Jose State University Foundation, San Jose, CA for the development of paramedic and clinical laboratory scientist training programs	440,000
San Pasqual Academy, Escondido, CA, for information technology infrastructure	120,000
Santa Clarita Community College District, Santa Clarita, CA, for equipment for the University Center at College of the Canyons	200,000
Santa Fe Community College, Gainesville, FL, for equipment and training	500,000
School District of Philadelphia, Philadelphia, PA, for the College Opportunity Resources for Education (CORE) Philly Scholarship Program	750,000
Security on Campus, Inc., King of Prussia, PA, to develop and conduct regional training sessions on compliance with the Clery Act and the technical assistance handbook	25,000
Self Enhancement Inc, Portland, OR, for family support and violence and substance abuse prevention programs	250,000
Seminole State College, Seminole, OK for technology equipment	100,000
Seminole State College, Seminole, OK, for the Excel-erated Transitional Nursing program	50,000
Seminole State College, Seminole, OK, to improve student retention and graduation rates	25,000
Sheldon Jackson College, Sitka, AK, for the Adult Learners Program	500,000
Shippensburg University Foundation, Shippensburg, PA, for the Center for Land Use	170,000
Shippensburg University, Shippensburg, PA, for equipment, technology and curriculum development for a Performing Arts Center	200,000
Shoreline Community College, Shoreline, WA, for a Center for Manufacturing Excellence	700,000
Sisseton Wahpeton College in Agency Village, South Dakota for a Dakota language preservation program	250,000
Snead State Community College, Boaz, AL for a nursing program	400,000
Snow College, Ephraim, UT to support a distance learning program	200,000
Sonoma State University, Rohnert Park, CA, for the Osher Lifelong Learning Institute, including student scholarships and coordination with the nationwide Osher network	200,000
South Carolina State University, Orangeburg, SC for equipment and program support	350,000
South Florida Community College, Avon Park, FL, for equipment	200,000
Southeast Missouri State University, Cape Girardeau, Missouri, for equipment	550,000
SouthEastern Pennsylvania Consortium for Higher Education, PA, for the Institute for Mathematics and Science to provide professional development to K–12 teachers	750,000
Southern Illinois University, Carbondale, IL, for the Paul Simon Public Policy Institute, including an endowment	1,000,000
Southern Maine Community College, South Portland, ME, to develop an entrepreneurial/business ownership certificate program, student business incubator and high school entrepreneurial programs	150,000
Southern Methodist University, Dallas, TX, for equipment	500,000
Southern New England School of Law, North Dartmouth, MA, for the Immigration Law Clinic, including student stipends	125,000
Southern New Hampshire University, New Hampshire to continue and expand a distance learning program	250,000
Southwestern Indian Polytechnic Institute, Albuquerque, NM for technical skills training	35,000
Stark State College of Technology, Canton, OH for outreach and expansion activities	300,000
State University of New York at Geneseo, Geneseo, NY, for equipment	250,000
State University of New York Orange County Community College, Middletown, NY, for the Newburgh Extension Center	250,000

State University System of Florida to continue a partnership on identifying and addressing the highest priority issues in K–12 education	100,000
Sweetwater Education Foundation, for its Compact for Success program, including student scholarships	540,000
Syracuse University in New York to establish the Daniel Patrick Moynihan Global Affairs Institute, including support for an endowment	5,000,000
Tacoma Community College, Tacoma, WA, for equipment, technology, and furnishings for an open computer lab	450,000
Tallahassee Community College, Tallahassee, FL, to establish satellite education centers	300,000
Tarleton State University, Stephenville, TX, for equipment and technology for its Center for the Advancement of Rural Nursing Education	350,000
Texas State University, San Marcos, TX, for a Round Rock Higher Education Center (RRHEC) in Round Rock, TX	250,000
Texas Tech University, Lubbock, TX for the Center for the Study of Addiction	250,000
Texas Wesleyan University School of Law, Fort Worth, TX, for technology improvements	411,000
Thiel College, Greenville, PA to support agriculture and biology programs, which may include the acquisition of equipment	100,000
Thiel College, Greenville, PA, for campus-wide technology infrastructure upgrades	130,000
Thurgood Marshall Scholarship Fund, New York, NY, for capacity building activities at historically black colleges	400,000
Touro University—California, Vallejo, CA, to design, develop and implement College of Education programs on its Mare Island campus	500,000
Trenholm State Technical College, Montgomery, AL, for equipment	90,000
Trident Technical College, Charleston, South Carolina, to equip the hospitality, tourism and culinary arts program	250,000
Troy State University, Troy, AL, for the Virtual University of the Armed Forces and Others	125,000
United Negro College Fund Special Programs Foundation, Fairfax, VA, for a capacity building project benefiting historically black colleges and universities, including instrumentation acquisition, professional development for faculty, and scholarships for students	125,000
University of Akron, Akron, OH for a distance learning program with the Bliss Institute	150,000
University of Akron, Akron, OH for an aerospace systems engineering degree program	200,000
University of Akron, Akron, OH for emergency management curriculum and technology	150,000
University of Alabama, Tuscaloosa, AL for laboratory equipment	325,000
University of Alaska Statewide Office for the University of Alaska Leadership Institute/Center for Civics Democracy	250,000
University of Alaska/Southeast for the Alaska Distance Education Technology Consortium	500,000
University of Alaska/Southeast to develop distance education coursework for arctic engineering courses and programs	100,000
University of Arizona Health Science Center, Tucson, AZ, for the combined family practice residency/integrative medicine fellowship training program	100,000
University of Arizona to establish an indigenous peoples law and policy project	200,000
University of Arkansas for Medical Sciences for curriculum and infrastructure development for the Mid-America Genetics Distance Education Consortium	1,250,000
University of Arkansas, School of Social Work, Fayetteville, Arkansas, for the School of Social Work Research Center	100,000
University of California, Hastings College of Law, San Francisco, CA, for the Center for Gender and Refugee Studies to establish a clinical education program	200,000

University of Central Florida, Orlando, FL for the Lou Frey Institute of Politics	250,000
University of Cincinnati, Cincinnati, OH for the Ohio Partnership for Accountability	200,000
University of Dayton, Dayton, OH, for the Dayton Early College Academy project	500,000
University of Dubuque in Dubuque, Iowa for the establishment of a nursing education program	500,000
University of Florida, Gainesville, FL, for equipment for the Norman Hall project	100,000
University of Georgia, Athens, GA, for the Croatian Partnership for Higher Education Reform	75,000
University of Guam School of Nursing and Health Sciences, Mangilao, GU, for its bachelor of science in nursing program	240,000
University of Hartford, West Hartford, CT, for equipment and technology for the Hartt School Performing Arts Center	100,000
University of Hawaii at Hilo for the Applied Rural Science Program	50,000
University of Hawaii at Hilo for the Clinical Pharmacy Training Program	700,000
University of Idaho for scholarships and program support of the Lionel Hampton Artist in Residence and the Lionel Hampton Scholars	400,000
University of Memphis, Memphis, TN for the Benjamin L. Hooks Institute for Social Change, which may include support for an endowment	250,000
University of Mississippi, Oxford, MS for curriculum development and to enhance the development of young men and women to make future contributions to MS and the nation	3,000,000
University of Montana School of Law, Missoula, MT for infrastructure at the University of Montana School of Law, including the acquisition of equipment and technology	700,000
University of Nebraska at Kearney, Kearney, NE, for student preparation	250,000
University of Nebraska at Omaha, Omaha, NE, for teaching comparative American history	100,000
University of Nevada, Las Vegas for educational outreach at the Women's Research Institute of Nevada	100,000
University of Nevada, Reno for the Latino Studies program	100,000
University of New England, Biddeford, ME, for a Dental Residency Program	250,000
University of New Mexico to establish the Oral Health Institute	75,000
University of New Orleans, LA, for the Center for School Improvement and Teaching and Learning Excellence	1,000,000
University of North Florida, Jacksonville, FL, for a Virtual School Readiness Incubator Project	600,000
University of North Texas, Denton, TX, for a Regional Center for Advanced Scientific Computing and Modeling Program	250,000
University of North Texas, Denton, TX, for the Laboratory Experience and Development of Early Researchers program	250,000
University of North Texas, Denton, TX, in cooperation with Paul Quinn College, for a Science and Math Teacher Academy	240,000
University of Northern Iowa, Cedar Falls, IA for program development and support of the Center for Applied Gerontology	145,000
University of Oklahoma, Tulsa, OK for development and support of a graduate degree program, which may include the acquisition of equipment	300,000
University of Redlands, Redlands, CA for technology enhancement	350,000
University of Richmond Gottwald Science Center, Richmond, VA for equipment and technology	100,000
University of Rochester Medical Center, Rochester, NY, for student scholarships in the School of Nursing	250,000
University of Saint Francis, Fort Wayne, IN, for technology	150,000
University of San Francisco, San Francisco, CA, for equipment and programs at the Harney Science Center	575,000
University of South Carolina, Columbia, SC, for the Strom Thurmond Fitness and Wellness Center	5,000,000

University of South Florida, Sarasota/Manatee Campus, Sarasota, FL, for the Center for Advanced Health Practices and Policy Formation	75,000
University of South Florida, Tampa, FL, for a globalization research network, including the University of Hawaii, Manoa; George Washington University; and the University of California, Los Angeles	890,000
University of Southern Mississippi, Hattiesburg, MS to enhance economic development teaching, training, and research opportunities	2,000,000
University of St. Thomas Interprofessional Clinic for Counseling and Legal Services, St. Paul, MN	75,000
University of Texas at Austin, Austin, TX, for the Texas Engineering and Technical Consortium	1,000,000
University of Texas Foundation, Austin TX, for the UT Public Policy Fellowship Initiative, which may include support of internship programs	250,000
University of Texas Pan American, Edinburg, TX, for the Raul Yzaguirre Policy Institute, including student support	640,000
University of Texas, Arlington, TX for SMART manikins and equipment in the Smart Emergency Department	500,000
University of Texas, Austin, TX for the Bill Archer Center	500,000
University of the Pacific, McGeorge School of Law, Sacramento, CA for a cross-disciplinary project	255,000
University of the Pacific, Stockton, CA, for the Business Forecasting Center	490,000
University of the Sciences in Philadelphia, Philadelphia, PA, for the Science Education Partnership in partnership with the Philadelphia School District to improve math and science education	100,000
University of the South, Sewanee, TN, for equipment and technology	250,000
University of Tulsa, Tulsa, OK for critical research instrumentation and equipment to enhance campus infrastructure for information security	100,000
University of Vermont, Burlington, VT to establish an advanced practice graduate nursing program in psychiatric-mental health nursing	300,000
University of Virginia Center for Politics, Charlottesville, VA, for the Youth Leadership Initiative	1,400,000
University of Wisconsin-Baraboo/Sauk County, Baraboo, WI, for equipment and technology for the Robert L. Brown Theater	50,000
University of Wisconsin-Eau Claire, School of Nursing, Eau Claire, WI, for an accelerated baccalaureate degree program in nursing	300,000
University of Wisconsin-La Crosse in La Crosse, WI to expand mentoring programs to assist students of Hmong descent in attaining teacher certification	250,000
University of Wisconsin-Marathon, WI, for science equipment and furnishings	275,000
University of Wisconsin-Whitewater in Whitewater, WI to provide support services for mentally disabled students to succeed in higher education	150,000
University of Wisconsin-Wood, WI, for science equipment and furnishings	400,000
University of Wyoming, Laramie, WY for technological infrastructure improvements	400,000
University of Wyoming, Laramie, WY for the American Heritage Center	315,000
Urban College of Boston in Massachusetts to support higher education program serving low-income and minority students	900,000
Utah State Board of Regents, Utah Higher Education Assistance Authority, Salt Lake City, UT, for scholarships and program support under the Cesar Chavez Scholarship Program	125,000
Utah Valley State College, Orem, UT for distance education	50,000
Villa Julie College, Stevenson, MD, to establish a nursing distance learning program	250,000
Virginia Military Institute, Lexington, Virginia, for curriculum and program support of the Science and Security Minor	500,000

Virginia State University, Petersburg, VA, for technology equipment for the School of Engineering	350,000
Wake Technical Community College, Raleigh, NC, to implement a first responder training program	100,000
Waldorf College, Forest City, IA, for lab equipment	150,000
Wallace Community College, Dothan, AL, for Teaching for the Future Initiative	250,000
Walsh College, Troy, MI for program development and software for the Center of Excellence for Information Assurance Education	125,000
Washington College, Chestertown, MD, for equipment and infrastructure technology	260,000
Washington State University to provide education and research opportunities for tribes and tribal colleges and support the Northwest Regional Native American project	250,000
Webster University, St. Louis, MO, for literacy services, including the volunteer Student Literacy Corps, at its Institute for Literacy	750,000
Wesleyan College, Macon, Georgia, Willet Memorial Library	100,000
West Chester University, West Chester, PA, for technology infrastructure upgrades	100,000
West Kern Community College District, Taft, CA, for equipment	150,000
Western Governor's University (WGU), Salt Lake City, Utah to provide advanced education and competency-based teaching degrees and certificates	800,000
Western Iowa Tech Community College, Sioux City, IA, for equipment	120,000
Western Michigan University, College of Health and Human Services, Kalamazoo, MI, for science equipment	400,000
Western Nebraska Community College, Scottsbluff, Nebraska, for the Western Nebraska Center for Business and Individual Training, including the acquisition of equipment	250,000
Western Nevada Community College to create an Occupational Therapy Assistant program	250,000
Western Oregon University, Monmouth, OR, for equipment and technology for the Division of Computer Science, Division of Business and Economics, and Department of Mathematics	370,000
Wharton County Junior College, Wharton, TX, for instructional equipment and technology information management infrastructure	500,000
Wheaton College, Norton, MA, for program development and equipment for a new science facility	225,000
Widener University School of Law, Harrisburg, PA, for technology infrastructure upgrades	100,000
Widener University, Chester, PA for the Institute for Graduate Clinical Psychology	1,000,000
Wilkes University, Wilkes-Barre, PA, to develop programming for a Language Institute to improve foreign language study	100,000
Wilkes-Barre General Hospital, Wilkes-Barre, PA, to develop nurse educator programs to instruct nursing students	200,000
Wilson College, Chambersburg, PA, for the development of a public policy institute to address the needs of single mothers	100,000
Wisconsin Association of Independent Colleges and Universities, WI, for a collaboration project to consolidate administrative operations and information technology	800,000
World Learning, Brattleboro, VT, to develop teaching guides for the less-commonly-taught Asian languages	100,000
York Technical College, Rock Hill, SC, for its National Precision Metalworking Center of Excellence	650,000

Other Programs

The conference agreement includes $843,289,000 for TRIO instead of $842,559,000 as proposed by the House and $844,500,000 as proposed by the Senate. The agreement also includes $308,960,000 for the GEAR UP program instead of $318,230,000 as proposed by the House and $302,500,000 as proposed by the Senate. The conferees intend that funds be awarded on an annual

basis and that the Department consult with Congressional committees of jurisdiction prior to new grant competition announcements. The conference agreement provides a sixth and final year award to grantees first funded in 2000, while continuing all other funded projects. The conferees also intend that these funds are available to eligible 1999 grantees that opt to apply for new grant awards servicing a cohort no later than seventh grade, and are allowed to continue assisting students who have not yet completed the program through high school graduation.

The agreement also includes $41,000,000 for Byrd Honors Scholarships as proposed by the Senate. The House did not propose funding for this activity.

The conference agreement also includes $68,888,000 for Teacher Quality Enhancement Grants instead of $88,888,000 as proposed by both the House and the Senate. The agreement includes $7,000,000 for demonstrations in disabilities, $2,222,000 for the underground railroad program, and $3,000,000 for Thurgood Marshall Scholarships as proposed by the Senate. The House did not propose funding these activities. The agreement also includes $988,000 for Olympic Scholarships as proposed by the House. The Senate bill did not provide funding for this program.

HOWARD UNIVERSITY

The conference agreement includes $240,715,000 for Howard University instead of $243,893,000 as proposed by the House and $239,763,000 as proposed by the Senate.

INSTITUTE OF EDUCATION SCIENCES

The conference agreement includes $527,453,000 for Education Research, Statistics and Improvement instead of $526,804,000 as proposed by the House and $536,804,000 as proposed by the Senate.

The conference agreement includes $25,000,000 for statewide data systems instead of $30,000,000 as proposed by the House and $40,000,000 as proposed by the Senate. The Educational Technical Assistance Act of 2002 authorized a competitive grant program to State Educational Agencies to enable such agencies to design, develop, and implement, statewide, longitudinal data systems to manage, analyze, disaggregate, and use individual student data. The conferees believe these funds are necessary to help States measure individual student performance, particularly as it relates to adequate yearly progress goals, more efficiently and more accurately. The conferees also urge the Department to establish a priority for those States that currently have the most limited ability to collect, analyze and report individual student achievement data when considering applications for funds available through this program.

The conferees expect the Department to develop and implement this program so that it serves the key goals of generating and using accurate and timely data to facilitate research needed to improve student achievement, eliminate achievement gaps and comply with and meet reporting requirements of the Elementary and Secondary Education Act, as stated in section 208(c) of Public Law 107–279. The conferees believe that this program, if effectively im-

plemented so as to enable the collection of longitudinal data on individual student achievement, will greatly facilitate randomized controlled trials and other rigorous longitudinal studies needed to determine which educational interventions are effective and which are not.

The conferees believe that a greater focus must be placed on the use of randomized controlled trials, longitudinal studies, and other research that meets the standards set by the National Research Council. For this reason, the conferees strongly encourage IES to work with the Secretary to create a competitive preference system whereby schools would receive priority for awards by agreeing to participate in randomized research studies. One potential system would entail funding schools in pairs, where at random one school would receive a new program immediately and the other would receive it a year later, thereby creating conditions conducive to randomized controlled studies.

The conference agreement also includes $83,774,000 for research and innovation in special education. Within the total, the conference agreement includes funding for the following:

Best Buddies Connecticut, New Haven, CT, to enhance the lives of people with mental retardation by providing opportunities for one-to-one friendships and integrated employment	$150,000
Best Buddies International, Inc., Miami, FL, to enhance the lives of people with mental retardation by providing opportunities for one-to-one friendships and integrated employment	1,000,000
Best Buddies Maryland, Baltimore, MD, to enhance the lives of people with mental retardation by providing opportunities for one-to-one friendships and integrated employment	250,000
Best Buddies Rhode Island, Providence, RI, to enhance the lives of people with mental retardation by providing opportunities for one-to-one friendships and integrated employment	200,000
Best Buddies Texas, Houston, TX, for program expansion	50,000
Best Buddies Virginia, Miami, FL for expansion of Northern Virginia programs	140,000
Bubel/Aiken Foundation for a demonstration on K–12 Inclusion Community Service	500,000
Celeste Foundation, Mt. Doro, FL, to provide technical assistance to parents and caregivers of autistic children on early intervention therapies	1,400,000
Center for Creative Play, Pittsburgh, PA, to support services for disabled children and their families	25,000
Center for Functional and Molecular Imaging, Georgetown University, Washington, DC, for the Early Diagnosis of Developmental Dyslexia Project	250,000
City of Rocklin, California, for a Rocklin Integrated Schools Program	195,000
Daemen College, Amherst, NY, for special education services	600,000
Fiesta Educativa, Inc., Los Angeles, CA, for its Fiesta Familiar, home-based training initiative for parents of children with disabilities	55,000
Friendship Circle, West Bloomfield, MI for Life Village	425,000
Holy Family Learning Center, Pittsburgh, PA, to provide specialized educational services to children and adults	100,000
Illinois State University, Normal, IL for the Special Education Assistive Technology Center	500,000
International Center on Deafness and the Arts, Northbrook, IL for a teacher training program	200,000
Jeremiah Cromwell Disabilities Center, Portland, ME, for library enhancements and awareness training for elementary school students	100,000

Learning Disabilities Association of America, Pittsburgh, PA, to expand parent and teacher training programs and to increase resources available regarding learning disabilities	25,000
Learning Disabilities Association of Central New York, E. Syracuse, NY for educational consulting services	100,000
Lee Pesky Learning Center, Boise, ID, to provide educational materials	200,000
Lehigh University, Bethlehem, PA, for research to improve the lives of disabled individuals at the Center for Promoting Healthy Development for Individuals with Disabilities	100,000
Middle Tennessee State University, Murfreesboro, TN, for its Center for the Study and Treatment of Dyslexia to improve instruction for students with dyslexia	500,000
National Cued Speech Association, Cleveland, OH, for a deaf children's literacy project	325,000
Ohio School for the Deaf, Columbus, OH, for the virtual reality educational system for the deaf	100,000
Parent Training and Information Center of Iowa—The Legal Hand Project	100,000
Peoria School District 150, Peoria, IL, to establish a special education technology partnership with Department of Special Education at Illinois State University	200,000
School for Children with Hidden Intelligence, Lakewood, NJ, for disability education	300,000
Sephardic Community Center, Brooklyn, NY, to expand weekend and summer programming for children with learning disabilities	100,000
Southeast Island School District to develop two-way interactive video conferencing to provide special education services at 9 isolated school sites in Southeast Alaska	100,000
Spurwink Institute, New Gloucester, ME to work with area schools to provide a comprehensive network of support for special education students and juvenile offenders	400,000
U.S. Disabled Athletes Fund, Atlanta, GA for the Blaze Sports Clubs for youth with disabilities	100,000
United Cerebral Palsy Central PA, Camp Hill, PA, in collaboration with the Cumberland-Perry Association for Retarded Citizens, Carlisle, PA, for a contemporary day program for young adults with disabilities	25,000
University of Northern Colorado National Center for Low-Incidence Disabilities	450,000
University of Northern Iowa, Cedar Falls, IA, for WeBCATT: The National Institute of Technology for Inclusive Education project	333,000
University of Southern Mississippi, Hattiesburg, MS, for the Center for Literacy and Assessment	1,000,000
Workplace Technology Foundation, King of Prussia, PA to provide training to special education students to increase employability upon graduation	25,000

DEPARTMENTAL MANAGEMENT

The conference agreement includes $423,379,000 for Departmental program administration instead of $421,055,000 as proposed by the House and $420,379,000 as proposed by the Senate. The agreement also includes $90,248,000 for the Office for Civil Rights as proposed by the House instead of $92,801,000 as proposed by the Senate. The agreement also includes $47,790,000 for the Office of the Inspector General as proposed by the House instead of $50,576,000 as proposed by the Senate.

The conferees applaud the Department for its support of the Strengthening the Capacity of Historically Black Colleges and Universities (HBCU) through a Collaborative Initiative, which is designed to achieve an improved cadre of senior leaders, more effective management of HBCUs, more efficient campus operations, and better governance at public and private HBCUs. The conferees en-

courage the Department to explore all possible actions to increase the availability of technical assistance that supports these institutions' efforts to maintain the financial standing necessary to meet performance standards and accreditation.

The conferees are concerned about the continued delay in release of the title IV handbook regarding campus crime statistics that was called for more than 18 months ago. The conferees urge the Department to release the handbook as soon as possible. In addition, the conferees expect the Department to implement a training program that will help institutions of higher education utilize this new handbook and comply with section 458(f) of the Higher Education Act.

GENERAL PROVISIONS

IMPACT AID APPLICATION DEADLINE EXTENSION

The conference agreement includes a provision making a technical change to the Impact Aid program to extend the application deadline for applying for section 8002 federal property payments from fiscal year 2005 to fiscal year 2007 as proposed by the House. The Senate bill contained no similar provision.

LOAN CONSOLIDATIONS

The conference agreement does not include a provision proposed by the House relating to consolidation loans. The Senate bill contained no similar provision.

EDUCATION BLOCK GRANT AND EVEN START FUNDING

The conference agreement does not include a provision proposed by the House relating to funding for the education block grant and Even Start programs. Funding for these programs is provided elsewhere in title III of this bill.

FEDERAL NEEDS ANALYSIS

The conference agreement does not include language proposed by the Senate prohibiting the Department of Education from implementing annual updates to the tax tables used in Federal Needs Analysis Methodology. The House bill contained no similar provision.

TECHNICAL CORRECTIONS

The conference agreement contains two technical corrections relating to projects included in the fiscal year 2004 bill. Neither the House nor the Senate bills contained similar provisions.

PELL GRANT ELIGIBILITY

The conference agreement includes a new general provision related to eligibility for Pell Grants for certain students enrolled in institutions of higher education in Palau. Neither the House nor the Senate bills contained this provision.

TITLE IV—RELATED AGENCIES

ARMED FORCES RETIREMENT HOME

The conference agreement includes $61,624,000 for the Armed Forces Retirement Home instead of $61,195,000 as proposed by the House and the Senate.

COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE BLIND OR SEVERELY DISABLED

The conference agreement provides $4,707,000 for the Committee for Purchase from People who are Blind or Severely Disabled instead of $4,672,000 as proposed by the House and as proposed by the Senate in S. 2806.

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

DOMESTIC VOLUNTEER SERVICE PROGRAMS, OPERATING EXPENSES

The conference agreement includes $356,598,000 for the Domestic Volunteer Service programs instead of $353,197,000 as proposed by the House and $357,814,000 as proposed by the Senate.

Volunteers in Service to America (VISTA)

The conference agreement includes $95,000,000 for VISTA instead of $93,731,000 as proposed by the House and $96,428,000 as proposed by the Senate.

National Senior Volunteer Corps

The conference agreement includes $112,323,000 for the Foster Grandparent Program (FGP) as proposed by both the House and the Senate. The conferees intend that one-third of the increase over the fiscal year 2004 level shall be used to fund Program of National Significance [PNS] expansion grants to allow existing FGP programs to expand the number of volunteers serving in areas of critical need. All remaining funds shall be used to fund an administrative cost increase for each Foster Grandparent Program nationwide. The amount to be allocated to individual grantees shall be calculated based on a percentage of the entire federal grant award in FY 2004, including the amount specified for payment of non-taxable stipends to Foster Grandparent volunteers. The Corporation for National and Community Service (CNCS) shall comply with the directive that use of PNS funding increases in the FGP shall not be restricted to any particular activity. The conferees further direct that CNCS shall not stipulate a minimum or maximum amount for PNS grant augmentation.

The maximum amount that CNCS may use in FY 2005 for communications and training and technical assistance activities shall not exceed the amount enacted for these two activities in FY 2004.

The conference agreement also includes $46,275,000 for the Senior Companion Program (SCP) instead of $45,987,000 as proposed by the House and $46,563,000 as proposed by the Senate. The agreement also includes $59,000,000 for the Retired Senior

Volunteer Program (RSVP) instead of $58,156,000 as proposed by the House and $60,000,000 as proposed by the Senate.

Funds appropriated for FY 2005 may not be used to implement or support service collaboration agreements or any other changes in the administration and/or governance of national service programs prior to passage of a bill by the authorizing committee of jurisdiction specifying such changes.

The Corporation shall comply with the directive that use of funding increases in the FGP, RSVP, SCP and VISTA not be restricted to any particular activity. In addition, none of these increases may be used to fund demonstration activities. The conferees have not included funding for senior demonstration activities.

Program Administration

The conference agreement includes $39,000,000 for program administration instead of $38,000,000 as proposed by the House and $37,500,000 as proposed by the Senate.

CORPORATION FOR PUBLIC BROADCASTING

The conference agreement includes $39,705,000 for digital conversion instead of $49,705,000 as proposed by the Senate. The House had proposed providing authority for CPB to utilize previously appropriated funds for this purpose.

The conference agreement also includes $40,000,000 as the second installment of a three-year project to replace the satellite interconnection system. The Senate had proposed $50,000,000 for this purpose. The House had proposed providing authority for CPB to utilize previously appropriated funds for this purpose.

The conferees strongly urge the CPB to allocate not less than $100,000 to the 14 public radio stations around the nation that provide the sole source of radio news and information in their communities. The additional funds would permit these stations to extend their broadcast hours and improve service to their listeners.

FEDERAL MEDIATION AND CONCILIATION SERVICE

The conference agreement provides $44,797,000 for the Federal Mediation and Conciliation Service instead of $43,964,000 as proposed by the House and $44,464,000 as proposed by the Senate.

The conferees continue to support the FMCS program to prevent youth violence. The conferees are especially pleased with the development of a CD–ROM that will address conflict resolution among preschool and elementary age children. Included in the total appropriation is $500,000 to be used for FMCS to continue their work to prevent youth violence by teaching students mediation and conflict resolution techniques.

FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION

The conference agreement provides $7,872,000 for the Federal Mine Safety and Health Review Commission instead of $7,813,000 as proposed by the House and the Senate.

INSTITUTE OF MUSEUM AND LIBRARY SERVICES

The conference agreement provides $282,827,000 for the Institute of Museum and Library Services instead of $261,743,000 as proposed by the House and $262,240,000 as proposed by the Senate.

Within the total for the Institute, the conference agreement includes funding for the following activities in the following amounts.

[In thousands of dollars]

Program	*FY 2005*
Museums for America	$18,000
Museum Assessment	450
Museum Conservation Prog	3,630
Museum Natl. Leadership Proj	7,600
Native American Museum Services	850
Library Serv. State Grants	162,000
Native American Library Services	3,500
Library Natl. Leadership Grants	12,400
Librarians for the 21st Century	23,000
Administration	11,186

Within the funds provided for Museums of America, $1,000,000 is for continuation of the 21st Century Museum Professional program.

The conference agreement also specifies funding for the following:

Academy of Natural Sciences, Philadelphia, PA, for exhibits and programming associated with the Lewis and Clark expedition	$100,000
Alaska Native Heritage Museum, Anchorage, AK in cooperation with the Koahnic Broadcasting Corporation for its Elders Oral History Project	300,000
Alex Haley House and Museum, Henning, TN to preserve collections and improve exhibits	50,000
Allegheny County, Pittsburgh, PA for exhibit design and development	100,000
Allentown Public Library, Allentown, PA, for technological upgrades and educational programs	100,000
AMISTAD America, Inc., New Haven, CT, for an endowment fund as authorized under P.L. 108–184	400,000
Amistad Research Center, Tulane University, New Orleans, LA, for faculty research fellowship and student internship programs	320,000
Anniston Museum of Natural History, Anniston, AL, for enhanced classroom curriculum	50,000
Antiquarian & Landmarks Society, Hartford, CT, for the Nathan Hale Homestead in Coventry	100,000
Arab Community Center for Economic and Social Services (ACCESS), Dearborn, MI, for exhibits and museum programs	100,000
Athenaeum of Philadelphia, Philadelphia, PA, for conservation and preservation of library materials	75,000
Audubon Pennsylvania, Audubon, PA, for exhibits and nature education programs at the Mill Grove Audubon Center	75,000
Autry National Center, Los Angeles, CA, for exhibits, education programs and outreach at its Southwest Museum of the American Indian and/or its Museum of the American West	200,000
Baylor University, Waco, TX, for archival activities, exhibits, and education programs for the Mayborn Museum Complex	200,000
Beth Medrash Govoha, Lakewood, NJ, for equipment, exhibits and preservation of collections	500,000
Bibliographical Society of America, New York, NY	125,000
Bishop Museum in Hawaii for digitization of old Hawaiian language newspapers and other activities to preserve the culture of Native Hawaiians	500,000

Boys and Girls Harbor, New York, NY, for the preservation and digitalization of Raices Collection, a multi-media collection documenting the history of Afro-Caribbean Latin music in America	100,000
Brooklyn Academy of Music, Brooklyn, NY, for preservation and management of its archives	75,000
Business Association of West Parkside, Philadelphia, PA to exhibit the Negro Leagues Baseball Memorial	50,000
Canton Museum of Art, Canton, OH, to develop and implement the HeARTland program	200,000
Cape Cod Maritime Museum, Hyannis, MA, for the development of exhibitions and programs	100,000
Carnegie Museums of Pittsburgh, Pittsburgh, PA, for preservation of collections at the Carnegie Museum of Natural History	100,000
Catawba County Historical Association, Newton, NC	25,000
Chaldean Community Culture Center, West Bloomfield, MI, for programs that promote Chaldean language, history, culture and teacher training	200,000
Charles H. Wright Museum of African American History, Detroit, MI, for exhibits, education programs, technology and operations	400,000
Cherry Hill Township in New Jersey for improved library technology	84,000
Chicago Historical Society, Chicago, for expansion of the Chicago Historical Society's collections and exhibits	150,000
Children's Museum in Oak Lawn, Oak Lawn, IL, for its "Explore and Soar" education program	200,000
City of Henderson, NC, for personnel, equipment and technology for the H. Leslie Perry Memorial Library	100,000
City of Jackson, MS, for the Medger Wiley Evers Museum for program and exhibit design and development	200,000
City of Jackson, TN, to support technology upgrades at the Jackson-Madison County Public Library	250,000
City of Murrieta Public Library, Murrieta, CA, for a Literacy thru Technology Program	150,000
Claude Pepper Center in Tallahassee, FL, for the digitization of library holdings	500,000
College of Physicians of Philadelphia, Philadelphia, PA, to preserve its medical library and art collection	100,000
Colleton County Memorial Library, Walterboro, SC, for books and library materials	50,000
Columbus Museum of Art, Columbus, OH, to develop, test, and fabricate the exhibition, train teachers and docents and publicize the project and produce related educational materials	76,000
Contra Costa County, Martinez, CA, for the Contra Costa Reads program	72,000
Currier Museum of Art, Manchester, NH, for educational programs and community outreach	300,000
Des Moines Arts Center for the protection of the current collection	825,000
East Tennessee Historical Society, Knoxville, TN, to expand and develop exhibits that teach of the culture and history of East Tennessee	500,000
Edison House Museum, Louisville, KY, for educational programs ...	30,000
Everhart Museum, Scranton, PA	100,000
Experience Music Project in Seattle, WA, for an Oral History Program	430,000
Fairfax County Public Library, Fairfax, VA, for its Motheread/Fatheread Plus family literacy initiative	100,000
Field Museum, Chicago, IL, for establishing networked computer database for collections management	800,000
Fine Arts Museums of San Francisco for the De Young Museum's Art Education Program	100,000
Florence Library Learning Center, Los Angeles, CA, for reading and other education programs	275,000
Florida International Museum, St. Petersburg, FL, for professional activities	650,000
Folger Library, Washington, DC, for exhibits, operations, and public programs including education and outreach	500,000

Frederick Douglass Museum, Washington, DC, for an African American cultural outreach center	50,000
Free Library of Philadelphia, Philadelphia, PA, for technology and equipment upgrades	75,000
George Washington University, Washington, DC, for the Eleanor Roosevelt Papers Project	350,000
Greenburgh Public Library, Tarrytown, NY, for computers and technology	12,000
Greensburg Hempfield Area Public Library, Greensburg, PA, for computers	50,000
Grout Museum, Waterloo, IA, for exhibitions	500,000
Harbor Heritage Society, Cleveland, OH, for MAKING WAVES: Vessel-wide interpretive exhibit planning for the Steamship William G. Mather Maritime Museum	200,000
HealthSpace Cleveland, Cleveland, OH, for exhibits	250,000
Hellenic Cultural Association, Salt Lake City, UT, for exhibit and program development at the Hellenic Cultural Museum	75,000
Hendry County, LaBelle, FL, for books and technology for Harlem Library	150,000
Hesperia Community Library, Hesperia, CA	500,000
Historical Society of Western Pennsylvania, Pittsburgh, PA, for exhibit and curriculum development for the Western Pennsylvania Sports Museum	75,000
HistoryMakers, Chicago, IL, to create a digital archive dedicated to preserving the history and accomplishments of African Americans	75,000
Home Port Alliance for the USS New Jersey for restoration and preservation	150,000
Hopkinsville-Christian County Public Library, Hopkinsville, KY	100,000
Hunter College, New York, NY, to digitize, preserve and archive collections of the Center for Puerto Rican Studies and for public access and dissemination activities	250,000
Huntsville Museum of Art, Huntsville, AL, for exhibits, technology, outreach and education programs	300,000
International Museum of Women, San Francisco, CA, for education and teacher professional development programs	300,000
Iona College, NY, for technology upgrade for the Ryan Library	75,000
Italian-American Cultural Center of Iowa in Des Moines, IA, for exhibits, multi-media collections, display	150,000
Jackson County Library System, Ripley, WV	72,000
James Ford Bell Museum of Natural History, University of Minnesota, Minneapolis, MN, for exhibits and education programs	415,000
Johnstown Area Heritage Association, Johnstown, PA, for exhibits and education programs for the Heritage Discovery Center	350,000
Josephine School Community Museum, Berryville, VA	25,000
Kansas State University, Manhattan, KS, for the 20th Century Soldier Project	400,000
Kidspace Children's Museum, Pasadena, CA, to develop its Shake Zone Education Exhibit	250,000
Lafayette College, Easton, PA, for technology updates to the David Bishop Skillman Library	100,000
Livingston Parish Hungarian Museum, Denham Springs, LA	50,000
Maltz Museum of Jewish Heritage, Beachwood, OH, for a Cradle of Christianity: Biblical Treasures from the Holy Land traveling exhibition	500,000
MAPS Air Museum, North Canton, OH, to develop educational displays, upkeep of current displays, library expansion, historical research and operation expenses	250,000
Mauch Chunk Historical Society of Carbon County, Jim Thorpe, PA	100,000
Memphis Zoo, Memphis, TN, to develop exhibits and support student programs	500,000
Miami Museum of Science & Space Transit Planetarium, Miami, FL, for exhibits, outreach, and education programs	400,000
Mid-Hudson Children's Museum, Poughkeepsie, NY, for a Comprehensive Technology Enrichment Program to enhance exhibits	200,000

Milford Area Historical Society, Milford, OH, for the Promont House Museum	40,000
Milton J. Rubenstein Museum of Science and Technology, Syracuse, NY	450,000
Missouri Historical Society, St. Louis, MO, for the establishment and maintenance of an archive for materials relating to the Congressional career of the Honorable Richard A. Gephardt	1,540,000
Mount Vernon Public Library, Mount Vernon, NY, for operations and upgrades	260,000
Mt. San Antonio College, Walnut, CA, for equipment	100,000
Museum of Appalachia, Norris, TN, to preserve and restore the collection of Appalachian pioneer artifacts	500,000
Museum of Aviation Foundation, Warner Robins, GA	250,000
Museum of Fine Arts, Boston, MA, for the development of exhibitions and programs	200,000
Museum of Flight in Seattle, WA, for the American Fighter Aces Archive and Collection	600,000
Museum of Science and Industry, Chicago, IL, for the Science in Your World Program	250,000
Museum of Science, Boston, MA, for community outreach, exhibit design and development, and educational programs	500,000
National Center for American Revolution, Wayne, PA, for exhibit design and curriculum development for the Museum of the American Revolution at Valley Forge National Historic Park	75,000
National City Public Library, National City, CA, for collections and technology	100,000
National D-Day Museum in New Orleans, LA, to improve the education, outreach, and exhibition of the museum	950,000
National Museum of American Jewish History, Philadelphia, PA, to develop a fully interactive learning center linked to their web site that will extend the reach of the Museum	100,000
National Museum of Women in the Arts, Washington, DC	1,000,000
National Trust for Historic Preservation, Washington, DC, for the Farnsworth House Museum in Plano, IL	750,000
Native American Cultural Center and Museum, Oklahoma City, OK	2,100,000
New York Botanical Garden, Bronx, NY, for the Virtual Herbarium Project	500,000
New York Hall of Science to develop, expand, and display science-related materials	1,000,000
North Carolina Museum of Art Foundation, Inc., Raleigh, NC, for exhibits and education programs	90,000
Omaha Performing Arts Center in Nebraska for telecommunications systems	1,000,000
Pennsylvania Hunting & Fishing Museum, Warren, PA, to develop curriculum for conservation education	100,000
Pittsburgh Children's Museum, Pittsburgh, PA, to expand arts and after-school programs for at-risk children	200,000
Please Touch Museum, Philadelphia, PA, to develop educational programs focusing on hands-on learning experiences	950,000
Portland State University, Portland, OR, to enhance library collections and outreach in the area of Middle Eastern and Judaic Studies	320,000
Putnam County Library, Cookeville, TN, to improve exhibits and purchase technology upgrades	50,000
Reading Company Technical and Historical Society, Inc., Reading, PA, to expand interpretive activities	100,000
Rochester Museum & Science Center, Rochester, NY, for expansion of exhibitions	550,000
Rock and Roll Hall of Fame and Museum, Cleveland, OH, for music education programs	350,000
Saint Louis County Economic Council, Saint Louis, MO, for Jefferson Barracks	200,000
Sam Davis Memorial Association, Smyrna, TN, for interpretive exhibits and education programs for the Sam Davis Home	100,000
San Bernardino County, San Bernardino, CA, for the San Bernardino County Museum	350,000

Save the Speaker's House, Inc., Trappe, PA	300,000
Sci-Quest, The North Alabama Science Center, Huntsville, AL, for science and mathematics education programs	315,000
Serra Cooperative Library System, San Diego, CA	175,000
Simon Wiesenthal Center's Los Angeles Museum for Tolerance, Los Angeles, CA, for the Tools for Tolerance for Educators program to provide teacher training in diversity, tolerance and cooperation.	100,000
Smithtown Library, Smithtown, NY, for equipment and technology for its Virtual Worldwide Neighborhood Website Project	50,000
Soldiers and Sailors National Military Museum and Memorial, Pittsburgh, PA, for education and outreach programs	75,000
Southwest Missouri State University, Springfield, MO, for digitization of Archives and Rare-book Collections at the Meyer Library	125,000
Stark County Park District, Canton, OH, for exhibits	250,000
State Historical Society of Iowa in Des Moines, IA, for the development of exhibits for the World Food Prize	1,000,000
Taft Museum of Art, Cincinnati, OH	250,000
Tubman African American Museum, Macon, GA	600,000
University of Alaska Fairbanks for the continuation of the Alaska Digital Archives project.	250,000
University of Vermont of Burlington, VT, for a digitization project for the preservation of Vermont cultural heritage materials	250,000
Vietnam Archives Center at Texas Tech University, Lubbock, TX, for technology infrastructure	500,000
Virginia Living Museum, Newport News, VA, for science education	200,000
Waterloo Center for the Arts, Waterloo, IA, for the Youth Pavilion to provide educational programs and exhibit design and development	135,000
Western Reserve Historical Society, Cleveland, OH	400,000
William McKinley Presidential Library and Museum, Canton, OH	25,000
Williamsburg County Library, Kingstree, SC, for books, library materials and computers	50,000
Winchester Conservation Museum, Edgefield, SC	250,000
Wisconsin Historical Society, Madison, WI, to catalog and microfilm military base papers	50,000
Witte Museum, San Antonio, TX, for the Water Works project	100,000
Woodmere Art Museum, Philadelphia, PA, for technology upgrades and education and outreach programs	75,000
Woodrow Wilson Presidential Library, Staunton, VA	500,000
World War II Victory Memorial Museum, Auburn, IN	100,000
Zimmer Children's Museum, Los Angeles, CA, to develop and expand the youTHink education program	75,000

MEDICARE PAYMENT ADVISORY COMMISSION

The conference agreement provides $9,979,000 for the Medicare Payment Advisory Commission instead of $9,905,000 as proposed by the House and the Senate.

NATIONAL COMMISSION ON LIBRARIES AND INFORMATION SCIENCE

The conference agreement provides $1,001,000 for the National Commission on Libraries and Information Science instead of $1,000,000 as proposed by the House and $994,000 as proposed by the Senate.

NATIONAL COUNCIL ON DISABILITY

The conference agreement provides $3,371,000 for the National Council on Disability instead of $2,873,000 as proposed by the House and $3,371,000 as proposed by the Senate.

NATIONAL LABOR RELATIONS BOARD

The conference agreement provides $251,875,000 for the National Labor Relations Board instead of $248,875,000 as proposed by the House and $250,000,000 as proposed by the Senate.

The conferees have included additional funds over the budget request to reduce the backlog.

The conferees concur with language in the Senate report regarding the NLRB's plan to restructure its regional offices and specifically oppose the elimination of Region 30 and the subsequent downgrading of the Region 30 Office to sub-regional status.

NATIONAL MEDIATION BOARD

The conference agreement provides $11,722,000 for the National Mediation Board instead of $11,635,000 as proposed by the House and the Senate.

The conferees are concerned regarding the National Mediation Board's (NMB) proposal to implement new fees for arbitration services in a Notice of Proposed Rulemaking published in the Federal Register on August 9, 2004. Prior to implementing these new fees, the conferees strongly urge the NMB to hold additional public hearings to examine any potential negative impact of the proposed fees. The conferees request that the National Mediation Board be prepared to discuss this matter during consideration of its fiscal year 2006 budget.

OCCUPATIONAL SAFETY AND HEALTH REVIEW COMMISSION

The conference agreement provides $10,595,000 for the Occupational Safety and Health Review Commission instead of $10,516,000 as proposed by the House and the Senate.

RAILROAD RETIREMENT BOARD

LIMITATION ON ADMINISTRATION

The conference agreement provides $103,370,000 for the Railroad Retirement Board Limitation on Administration Expenses instead of $102,202,000 as proposed by the House and $102,600,000 as proposed by Senate.

RAILROAD RETIREMENT BOARD

OFFICE OF INSPECTOR GENERAL

The conference agreement includes a limitation on transfers from the railroad trust funds of $7,254,000 for administrative expenses of the Office of Inspector General instead of $6,561,000 as proposed by the House and $7,200,000 as proposed by the Senate.

The conference agreement does not include language proposed by the Senate that allows the Office of the Inspector General to conduct audits, investigations, and reviews of the Medicare programs.

SOCIAL SECURITY ADMINISTRATION

SUPPLEMENTAL SECURITY INCOME PROGRAM

The conference agreement includes $28,710,829,000 for the Supplemental Security Income Program instead of $28,702,829,000 as proposed by the House and $25,451,949,000 as proposed by the Senate. The conference agreement also includes an advance appropriation of $10,930,000,000, as proposed by the House, for the first quarter of fiscal year 2006, to ensure uninterrupted benefit payments. The Senate proposed an advance appropriation of $14,130,000,000. Also within the total, $2,986,900,000 is included for the administrative costs of the program as proposed by the House. The Senate included $2,928,020,000 for administrative costs.

Within the funds provided, the conference agreement includes $8,000,000, as proposed by the Senate, for outreach efforts and assistance to homeless persons and other underserved populations. The House bill did not contain this funding.

The conference agreement does not include a provision proposed by the Senate that changes the date of an SSI benefit payment from fiscal year 2005 to 2006. The House did not include this provision.

LIMITATION ON ADMINISTRATIVE EXPENSES

The conference agreement includes $8,798,296,000 for the limitation on administrative expenses rather than $8,798,100,000 as proposed by the House and $8,622,818,000 as proposed by the Senate. Included in the conference agreement is bill language to allow SSA to collect fees as authorized by the Social Security Protection Act for certification of non-attorney representatives of claimants.

OFFICE OF INSPECTOR GENERAL

(INCLUDING TRANSFER OF FUNDS)

The conference agreement includes $91,107,000 for the office of inspector general as proposed by the House rather than $92,000,000 as proposed by the Senate.

UNITED STATES INSTITUTE OF PEACE

The conference agreement does not include funding for the United States Institute of Peace in this title. The Senate bill proposed $22,099,000 for this program while the House included funding for this program in the Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations bill. Funding for this program is provided in Division B.

TITLE V—GENERAL PROVISIONS

MADE IN AMERICA

The conference agreement deletes without prejudice a general provision as proposed by the Senate pertaining to the purchase of American-made products and equipment with funds made available in this Act. The House bill did not propose a similar provision.

WELDON AMENDMENT

The conference agreement includes language as proposed by the House in section 509 of H.R. 5006. The Senate bill contained no similar provision.

LIMITATION ON LIBRARIES

The conference agreement includes a limitation on the ability of a library to access library funding provided under this Act unless the library is in compliance with the Children's Internet Protections Act, as proposed by the House. The Senate bill contained no similar provision.

LIMITATION ON SCHOOLS

The conference agreement includes a limitation on the ability of an elementary or secondary school to access technology funding provided under this Act unless the school is in compliance with the Children's Internet Protections Act, as proposed by the House. The Senate bill contained no similar provision.

RRB LIMITATION

The conference agreement concurs with House language limiting the availability of funds to the Railroad Retirement Board to enter into an arrangement with a nongovernmental financial institution to serve as disbursing agent for benefits payable under the Railroad Retirement Act of 1974. The Senate bill proposed similar language.

LIMITATIONS ON THE USE OF FUNDS

The conference agreement modifies a general provision as proposed by the House pertaining to the reprogramming of funds. As per the requirement of this section, the conferees reiterate the instruction that the Departments and agencies funded through this Division make a written request to the House and Senate Committees on Appropriations at least 15 days prior to the reprogramming of funds in excess of $500,000, or 10%, whichever is less.

PBGC LIMITATION

The conference agreement deletes without prejudice a general provision proposed by the House that none of the funds appropriated by this Act may be used by the Pension Benefit Guaranty Corporation to enforce section 4010(c) of the Employee Retirement Income Security Act. The Senate bill did not propose similar language.

FOREIGN CONFERENCES

The conference agreement does not include a general provision as proposed by the House pertaining to the attendance of HHS employees at foreign conferences. The Senate bill did not contain a similar provision. The conferees are pleased that in the current constrained fiscal environment, the Secretary of HHS has taken steps to monitor and limit travel by HHS agency employees to international conferences. The Secretary should, however, ensure

that all necessary U.S. scientists are permitted to attend important international scientific meetings to present their research findings and to learn about research being conducted in other countries.

NIMH GRANTS

The conference agreement does not include a general provision as proposed by the House regarding NIMH grants. The Senate bill did not contain a similar provision. The conferees reiterate their support of the two-tiered peer review process used by NIH to judge research grant applications and continue to expect NIH to ensure that its funds are allocated to research that is both scientifically meritorious and has high potential public health impact.

OVERTIME REGULATIONS

The conference agreement deletes without prejudice language proposed by the House and Senate stating that none of the funds provided may be used to implement or administer any changes to regulations regarding overtime compensation in effect on July 14, 2004.

HIGHER EDUCATION SPECIAL ALLOWANCE FOR 9.5% LOANS

The conference agreement does not include a provision that prohibits the use of funds for the Secretary to administer or pay any special allowance under sections of the Higher Education Act of 1965 pursuant to provisions of the regulations of the Department of Education. The Senate bill contains no similar provision.

IMMIGRATION LIMITATION

The conference agreement does not include a provision that prohibits the use of funds by the Department of Education in contravention of sections of the Illegal Immigration Reform and Responsibility Act of 1996. The Senate bill contains no similar provision.

NATIVE HAWAIIAN GOVERNING ENTITY RECOGNITION

The conference agreement does not include a provision, proposed by the Senate, recognizing the Native Hawaiian governing entity as the representative governing body of the Native Hawaiian people. The House did not propose a similar provision.

NORTHERN LIGHTS BOULEVARD PROPERTY

The conference agreement includes a provision conveying the property at 1818 W. Northern Lights Boulevard in Anchorage, Alaska from the U.S. Government to the Southcentral Foundation for a replacement Head Start facility. The House bill contains no similar provision.

ACROSS-THE-BOARD SALARIES AND EXPENSES REDUCTION

The conference agreement includes a new provision to reduce salaries and expenses of the Departments of Labor, Health and Human Services, and Education by $18,000,000.

CONFERENCE AGREEMENT

The following table displays the amounts agreed to for each program, project or activity with appropriate comparisons:

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2004 Comparable	FY 2005 Request	House	Senate	Conference	Conference vs. FY 2004 Comparable	Conference vs. FY 2005 House	Conference vs. FY 2005 Senate		
TITLE I - DEPARTMENT OF LABOR										
EMPLOYMENT AND TRAINING ADMINISTRATION										
TRAINING AND EMPLOYMENT SERVICES										
Grants to States:										
Adult Training, current year	186,891	188,000	188,000	186,107	186,107	-784	-1,893	---	D	FF
Advance from prior year	(707,799)	(712,000)	(712,000)	(712,000)	(712,000)	(+4,201)	---	---	NA	
FY 2006	712,000	712,000	712,000	712,000	712,000	---	---	---	D	
Adult Training	898,891	900,000	900,000	898,107	898,107	-784	-1,893	---		
Youth Training	995,059	1,000,965	1,000,965	994,242	994,242	-817	-6,723	---	D	FF
Dislocated Worker Assistance, current year	330,192	251,669	330,192	348,048	348,048	+17,856	+17,856	---	D	FF
Advance from prior year	(842,997)	(848,000)	(848,000)	(848,000)	(848,000)	(+5,003)	---	---	NA	
FY 2006	848,000	848,000	848,000	848,000	848,000	---	---	---	D	
Dislocated Worker Assistance	1,178,192	1,099,669	1,178,192	1,196,048	1,196,048	+17,856	+17,856	---		
Federally Administered Programs:										
Dislocated Worker Assistance National Reserve:										
Current year	64,227	71,371	89,227	71,371	71,371	+7,144	-17,856	---	D	FF
Advance from prior year	(210,749)	(212,000)	(212,000)	(212,000)	(212,000)	(+1,251)	---	---	NA	
FY 2006	212,000	212,000	212,000	212,000	212,000	---	---	---	D	
Dislocated Worker Assistance Nat'l Reserve	276,227	283,371	301,227	283,371	283,371	+7,144	-17,856	---		
Total, Dislocated Worker Assistance	1,454,419	1,383,040	1,479,419	1,479,419	1,479,419	+25,000	---	---		

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2004 Comparable	FY 2005 Request	House	Senate	Conference	Conference vs. FY 2004 Comparable	Conference vs. FY 2005 House	Conference vs. FY 2005 Senate		
Native Americans	54,675	55,000	54,675	55,000	54,675	---	---	-325	D	FF
Migrant and Seasonal Farmworkers	76,370	---	76,370	76,370	76,370	---	---	---	D	FF
Job Corps:										
Operations	820,114	859,966	845,000	859,966	852,483	+32,369	+7,483	-7,483	D	FF
Advance from prior year	(587,513)	(591,000)	(591,000)	(591,000)	(591,000)	(+3,487)	---	---	NA	
FY 2006	591,000	591,000	591,000	591,000	591,000	---	---	---	D	
Construction and Renovation	30,038	6,321	6,321	26,321	16,321	-13,717	+10,000	-10,000	D	FF
Advance from prior year	(99,410)	(100,000)	(100,000)	(100,000)	(100,000)	(+590)	---	---	NA	
FY 2006	100,000	100,000	100,000	100,000	100,000	---	---	---	D	
Subtotal, Job Corps, program level	1,541,152	1,557,287	1,542,321	1,577,287	1,559,804	+18,652	+17,483	-17,483		
National Activities:										
Pilots, Demonstrations and Research	57,751	30,000	48,474	62,751	85,854	+28,103	+37,380	+23,103	D	FF
Responsible Reintegration of Youthful Offender	49,705	50,000	---	50,000	50,000	+295	+50,000	---	D	FF
Evaluation	8,986	8,000	8,000	8,000	8,000	-986	---	---	D	FF
Prisoner Re-entry	---	40,000	---	40,000	20,000	+20,000	+20,000	-20,000	D	
Community College initiative	---	250,000	---	125,000	125,000	+125,000	+125,000	---	D	
Community College initiative (NA) 1/	---	---	---	(125,000)	(125,000)	(+125,000)	(+125,000)	---	NA	
Subtotal, CC initiative, program level	---	250,000	---	250,000	250,000	+250,000	+250,000	---		

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2004 Comparable	FY 2005 Request	House	Senate	Conference	Conference vs. FY 2004 Comparable	Conference vs. FY 2005 House	Conference vs. FY 2005 Senate		
Personal reemployment accounts	---	50,000	---	---	---	---	---	---	D	
Denali Commission	4,970	---	---	8,000	7,000	+2,030	+7,000	-1,000	D	
Other	3,486	2,000	2,504	3,486	3,486	---	+982	---	D	FF
Subtotal, National activities	124,898	430,000	58,978	297,237	299,340	+174,442	+240,362	+2,103		
Subtotal, Federal activities	2,073,322	2,325,658	2,033,571	2,289,265	2,273,560	+200,238	+239,989	-15,705		
Current Year	1,170,322	1,422,658	1,130,571	1,386,265	1,370,560	+200,238	+239,989	-15,705		
FY 2006	903,000	903,000	903,000	903,000	903,000	---	---	---		
Total, Training and Employment Services	5,145,464	5,326,292	5,112,728	5,377,662	5,361,957	+216,493	+249,229	-15,705		
Current Year	(2,682,464)	(2,863,292)	(2,649,728)	(2,914,662)	(2,898,957)	(+216,493)	(+249,229)	(-15,705)		
FY 2006	(2,463,000)	(2,463,000)	(2,463,000)	(2,463,000)	(2,463,000)	---	---	---		
COMMUNITY SERVICE EMPLOYMENT FOR OLDER AMERICANS	438,650	440,200	440,200	440,200	440,200	+1,550	---	---	D	FF
FEDERAL UNEMPLOYMENT BENEFITS AND ALLOWANCES	1,338,200	1,057,300	1,057,300	1,057,300	1,057,300	-280,900	---	---	M	

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2004 Comparable	FY 2005 Request	House	Senate	Conference	Conference vs. FY 2004 Comparable	Conference vs. FY 2005 House	Conference vs. FY 2005 Senate		
STATE UNEMPLOYMENT INSURANCE AND EMPLOYMENT SERVICE OPERATIONS										
Unemployment Compensation:										
State Operations	2,608,653	2,700,714	2,690,714	2,654,714	2,684,714	+76,061	-6,000	+30,000	TF	
National Activities	9,876	10,500	10,500	10,500	10,500	+624	---	---	TF	
Subtotal, Unemployment Compensation	2,618,529	2,711,214	2,701,214	2,665,214	2,695,214	+76,685	-6,000	+30,000		
Employment Service:										
Allotments to States:										
Federal Funds	23,163	23,300	23,300	23,163	23,300	+137	---	+137	D	
Trust Funds	763,724	672,700	672,700	763,724	763,587	-137	+90,887	-137	TF	
Subtotal, allotments to States	786,887	696,000	696,000	786,887	786,887	---	+90,887	---		
ES National Activities	58,971	67,000	67,000	65,500	65,500	+6,529	-1,500	---	TF	
Subtotal, Employment Service	845,858	763,000	763,000	852,387	852,387	+6,529	+89,387	---		
Federal Funds	23,163	23,300	23,300	23,163	23,300	+137	---	+137		
Trust Funds	822,695	739,700	739,700	829,224	829,087	+6,392	+89,387	-137		
One-Stop Career Centers/Labor Market Information	98,764	99,350	98,764	98,764	98,764	---	---	---	D	
Work Incentives Grants	19,753	19,870	19,870	19,870	19,870	+117	---	---	D	FF
Total, State Unemployment & Employment Srvcs	3,582,904	3,593,434	3,582,848	3,636,235	3,666,235	+83,331	+83,387	+30,000		
Federal Funds	141,680	142,520	141,934	141,797	141,934	+254	---	+137		
Trust Funds	3,441,224	3,450,914	3,440,914	3,494,438	3,524,301	+83,077	+83,387	+29,863		
ADVANCES TO THE UI AND OTHER TRUST FUNDS 2/	467,000	517,000	517,000	517,000	517,000	+50,000	---	---	M	

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2004 Comparable	FY 2005 Request	House	Senate	Conference	Conference vs. FY 2004 Comparable	Conference vs. FY 2005 House	Conference vs. FY 2005 Senate	
PROGRAM ADMINISTRATION									
Adult Employment and Training	38,382	39,380	38,382	39,187	39,187	+805	+805	---	D
Trust Funds	6,814	6,980	6,814	6,957	6,957	+143	+143	---	TF
Youth Employment and Training	39,009	40,133	39,009	39,947	39,947	+938	+938	---	D
Employment Security	5,948	6,146	5,948	6,094	6,094	+146	+146	---	D
Trust Funds	53,624	55,722	48,624	51,000	48,624	-5,000	---	-2,376	TF
Apprenticeship Services	20,760	21,405	20,760	21,306	21,306	+546	+546	---	D
Executive Direction	8,400	8,718	6,900	8,568	6,900	-1,500	---	-1,668	D
Trust Funds	2,041	2,158	2,041	2,082	2,082	+41	+41	---	TF
Welfare to Work	2,371	376	376	2,474	376	-1,995	---	-2,098	D
Total, Program Administration	177,349	181,018	168,854	177,615	171,473	-5,876	+2,619	-6,142	
Federal Funds	114,870	116,158	111,375	117,576	113,810	-1,060	+2,435	-3,766	
Trust Funds	62,479	64,860	57,479	60,039	57,663	-4,816	+184	-2,376	
Total, Employment and Training Administration	11,149,567	11,115,244	10,878,930	11,206,012	11,214,165	+64,598	+335,235	+8,153	
Federal Funds	7,645,864	7,599,470	7,380,537	7,651,535	7,632,201	-13,663	+251,664	-19,334	
Current Year	(5,182,864)	(5,136,470)	(4,917,537)	(5,188,535)	(5,169,201)	(-13,663)	(+251,664)	(-19,334)	
FY 2006	(2,463,000)	(2,463,000)	(2,463,000)	(2,463,000)	(2,463,000)	---	---	---	
Trust Funds	3,503,703	3,515,774	3,498,393	3,554,477	3,581,964	+78,261	+83,571	+27,487	

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2004 Comparable	FY 2005 Request	House	Senate	Conference	Conference vs. FY 2004 Comparable	Conference vs. FY 2005 House	Conference vs. FY 2005 Senate	
EMPLOYEE BENEFITS SECURITY ADMINISTRATION									
Enforcement and Participant Assistance	102,730	110,330	110,330	110,330	110,330	+7,600	---	---	D
Policy and Compliance Assistance	16,907	17,497	17,497	17,497	17,497	+590	---	---	D
Executive Leadership, Program Oversight and Admin	4,403	4,518	4,518	4,518	4,518	+115	---	---	D
Total, EBSA	124,040	132,345	132,345	132,345	132,345	+8,305	---	---	
PENSION BENEFIT GUARANTY CORPORATION									
Pension insurance activities	---	(12,211)	(12,211)	(12,211)	(12,211)	(+12,211)	---	---	NA
Pension plan termination	---	(169,739)	(169,739)	(169,739)	(169,739)	(+169,739)	---	---	NA
Operational support	---	(84,380)	(84,380)	(84,380)	(84,380)	(+84,380)	---	---	NA
Program Adm. subject to limitation (TF)	20,553	---	---	---	---	-20,553	---	---	TF
Termination services not subject to limitation (NA)	(212,219)	---	---	---	---	(-212,219)	---	---	NA
Total, PBGC	20,553	---	---	---	---	-20,553	---	---	
Total, PBGC (Program level)	(232,772)	(266,330)	(266,330)	(266,330)	(266,330)	(+33,558)	---	---	
EMPLOYMENT STANDARDS ADMINISTRATION									
SALARIES AND EXPENSES									
Enforcement of Wage and Hour Standards	160,096	165,933	165,933	165,933	165,933	+5,837	---	---	D
Office of Labor-Management Standards	38,580	43,545	43,545	40,646	42,096	+3,516	-1,449	+1,450	D
Federal Contractor EEO Standards Enforcement	79,442	82,078	79,442	82,078	80,760	+1,318	+1,318	-1,318	D

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2004 Comparable	FY 2005 Request	House	Senate	Conference	Conference vs. FY 2004 Comparable	Conference vs. FY 2005 House	Conference vs. FY 2005 Senate	
Federal Programs for Workers' Compensation	96,754	99,528	96,754	99,528	98,141	+1,387	+1,387	-1,387	D
Trust Funds	2,021	2,058	2,021	2,058	2,040	+19	+19	-18	TF
Program Direction and Support	15,123	16,152	15,123	15,627	15,375	+252	+252	-252	D
Total, ESA salaries and expenses	392,016	409,294	402,818	405,870	404,345	+12,329	+1,527	-1,525	
Federal Funds	389,995	407,236	400,797	403,812	402,305	+12,310	+1,508	-1,507	
Trust Funds	2,021	2,058	2,021	2,058	2,040	+19	+19	-18	
SPECIAL BENEFITS									
Federal employees compensation benefits	160,000	230,000	230,000	230,000	230,000	+70,000	---	---	M
Longshore and harbor workers' benefits	3,000	3,000	3,000	3,000	3,000	---	---	---	M
Total, Special Benefits	163,000	233,000	233,000	233,000	233,000	+70,000	---	---	
SPECIAL BENEFITS FOR DISABLED COAL MINERS									
Benefit payments	390,848	358,806	358,806	358,806	358,806	-32,042	---	---	M
Administration	6,143	5,194	5,194	5,194	5,194	-949	---	---	M
Subtotal, Black Lung, FY 2005 program level	396,991	364,000	364,000	364,000	364,000	-32,991	---	---	
Less funds advanced in prior year	-97,000	-88,000	-88,000	-88,000	-88,000	+9,000	---	---	M
Total, Black Lung, current request, FY 2005	299,991	276,000	276,000	276,000	276,000	-23,991	---	---	
New advances, 1st quarter FY 2006	88,000	81,000	81,000	81,000	81,000	-7,000	---	---	M
Total, Special Benefits for Disabled Coal Miners	387,991	357,000	357,000	357,000	357,000	-30,991	---	---	

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2004 Comparable	FY 2005 Request	House	Senate	Conference	Conference vs. FY 2004 Comparable	Conference vs. FY 2005 House	Conference vs. FY 2005 Senate	
ENERGY EMPLOYEES OCCUPATIONAL ILLNESS COMPENSATION FUND									
Program Benefits	(221,000)	(221,000)	(221,000)	(221,000)	(221,000)	---	---	---	NA
Administrative Expenses	51,651	40,821	40,821	40,821	40,821	-10,830	---	---	M
Total, Energy Emp Occupational Illness Comp Fund	51,651	40,821	40,821	40,821	40,821	-10,830	---	---	
BLACK LUNG DISABILITY TRUST FUND									
Benefit payments and interest on advances	998,901	1,001,951	1,001,951	1,001,951	1,001,951	+3,050	---	---	M
Employment Standards Adm. S&E	32,004	32,646	32,646	32,646	32,646	+642	---	---	M
Departmental Management S&E	23,401	23,705	23,705	23,705	23,705	+304	---	---	M
Departmental Management, Inspector General	338	342	342	342	342	+4	---	---	M
Subtotal, Black Lung Disability	1,054,644	1,058,644	1,058,644	1,058,644	1,058,644	+4,000	---	---	
Treasury Administrative Costs	356	356	356	356	356	---	---	---	M
Total, Black Lung Disability Trust Fund	1,055,000	1,059,000	1,059,000	1,059,000	1,059,000	+4,000	---	---	
Total, Employment Standards Administration	2,049,658	2,099,115	2,092,639	2,095,691	2,094,166	+44,508	+1,527	-1,525	
Federal Funds	2,047,637	2,097,057	2,090,618	2,093,633	2,092,126	+44,489	+1,508	-1,507	
Current year	(1,959,637)	(2,016,057)	(2,009,618)	(2,012,633)	(2,011,126)	(+51,489)	(+1,508)	(-1,507)	
FY 2006	(88,000)	(81,000)	(81,000)	(81,000)	(81,000)	(-7,000)	---	---	
Trust Funds	2,021	2,058	2,021	2,058	2,040	+19	+19	-18	

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2004 Comparable	FY 2005 Request	House	Senate	Conference	Conference vs. FY 2004 Comparable	Conference vs. FY 2005 House	Conference vs. FY 2005 Senate	
OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION									
SALARIES AND EXPENSES									
Safety and Health Standards	15,920	16,132	16,132	16,668	16,132	+212	---	-536	D
Federal Enforcement	166,015	171,020	171,020	171,020	171,020	+5,005	---	---	D
State Programs	91,959	91,747	91,747	91,747	91,747	-212	---	---	D
Technical Support	21,593	20,909	20,909	20,909	20,909	-684	---	---	D
Compliance Assistance:									
Federal Assistance	67,049	71,430	71,430	71,430	71,430	+4,381	---	---	D
State Consultation Grants	52,211	53,792	53,792	53,792	53,792	+1,581	---	---	D
Training Grants	10,510	4,000	4,000	10,510	10,510	---	+6,510	---	D
Subtotal, Compliance Assistance	129,770	129,222	129,222	135,732	135,732	+5,962	+6,510	---	D
Safety and Health Statistics	22,237	22,382	22,382	22,382	22,382	+145	---	---	D
Executive Direction and Administration	10,047	10,187	10,187	10,187	10,187	+140	---	---	D
Total, OSHA	457,541	461,599	461,599	468,645	468,109	+10,568	+6,510	-536	

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2004 Comparable	FY 2005 Request	House	Senate	Conference	Conference vs. FY 2004 Comparable	Conference vs. FY 2005 House	Conference vs. FY 2005 Senate	
MINE SAFETY AND HEALTH ADMINISTRATION									
SALARIES AND EXPENSES									
Coal Enforcement	115,339	114,889	114,889	117,769	116,329	+990	+1,440	-1,440	D
Metal/Non-Metal Enforcement	65,985	66,782	66,782	67,798	67,290	+1,305	+508	-508	D
Standards Development	2,326	2,333	2,333	2,372	2,353	+27	+20	-19	D
Assessments	4,170	5,280	5,280	5,280	5,280	+1,110	---	---	D
Educational Policy and Development	30,356	31,507	31,507	31,507	31,507	+1,151	---	---	D
Technical Support	24,545	25,064	25,064	25,564	25,314	+769	+250	-250	D
Program evaluation and information resources (PEIR)	13,963	17,666	17,666	17,666	17,666	+3,703	---	---	D
Program Administration	12,173	12,046	12,046	12,046	15,796	+3,623	+3,750	+3,750	D
Total, Mine Safety and Health Administration	268,857	275,567	275,567	280,002	281,535	+12,678	+5,968	+1,533	

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2004 Comparable	FY 2005 Request	House	Senate	Conference	Conference vs. FY 2004 Comparable	Conference vs. FY 2005 House	Conference vs. FY 2005 Senate	
BUREAU OF LABOR STATISTICS									
SALARIES AND EXPENSES									
Employment and Unemployment Statistics.....	160,431	164,026	164,026	164,026	164,026	+3,595	---	---	D
Labor Market Information (Trust Funds).....	74,667	78,473	78,473	78,473	78,473	+3,806	---	---	TF
Prices and Cost of Living.....	166,344	170,736	170,736	170,736	170,736	+4,392	---	---	D
Compensation and Working Conditions.....	77,614	79,827	79,827	79,827	79,827	+2,213	---	---	D
Productivity and Technology.....	10,294	10,588	10,588	10,588	10,588	+294	---	---	D
Executive Direction and Staff Services.....	29,146	29,868	29,868	29,868	29,868	+722	---	---	D
Total, Bureau of Labor Statistics.....	518,496	533,518	533,518	533,518	533,518	+15,022	---	---	
Federal Funds.....	443,829	455,045	455,045	455,045	455,045	+11,216	---	---	
Trust Funds.....	74,667	78,473	78,473	78,473	78,473	+3,806	---	---	
OFFICE OF DISABILITY EMPLOYMENT POLICY									D
Ofce of Disability Employ. Policy, salaries & expenses	47,024	47,555	47,555	47,555	47,555	+531	---	---	D

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2004 Comparable	FY 2005 Request	House	Senate	Conference	Conference vs. FY 2004 Comparable	Conference vs. FY 2005 House	Conference vs. FY 2005 Senate	
DEPARTMENTAL MANAGEMENT									
SALARIES AND EXPENSES									
Executive Direction	27,084	33,206	27,084	27,084	27,084	---	---	---	D
Departmental IT Crosscut	48,219	33,565	30,000	33,565	30,000	-18,219	---	-3,565	D
Departmental Management Crosscut	4,965	10,100	5,000	4,965	5,000	+35	---	+35	D
Legal Services	80,412	84,007	80,412	84,007	80,412	---	---	-3,595	D
Trust Funds	314	322	314	322	314	---	---	-8	TF
International Labor Affairs	109,862	30,545	35,545	110,500	94,000	-15,862	+58,455	-16,500	D
Administration and Management	33,153	32,675	32,675	33,859	32,675	-478	---	-1,184	D
Frances Perkins building security enhancements	---	15,000	7,000	15,000	7,000	+7,000	---	-8,000	D
Adjudication	25,872	26,683	25,872	26,683	25,872	---	---	-811	D
Women's Bureau	9,201	9,554	9,554	9,554	9,554	+353	---	---	D
Civil Rights Activities	6,114	6,287	6,287	6,287	6,287	+173	---	---	D
Chief Financial Officer	5,123	5,224	5,224	5,224	5,224	+101	---	---	D
Total, Salaries and expenses	350,319	287,168	264,967	357,050	323,422	-26,897	+58,455	-33,628	
Federal Funds	350,005	286,846	264,653	356,728	323,108	-26,897	+58,455	-33,620	
Trust Funds	314	322	314	322	314	---	---	-8	

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2004 Comparable	FY 2005 Request	House	Senate	Conference	Conference vs. FY 2004 Comparable	Conference vs. FY 2005 House	Conference vs. FY 2005 Senate		
VETERANS EMPLOYMENT AND TRAINING										
State administration, Grants	161,408	162,415	162,415	162,415	162,415	+1,007	---	---	TF	
Federal Administration	28,857	29,683	34,683	29,683	30,683	+1,826	-4,000	+1,000	TF	
National Veterans Training Institute	1,988	2,000	2,000	2,000	2,000	+12	---	---	TF	
Homeless Veterans Program	18,888	19,000	19,000	24,000	21,000	+2,112	+2,000	-3,000	D	
Veterans Workforce Investment Programs	7,505	7,550	7,550	8,683	8,550	+1,045	+1,000	-133	D	FF
Total, Veterans Employment and Training	218,646	220,648	225,648	226,781	224,648	+6,002	-1,000	-2,133		
Federal Funds	26,393	26,550	26,550	32,683	29,550	+3,157	+3,000	-3,133		
Trust Funds	192,253	194,098	199,098	194,098	195,098	+2,845	-4,000	+1,000		
OFFICE OF THE INSPECTOR GENERAL										
Program Activities	59,643	64,029	64,029	64,029	64,029	+4,386	---	---	D	
Trust Funds	5,696	5,561	5,561	5,561	5,561	-135	---	---	TF	
Total, Office of the Inspector General	65,339	69,590	69,590	69,590	69,590	+4,251	---	---		
Federal funds	59,643	64,029	64,029	64,029	64,029	+4,386	---	---		
Trust funds	5,696	5,561	5,561	5,561	5,561	-135	---	---		
Total, Departmental Management	634,304	577,406	560,205	653,421	617,660	-16,644	+57,455	-35,761		
Federal Funds	436,041	377,425	355,232	453,440	416,687	-19,354	+61,455	-36,753		
Trust Funds	198,263	199,981	204,973	199,981	200,973	+2,710	-4,000	+992		

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2004 Comparable	FY 2005 Request	House	Senate	Conference	Conference vs. FY 2004 Comparable	Conference vs. FY 2005 House	Conference vs. FY 2005 Senate
WORKING CAPITAL FUND								
Working capital fund	13,768	25,000	10,000	15,000	10,000	-3,768	---	-5,000
Total, Title I, Department of Labor	15,283,808	15,267,349	14,992,358	15,432,189	15,399,053	+115,245	+406,695	-33,136
Federal Funds	11,484,601	11,471,063	11,208,498	11,597,200	11,535,603	+51,002	+327,105	-61,597
Current Year	(8,933,601)	(8,927,063)	(8,664,498)	(9,053,200)	(8,991,603)	(+58,002)	(+327,105)	(-61,597)
FY 2006	(2,551,000)	(2,544,000)	(2,544,000)	(2,544,000)	(2,544,000)	(-7,000)	---	---
Trust Funds	3,799,207	3,796,286	3,783,860	3,834,989	3,863,450	+64,243	+79,590	+28,461

Title I Footnotes:
1/ Funding from the Dislocated Worker National Reserve
2/ Two year availability.

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2004 Comparable	FY 2005 Request	House	Senate	Conference	Conference vs. FY 2004 Comparable	Conference vs. FY 2005 House	Conference vs. FY 2005 Senate	
TITLE II - DEPARTMENT OF HEALTH AND HUMAN SERVICES									
HEALTH RESOURCES AND SERVICES ADMINISTRATION									
HEALTH RESOURCES AND SERVICES									
BUREAU OF PRIMARY HEALTH CARE									
Community health centers	1,617,381	1,835,925	1,835,925	1,867,381	1,748,381	+131,000	-87,544	-119,000	D
Free Clinics Medical Malpractice	4,821	4,821	---	4,821	100	-4,721	+100	-4,721	D
Radiation Exposure Compensation Act	1,974	1,974	1,974	1,974	1,974	---	---	---	D
Community Access Program	83,674	9,998	---	88,674	83,674	---	+83,674	-5,000	D
Hansen's Disease Services	17,413	17,413	17,413	17,413	17,413	---	---	---	D
Buildings and Facilities	249	249	249	249	249	---	---	---	D
Payment to Hawaii, treatment of Hansen's	2,033	2,033	2,033	2,033	2,033	---	---	---	D
Black lung clinics	5,963	5,963	5,963	6,000	6,000	+37	+37	---	D
Subtotal, Bureau of Primary Health Care	1,733,508	1,878,376	1,863,557	1,988,545	1,859,824	+126,316	-3,733	-128,721	
BUREAU OF HEALTH PROFESSIONS									
National Health Service Corps:									
Field placements	45,506	45,735	45,506	45,735	45,506	---	---	-229	D
Recruitment	124,397	159,132	124,397	127,397	87,078	-37,319	-37,319	-40,319	D
Subtotal, National Health Service Corps	169,903	204,867	169,903	173,132	132,584	-37,319	-37,319	-40,548	

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2004 Comparable	FY 2005 Request	House	Senate	Conference	Conference vs. FY 2004 Comparable	Conference vs. FY 2005 House	Conference vs. FY 2005 Senate	
Health Professions									
Training for Diversity:									
Centers of excellence	33,882	---	33,882	33,882	33,882	---	---	---	D
Health careers opportunity program	35,935	---	35,935	35,935	35,935	---	---	---	D
Faculty loan repayment	1,313	---	1,313	1,313	1,313	---	---	---	D
Scholarships for disadvantaged students	47,510	9,897	47,510	47,510	47,510	---	---	---	D
Subtotal, Training for Diversity	118,640	9,897	118,640	118,640	118,640	---	---	---	
Training in Primary Care Medicine and Dentistry	81,742	---	63,857	90,742	89,542	+7,800	+25,685	-1,200	D
Interdisciplinary Community-Based Linkages:									
Area health education centers	29,206	---	29,206	29,206	29,206	---	---	---	D
Health education and training centers	3,851	---	3,851	3,851	3,851	---	---	---	D
Allied health and other disciplines	11,849	---	11,849	11,849	11,849	---	---	---	D
Geriatric programs	31,805	---	31,805	31,805	31,805	---	---	---	D
Quentin N. Burdick pgm for rural training	6,126	---	2,255	6,126	6,126	---	+3,871	---	D
Subtotal, Interdisciplinary Comm. Linkages	82,837	---	78,966	82,837	82,837	---	+3,871	---	
Health Professions Workforce Info & Analysis	722	999	---	999	722	---	+722	-277	D
Public Health Workforce Development:									
Public health, preventive med. & dental pgms	9,170	---	6,970	9,170	9,170	---	+2,200	---	D
Health administration programs	1,079	---	1,045	1,079	1,079	---	+34	---	D
Subtotal, Public Health Workforce Development	10,249	---	8,015	10,249	10,249	---	+2,234	---	

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2004 Comparable	FY 2005 Request	House	Senate	Conference	Conference vs. FY 2004 Comparable	Conference vs. FY 2005 House	Conference vs. FY 2005 Senate	
Nursing Programs:									
Advanced Education Nursing	58,636	43,637	53,634	58,636	58,636	---	+5,002	---	D
Nurse education, practice, and retention	31,768	41,765	36,765	41,765	36,765	+4,997	---	-5,000	D
Nursing workforce diversity	16,402	21,399	16,402	21,399	16,402	---	---	-4,997	D
Loan repayment and scholarship program	26,736	31,738	31,738	31,742	31,738	+5,002	---	-4	D
Comprehensive geriatric education	3,478	3,478	3,478	3,478	3,478	---	---	---	D
Nursing faculty loan program	4,870	4,870	4,870	4,870	4,870	---	---	---	D
Subtotal, Nursing programs	141,890	146,887	146,887	161,890	151,889	+9,999	+5,002	-10,001	
Subtotal, Health Professions	436,080	157,783	416,365	465,357	453,879	+17,799	+37,514	-11,478	
Children's Hospitals Graduate Medical Education	303,170	303,258	303,258	303,258	303,170	---	-88	-88	D
National Practitioner Data Bank	16,000	15,700	15,700	15,700	15,700	-300	---	---	D
User Fees	-16,000	-15,700	-15,700	-15,700	-15,700	+300	---	---	D
Health Care Integrity and Protection Data Bank	4,000	4,000	4,000	4,000	4,000	---	---	---	D
User Fees	-4,000	-4,000	-4,000	-4,000	-4,000	---	---	---	D
Subtotal, Bureau of Health Professions	909,153	665,908	889,526	941,747	889,633	-19,520	+107	-52,114	

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2004 Comparable	FY 2005 Request	House	Senate	Conference	Conference vs. FY 2004 Comparable	Conference vs. FY 2005 House	Conference vs. FY 2005 Senate	
MATERNAL AND CHILD HEALTH BUREAU									
Maternal and Child Health Block Grant	729,817	729,817	729,817	734,817	729,817	---	---	-5,000	D
Sickle cell service demonstrations	---	---	---	---	200	+200	+200	+200	
Traumatic Brain Injury	9,375	9,375	9,375	9,375	9,375	---	---	---	D
Healthy Start	97,751	97,751	97,751	105,000	103,376	+5,625	+5,625	-1,624	D
Universal Newborn Hearing	9,872	---	9,872	9,872	9,872	---	---	---	D
Emergency medical services for children	19,860	19,860	19,860	20,360	20,000	+140	+140	-360	D
Poison control	23,696	23,696	23,696	24,000	23,696	---	---	-304	D
Subtotal, Maternal and Child Health Bureau	890,371	880,499	890,371	903,424	896,336	+5,965	+5,965	-7,088	

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2004 Comparable	FY 2005 Request	House	Senate	Conference	Conference vs. FY 2004 Comparable	Conference vs. FY 2005 House	Conference vs. FY 2005 Senate	
HIV/AIDS BUREAU									
Ryan White AIDS Programs:									
Emergency Assistance	615,023	615,023	615,023	615,023	615,023	---	---	---	D
Comprehensive Care Programs	1,085,900	1,120,900	1,140,900	1,120,900	1,130,900	+45,000	-10,000	+10,000	D
AIDS Drug Assistance Program (ADAP) (NA)	(748,872)	(783,872)	(803,872)	(783,872)	(793,872)	(+45,000)	(-10,000)	(+10,000)	NA
Early Intervention Program	197,170	197,170	197,170	197,170	197,170	---	---	---	D
Pediatric HIV/AIDS	73,108	73,108	73,108	73,108	73,108	---	---	---	D
AIDS Dental Services	13,325	13,325	13,325	13,325	13,325	---	---	---	D
Education and Training Centers	35,335	35,335	35,335	35,335	35,335	---	---	---	D
Subtotal, Ryan White AIDS programs	2,019,861	2,054,861	2,074,861	2,054,861	2,064,861	+45,000	-10,000	+10,000	
Evaluation Tap Funding (NA)	(25,000)	(25,000)	(25,000)	(25,000)	(25,000)	---	---	---	
Subtotal, Ryan White AIDs program level	2,044,861	2,079,861	2,099,861	2,079,861	2,089,861	+45,000	-10,000	+10,000	
Emergency drug assistance	20,000	---	---	---	---	-20,000	---	---	
Telehealth	3,949	3,949	3,949	5,000	3,949	---	---	-1,051	D
Subtotal, HIV/AIDS Bureau	2,043,810	2,058,810	2,078,810	2,059,861	2,068,810	+25,000	-10,000	+8,949	

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2004 Comparable	FY 2005 Request	House	Senate	Conference	Conference vs. FY 2004 Comparable	Conference vs. FY 2005 House	Conference vs. FY 2005 Senate	
SPECIAL PROGRAMS BUREAU									
Organ Transplantation	24,632	24,632	24,632	24,632	24,632	---	---	---	D
Cord Blood Stem Cell Bank	9,941	9,941	---	9,941	9,941	---	+9,941	---	D
Bone Marrow Program	22,662	22,662	25,662	22,662	25,662	+3,000	---	+3,000	D
Trauma Care	3,449	---	3,449	4,000	3,449	---	---	-551	D
State Planning Grants for Health Care Access	14,810	---	14,810	8,000	11,000	-3,810	-3,810	+3,000	D
Subtotal, Special programs bureau	75,494	57,235	68,553	69,235	74,684	-810	+6,131	+5,449	
RURAL HEALTH PROGRAMS									
Rural outreach grants	39,601	11,098	30,124	39,601	39,601	---	+9,477	---	D
Rural Health Research	8,902	8,902	8,902	8,902	8,902	---	---	---	D
Rural Hospital Flexibility Grants	39,499	---	32,500	39,499	39,499	---	+6,999	---	D
Rural and community access to emergency devices	10,933	2,015	5,000	10,933	9,000	-1,933	+4,000	-1,933	D
Rural EMS	497	---	---	997	500	+3	+500	-497	D
State Offices of Rural Health	8,390	8,390	8,390	8,390	8,390	---	---	---	D
Denali Commission	34,793	22,000	---	41,794	40,000	+5,207	+40,000	-1,794	D
Subtotal, Rural health programs	142,615	52,405	84,916	150,116	145,892	+3,277	+60,976	-4,224	

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2004 Comparable	FY 2005 Request	House	Senate	Conference	Conference vs. FY 2004 Comparable	Conference vs. FY 2005 House	Conference vs. FY 2005 Senate	
Family Planning	278,283	278,283	278,283	308,283	288,283	+10,000	+10,000	-20,000	D
Health Care-related Facilities and activities	371,536	---	---	371,536	484,629	+113,093	+484,629	+113,093	D
Program Management	148,533	151,317	151,317	148,533	148,533	---	-2,784	---	D
Total, Health resources and services	6,593,303	6,022,833	6,305,333	6,941,280	6,856,624	+263,321	+551,291	-84,656	
Total, Health resources & services program level	(6,618,303)	(6,047,833)	(6,330,333)	(6,966,280)	(6,881,624)	(+263,321)	(+551,291)	(-84,656)	
Evaluation tap funding	(25,000)	(25,000)	(25,000)	(25,000)	(25,000)	---	---	---	
HEALTH EDUCATION ASSISTANCE LOANS (HEAL) PROGRAM:									
Liquidating account	(25,000)	(4,000)	(4,000)	(4,000)	(4,000)	(-21,000)	---	---	NA
Program management	3,353	3,270	3,270	3,270	3,270	-83	---	---	D
Total, HEAL	3,353	3,270	3,270	3,270	3,270	-83	---	---	
VACCINE INJURY COMPENSATION PROGRAM TRUST FUND:									
Post-FY 1988 claims	66,000	66,000	66,000	66,000	66,000	---	---	---	M
HRSA administration	3,190	3,176	3,176	3,176	3,176	-14	---	---	D
Total, Vaccine Injury Compensation Trust Fund	69,190	69,176	69,176	69,176	69,176	-14	---	---	
Total, Health Resources and Services Admin	6,665,846	6,095,279	6,377,779	7,013,726	6,929,070	+263,224	+551,291	-84,656	
Total, HRSA program level	(6,715,846)	(6,124,279)	(6,406,779)	(7,042,726)	(6,958,070)	(+242,224)	(+551,291)	(-84,656)	

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2004 Comparable	FY 2005 Request	House	Senate	Conference	Conference vs. FY 2004 Comparable	Conference vs. FY 2005 House	Conference vs. FY 2005 Senate	
CENTERS FOR DISEASE CONTROL AND PREVENTION									
Infectious Diseases	1,641,600	1,643,599	1,660,599	1,675,800	1,666,455	+24,855	+5,856	-9,345	D
Evaluation Tap Funding	(12,794)	(12,794)	(12,794)	(12,794)	(12,794)	---	---	---	NA
Subtotal, Program level	1,654,394	1,656,393	1,673,393	1,688,594	1,679,249	+24,855	+5,856	-9,345	
Health Promotion	932,067	989,780	993,802	988,090	1,032,802	+100,735	+39,000	+44,712	D
Health Information and Service	96,449	96,449	96,523	96,449	95,247	-1,202	-1,276	-1,202	D
Evaluation Tap Funding	(120,243)	(120,243)	(139,209)	(139,209)	(134,235)	(+13,992)	(-4,974)	(-4,974)	NA
Subtotal, Program level	216,692	216,692	235,732	235,658	229,482	+12,790	-6,250	-6,176	
Environmental health and injury	282,926	282,926	287,327	290,126	288,168	+5,242	+841	-1,958	D
Occupational safety and health 1/	241,307	242,906	244,505	212,490	200,674	-40,633	-43,831	-11,816	D
Evaluation Tap Funding	(35,681)	(35,681)	(35,681)	(82,097)	(87,071)	(+51,390)	(+51,390)	(+4,974)	NA
Subtotal, Program level	276,988	278,587	280,186	294,587	287,745	+10,757	+7,559	-6,842	
Global health	279,943	304,445	302,051	305,239	296,380	+16,437	-5,671	-8,859	D
Public Health research	29,107	---	14,583	---	---	-29,107	-14,583	---	D
Evaluation Tap Funding	---	(15,000)	(15,000)	(35,000)	(31,000)	(+31,000)	(+16,000)	(-4,000)	NA
Subtotal, Program level	29,107	15,000	29,583	35,000	31,000	+1,893	+1,417	-4,000	

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2004 Comparable	FY 2005 Request	House	Senate	Conference	Conference vs. FY 2004 Comparable	Conference vs. FY 2005 House	Conference vs. FY 2005 Senate	
Public health improvement and leadership	220,225	188,074	187,312	261,858	269,145	+48,920	+81,833	+7,287	D
Evaluation Tap Funding	(12,463)	(12,463)	(12,463)	---	---	(-12,463)	(-12,463)	---	NA
Subtotal, Program level	232,688	200,537	199,775	261,858	269,145	+36,457	+69,370	+7,287	
Preventive health and health services block grant	131,814	131,814	108,516	131,814	131,814	---	+23,298	---	D
Buildings and Facilities	260,454	81,500	81,500	294,500	272,000	+11,546	+190,500	-22,500	D
Business services	251,273	252,061	252,060	282,226	281,226	+29,953	+29,166	-1,000	D
Evaluation Tap Funding	(30,953)	(33,953)	(33,953)	---	---	(-30,953)	(-33,953)	---	NA
Subtotal, Program level	282,226	286,014	286,013	282,226	281,226	-1,000	-4,787	-1,000	
Total, Centers for Disease Control	4,367,165	4,213,554	4,228,778	4,538,592	4,533,911	+166,746	+305,133	-4,681	
Evaluation Tap Funding (NA)	(212,134)	(230,134)	(249,100)	(269,100)	(265,100)	(+52,966)	(+16,000)	(-4,000)	
Total, Centers for Disease Control program level	(4,579,299)	(4,443,688)	(4,477,878)	(4,807,692)	(4,799,011)	(+219,712)	(+321,133)	(-8,681)	

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2004 Comparable	FY 2005 Request	House	Senate	Conference	Conference vs. FY 2004 Comparable	Conference vs. FY 2005 House	Conference vs. FY 2005 Senate	
NATIONAL INSTITUTES OF HEALTH									
National Cancer Institute	4,735,973	4,865,525	4,870,025	4,894,900	4,865,525	+129,552	-4,500	-29,375	D
Evaluation Tap Funding	---	(4,500)	---	---	---	---	---	---	NA
National Heart, Lung, and Blood Institute	2,878,106	2,965,453	2,963,953	2,985,900	2,965,453	+87,347	+1,500	-20,447	D
National Institute of Dental & Craniofacial Research	383,048	394,080	394,080	399,200	395,080	+12,032	+1,000	-4,120	D
National Institute of Diabetes and Digestive and Kidney Diseases	1,671,240	1,727,696	1,726,196	1,739,100	1,727,696	+56,456	+1,500	-11,404	D
Juvenile diabetes (mandatory)	(150,000)	(150,000)	(150,000)	(150,000)	(150,000)	---	---	---	NA
Subtotal, NIDDK	1,821,240	1,877,696	1,876,196	1,889,100	1,877,696	+56,456	+1,500	-11,404	NA
National Institute of Neurological Disorders & Stroke	1,500,693	1,547,123	1,545,623	1,569,100	1,552,123	+51,430	+6,500	-16,977	D
National Institute of Allergy and Infectious Diseases	4,153,925	4,340,007	4,340,007	4,307,185	4,340,007	+186,082	---	+32,822	D
Global HIV/AIDS Fund Transfer	149,115	100,000	100,000	149,115	100,000	-49,115	---	-49,115	D
Subtotal, NIAID	4,303,040	4,440,007	4,440,007	4,456,300	4,440,007	+136,967	---	-16,293	D
National Institute of General Medical Sciences	1,904,777	1,959,810	1,959,810	1,975,500	1,959,810	+55,033	---	-15,690	D
National Institute of Child Health & Human Development	1,241,845	1,280,915	1,280,915	1,288,900	1,280,915	+39,070	---	-7,985	D
National Eye Institute	652,738	671,578	671,578	680,300	674,578	+21,840	+3,000	-5,722	D
National Institute of Environmental Health Sciences	631,063	650,027	650,027	655,100	650,027	+18,964	---	-5,073	D
National Institute on Aging	1,024,598	1,055,666	1,055,666	1,094,500	1,060,666	+36,068	+5,000	-33,834	D
National Institute of Arthritis and Musculoskeletal and Skin Diseases	500,908	515,378	515,378	520,900	515,378	+14,470	---	-5,522	D

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2004 Comparable	FY 2005 Request	House	Senate	Conference	Conference vs. FY 2004 Comparable	Conference vs. FY 2005 House	Conference vs. FY 2005 Senate	
National Institute on Deafness and Other Communication Disorders	381,946	393,507	393,507	399,000	397,507	+15,561	+4,000	-1,493	D
National Institute of Nursing Research	134,701	139,198	139,198	140,200	139,198	+4,497	---	-1,002	D
National Institute on Alcohol Abuse and Alcoholism	428,425	441,911	441,911	444,900	441,911	+13,486	---	-2,989	D
National Institute on Drug Abuse	990,787	1,012,760	1,012,760	1,026,200	1,014,760	+23,973	+2,000	-11,440	D
Evaluation tap funding	---	(6,300)	(6,300)	---	---	---	(-6,300)	---	NA
National Institute of Mental Health	1,381,266	1,420,609	1,420,609	1,436,800	1,423,609	+42,343	+3,000	-13,191	D
National Human Genome Research Institute	478,828	492,670	492,670	496,400	492,670	+13,842	---	-3,730	D
National Institute of Biomedical Imaging and Bioengineering	288,830	297,647	297,647	300,800	300,647	+11,817	+3,000	-153	D
National Center for Research Resources	1,178,956	1,094,141	1,094,141	1,213,400	1,124,141	-54,815	+30,000	-89,259	D
National Center for Complementary and Alternative Medicine	116,943	121,116	121,116	121,900	123,116	+6,173	+2,000	+1,216	D
National Center on Minority Health and Health Disparities	191,456	196,780	196,780	197,900	197,780	+6,324	+1,000	-120	D
John E. Fogarty International Center	65,344	67,182	67,182	67,600	67,182	+1,838	---	-418	D
National Library of Medicine	308,476	316,947	316,947	316,900	317,947	+9,471	+1,000	+1,047	D
Evaluation Tap Funding	(8,200)	(8,200)	(8,200)	(8,200)	(8,200)	---	---	---	NA
Subtotal, NLM	316,676	325,147	325,147	325,100	326,147	+9,471	+1,000	+1,047	

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2004 Comparable	FY 2005 Request	House	Senate	Conference	Conference vs. FY 2004 Comparable	Conference vs. FY 2005 House	Conference vs. FY 2005 Senate	
Office of the Director	327,089	359,645	359,645	364,100	361,145	+34,056	+1,500	-2,955	D
Buildings and Facilities	98,972	99,500	99,500	114,500	111,177	+12,205	+11,677	-3,323	D
Total, National Institutes of Health (NIH)	27,800,048	28,526,871	28,526,871	28,900,300	28,600,048	+800,000	+73,177	-300,252	
Global HIV/AIDS Fund Transfer	-149,115	-100,000	-100,000	-149,115	-100,000	+49,115	---	+49,115	
Evaluation Tap Funding	(8,200)	(19,000)	(14,500)	(8,200)	(8,200)	---	(-6,300)	---	
Total, NIH, Program Level	(27,659,133)	(28,445,871)	(28,441,371)	(28,759,385)	(28,508,248)	(+849,115)	(+66,877)	(-251,137)	
SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES ADMINISTRATION (SAMHSA)									
Mental Health:									
Programs of Regional and National Significance	240,796	270,548	257,420	303,128	276,646	+35,850	+19,226	-26,482	D
Mental Health block grant	412,840	414,267	414,267	414,267	414,267	+1,427	---	---	D
Evaluation Tap Funding	(21,850)	(21,803)	(21,803)	(21,803)	(21,803)	(-47)	---	---	NA
Children's Mental Health	102,354	106,013	106,013	106,013	106,013	+3,659	---	---	D
Grants to States for the Homeless (PATH)	49,760	55,251	55,251	55,251	55,251	+5,491	---	---	D
Samaritan initiative	---	10,000	---	---	---	---	---	---	D
Protection and Advocacy	34,620	34,620	36,000	34,620	34,620	---	-1,380	---	D
Subtotal, Mental Health	840,370	890,699	868,951	913,279	886,797	+46,427	+17,846	-26,482	

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2004 Comparable	FY 2005 Request	House	Senate	Conference	Conference vs. FY 2004 Comparable	Conference vs. FY 2005 House	Conference vs. FY 2005 Senate	
Substance Abuse Treatment:									
Programs of Regional and National Significance....	419,219	512,732	414,919	419,717	421,646	+2,427	+6,727	+1,929	D
Evaluation Tap Funding	---	(4,300)	(4,300)	(4,300)	(4,300)	(+4,300)	---	---	NA
Substance Abuse block grant.....	1,699,946	1,753,035	1,710,035	1,753,035	1,710,035	+10,089	---	-43,000	D
Evaluation Tap Funding	(79,200)	(79,200)	(79,200)	(79,200)	(79,200)	---	---	---	NA
Subtotal, Substance Abuse Treatment.....	2,119,165	2,265,767	2,124,954	2,172,752	2,131,681	+12,516	+6,727	-41,071	
Subtotal, Program level.....	2,198,365	2,349,267	2,208,454	2,256,252	2,215,181	+16,816	+6,727	-41,071	
Substance Abuse Prevention:									
Programs of Regional and National Significance....	198,458	196,018	200,000	198,940	200,428	+1,970	+428	+1,488	D
Program Management and Buildings and Facilities.....	75,915	76,455	76,455	76,455	76,455	+540	---	---	D
Evaluation Tap funding (NA).....	(16,000)	(16,000)	(16,000)	(18,000)	(18,000)	(+2,000)	(+2,000)	---	NA
Subtotal, Program level.....	91,915	92,455	92,455	94,455	94,455	+2,540	+2,000	---	
Total, SAMHSA.....	3,233,908	3,428,939	3,270,360	3,361,426	3,295,361	+61,453	+25,001	-66,065	
Evaluation Tap funding.....	(117,050)	(121,303)	(121,303)	(123,303)	(123,303)	(+6,253)	(+2,000)	---	
Total, SAMHSA program level.....	(3,350,958)	(3,550,242)	(3,391,663)	(3,484,729)	(3,418,664)	(+67,706)	(+27,001)	(-66,065)	

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2004 Comparable	FY 2005 Request	House	Senate	Conference	Conference vs. FY 2004 Comparable	Conference vs. FY 2005 House	Conference vs. FY 2005 Senate	
AGENCY FOR HEALTHCARE RESEARCH AND QUALITY									
Research on Health Costs, Quality, and Outcomes:									
Evaluation Tap funding (NA).....	(245,695)	(245,695)	(245,695)	(260,695)	(260,695)	(+15,000)	(+15,000)	---	NA
Clinial effectiveness research (non-add).....	---	---	---	(15,000)	(15,000)	(+15,000)	(+15,000)	---	NA
Reducing medical errors (non-add).....	(79,500)	(84,000)	(84,000)	(84,000)	(84,000)	(+4,500)	---	---	NA
Subtotal (including Evaluation Tap funding)...	(245,695)	(245,695)	(245,695)	(260,695)	(260,695)	(+15,000)	(+15,000)	---	
Health Insurance and Expenditure Surveys:									NA
Evaluation Tap funding (NA).....	(55,300)	(55,300)	(55,300)	(55,300)	(55,300)	---	---	---	NA
Program Support:									D
Evaluation Tap funding (NA).....	(2,700)	(2,700)	(2,700)	(2,700)	(2,700)	---	---	---	NA
Total, AHRQ Evaluation Tap funding (NA).....	(303,695)	(303,695)	(303,695)	(318,695)	(318,695)	(+15,000)	(+15,000)	---	
Total, Public Health Service appropriation.....	42,066,967	42,264,643	42,403,788	43,814,044	43,358,390	+1,291,423	+954,602	-455,654	
Total, Public Health Service program level.....	(42,608,931)	(42,867,775)	(43,021,386)	(44,413,227)	(44,002,688)	(+1,393,757)	(+981,302)	(-410,539)	

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2004 Comparable	FY 2005 Request	House	Senate	Conference	Conference vs. FY 2004 Comparable	Conference vs. FY 2005 House	Conference vs. FY 2005 Senate	
CENTERS FOR MEDICARE AND MEDICAID SERVICES									
GRANTS TO STATES FOR MEDICAID									
Medicaid current law benefits	172,706,067	167,013,865	167,013,865	167,013,865	167,013,865	-5,692,202	---	---	M
State and local administration	9,067,320	9,318,602	9,318,602	9,318,602	9,318,602	+251,282	---	---	M
Vaccines for Children	980,196	1,208,296	1,208,296	1,208,296	1,208,296	+228,100	---	---	M
Subtotal, Medicaid program level	182,753,583	177,540,763	177,540,763	177,540,763	177,540,763	-5,212,820	---	---	
Less funds advanced in prior year	-51,861,386	-58,416,275	-58,416,275	-58,416,275	-58,416,275	-6,554,889	---	---	M
Total, Grants to States for medicaid	130,892,197	119,124,488	119,124,488	119,124,488	119,124,488	-11,767,709	---	---	
New advance, 1st quarter	58,416,275	58,517,290	58,517,290	58,517,290	58,517,290	+101,015	---	---	M
PAYMENTS TO HEALTH CARE TRUST FUNDS									
Supplemental medical insurance	94,518,000	114,002,000	114,002,000	114,002,000	114,002,000	+19,484,000	---	---	M
Hospital insurance for the uninsured	197,000	87,000	87,000	87,000	87,000	-110,000	---	---	M
Federal uninsured payment	168,000	199,000	199,000	199,000	199,000	+31,000	---	---	M
Program management	201,100	215,000	215,000	215,000	215,000	+13,900	---	---	M
Prescription drug eligibility determinations	---	105,900	105,900	105,900	105,900	+105,900	---	---	M
Subtotal, Payments to Trust Funds, current law	95,084,100	114,608,900	114,608,900	114,608,900	114,608,900	+19,524,800	---	---	
New Advance FY 2006	---	5,216,900	5,216,900	5,216,900	5,216,900	+5,216,900	---	---	
Total, Payments to Trust Funds, current law	95,084,100	119,825,800	119,825,800	119,825,800	119,825,800	+24,741,700	---	---	

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2004 Comparable	FY 2005 Request	House	Senate	Conference	Conference vs. FY 2004 Comparable	Conference vs. FY 2005 House	Conference vs. FY 2005 Senate	
PROGRAM MANAGEMENT									
Medicare reform funding 2/ 3/ 4/	(1,000,000)	(250,000)	(250,000)	(250,000)	(250,000)	(-750,000)	---	---	NA
Research, Demonstration, Evaluation	77,791	68,274	68,400	77,791	78,119	+328	+9,719	+328	TF
Medicare Operations	1,701,038	1,793,879	1,793,879	1,796,879	1,746,879	+45,841	-47,000	-50,000	TF
H.R. 3103 funding (NA)	(720,000)	(720,000)	(720,000)	(720,000)	(720,000)	---	---	---	NA
Subtotal, Medicare Operations program level	(2,421,038)	(2,513,879)	(2,513,879)	(2,516,879)	(2,466,879)	(+45,841)	(-47,000)	(-50,000)	
Revitalization plan	29,619	24,400	24,400	24,400	24,400	-5,219	---	---	TF
State Survey and Certification	251,252	270,392	270,392	270,392	260,822	+9,570	-9,570	-9,570	TF
Federal Administration	577,146	589,182	589,182	587,182	586,182	+9,036	-3,000	-1,000	TF
Total, Program management, Limitation on new BA	2,636,846	2,746,127	2,746,253	2,756,644	2,696,402	+59,556	-49,851	-60,242	
Total, Program management, program level	(3,356,846)	(3,466,127)	(3,466,253)	(3,476,644)	(3,416,402)	(+59,556)	(-49,851)	(-60,242)	
Total, Center for Medicare and Medicaid Services	287,029,418	300,213,705	300,213,831	300,224,222	300,163,980	+13,134,562	-49,851	-60,242	
Federal funds	284,392,572	297,467,578	297,467,578	297,467,578	297,467,578	+13,075,006	---	---	
Current year	(225,976,297)	(233,733,388)	(233,733,388)	(233,733,388)	(233,733,388)	(+7,757,091)	---	---	
New advance, FY 2006	(58,416,275)	(63,734,190)	(63,734,190)	(63,734,190)	(63,734,190)	(+5,317,915)	---	---	
Trust Funds	2,636,846	2,746,127	2,746,253	2,756,644	2,696,402	+59,556	-49,851	-60,242	

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2004 Comparable	FY 2005 Request	House	Senate	Conference	Conference vs. FY 2004 Comparable	Conference vs. FY 2005 House	Conference vs. FY 2005 Senate	
ADMINISTRATION FOR CHILDREN AND FAMILIES									
FAMILY SUPPORT PAYMENTS TO STATES									
Payments to territories	23,000	23,000	23,000	23,000	23,000	---	---	---	M
Repatriation	1,000	1,000	1,000	1,000	1,000	---	---	---	M
Subtotal, Welfare payments	24,000	24,000	24,000	24,000	24,000	---	---	---	
Child Support Enforcement:									
State and local administration	3,897,674	3,940,698	3,940,698	3,940,698	3,990,698	+93,024	+50,000	+50,000	M
Federal incentive payments	454,000	446,000	446,000	446,000	446,000	-8,000	---	---	M
Access and visitation	10,000	12,000	12,000	12,000	10,000	---	-2,000	-2,000	M
Subtotal, Child Support Enforcement	4,361,674	4,398,698	4,398,698	4,398,698	4,446,698	+85,024	+48,000	+48,000	
Prior year AFDC payments	20,000	---	---	---	---	-20,000	---	---	M
Total, Family support payments program level	4,405,674	4,422,698	4,422,698	4,422,698	4,470,698	+65,024	+48,000	+48,000	
Less funds advanced in previous years	-1,100,000	-1,200,000	-1,200,000	-1,200,000	-1,200,000	-100,000	---	---	M
Total, Family support payments, current request	3,305,674	3,222,698	3,222,698	3,222,698	3,270,698	-34,976	+48,000	+48,000	
Plus New advance, 1st quarter, FY 2006	1,200,000	1,200,000	1,200,000	1,200,000	1,200,000	---	---	---	M
Total, Family support payments	4,505,674	4,422,698	4,422,698	4,422,698	4,470,698	-34,976	+48,000	+48,000	

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2004 Comparable	FY 2005 Request	House	Senate	Conference	Conference vs. FY 2004 Comparable	Conference vs. FY 2005 House	Conference vs. FY 2005 Senate	
LOW INCOME HOME ENERGY ASSISTANCE PROGRAM									
Formula grants	1,789,380	1,800,500	1,911,000	1,901,090	1,900,000	+110,620	-11,000	-1,090	D
Emergency allocation:									
Contingent emergency allocation	99,410	200,000	100,000	99,410	---	-99,410	-100,000	-99,410	D
Emergency allocation	---	---	---	---	300,000	+300,000	+300,000	+300,000	D
Department of Energy-Weatherization Assistance5/6/	227,166	291,200	238,000	---	---	-227,166	-238,000	---	D
Total, Low income home energy assistance	2,115,956	2,291,700	2,249,000	2,000,500	2,200,000	+84,044	-49,000	+199,500	
REFUGEE AND ENTRANT ASSISTANCE									
Transitional and Medical Services	168,975	193,577	193,577	193,577	193,577	+24,602	---	---	D
Victims of Trafficking	9,909	10,000	10,000	10,000	10,000	+91	---	---	D
Social Services	152,218	151,121	166,218	155,121	166,218	+14,000	---	+11,097	D
Preventive Health	4,792	4,835	4,835	4,835	4,835	+43	---	---	D
Targeted Assistance	49,025	49,477	49,477	49,477	49,477	+452	---	---	D
Unaccompanied minors	52,770	54,229	54,229	54,229	54,229	+1,459	---	---	D
Victims of Torture	9,909	10,000	13,000	10,000	10,000	+91	-3,000	---	D
Total, Refugee and entrant assistance	447,598	473,239	491,336	477,239	488,336	+40,738	-3,000	+11,097	
CHILD CARE AND DEVELOPMENT BLOCK GRANT	2,087,310	2,099,729	2,099,729	2,099,729	2,099,729	+12,419	---	---	D
SOCIAL SERVICES BLOCK GRANT (TITLE XX)	1,700,000	1,700,000	1,700,000	1,700,000	1,700,000	---	---	---	M

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2004 Comparable	FY 2005 Request	House	Senate	Conference	Conference vs. FY 2004 Comparable	Conference vs. FY 2005 House	Conference vs. FY 2005 Senate	
CHILDREN AND FAMILIES SERVICES PROGRAMS									
Programs for Children, Youth and Families:									
Head Start, current funded	5,383,108	5,543,580	5,498,580	5,535,452	5,498,580	+115,472	---	-36,872	D
Advance from prior year	(1,391,740)	(1,400,000)	(1,400,000)	(1,400,000)	(1,400,000)	(+8,260)	---	---	NA
FY 2006	1,400,000	1,400,000	1,400,000	1,400,000	1,400,000	---	---	---	D
Subtotal, Head Start, program level	6,774,848	6,943,580	6,898,580	6,935,452	6,898,580	+123,732	---	-36,872	
Consolidated Runaway, Homeless Youth Program	89,431	89,447	89,447	95,000	89,447	+16	---	-5,553	D
Maternity Group Homes	---	10,000	---	---	---	---	---	---	D
Prevention grants to reduce abuse of runaway youth	15,302	15,302	15,302	15,802	15,302	---	---	-500	D
Child Abuse State Grants	21,883	42,013	28,484	27,500	27,500	+5,617	-984	---	D
Child Abuse Discretionary Activities	34,386	26,266	26,266	34,386	31,912	-2,474	+5,646	-2,474	D
Community based child abuse prevention	33,205	65,002	43,205	43,205	43,205	+10,000	---	---	D
Abandoned Infants Assistance	12,052	12,086	12,086	12,052	12,052	---	-34	---	D
Child Welfare Services	289,320	291,986	291,986	291,986	291,986	+2,666	---	---	D
Child Welfare Training	7,411	7,470	7,470	7,470	7,470	+59	---	---	D
Adoption Opportunities	27,103	27,343	27,343	27,343	27,343	+240	---	---	D
Adoption Incentive (no cap adjustment)	7,456	32,103	32,103	32,103	32,103	+24,647	---	---	D
Adoption Awareness	12,785	12,906	12,906	12,906	12,906	+121	---	---	D
Compassion Capital Fund	47,702	100,000	55,000	47,702	55,000	+7,298	---	+7,298	D

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2004 Comparable	FY 2005 Request	House	Senate	Conference	Conference vs. FY 2004 Comparable	Conference vs. FY 2005 House	Conference vs. FY 2005 Senate	
Social Services and Income Maintenance Research.....	13,168	5,982	---	13,168	26,229	+13,061	+26,229	+13,061	D
Evaluation tap funding.....	(6,000)	---	(5,982)	(6,000)	(6,000)	---	(+18)	---	NA
Subtotal, Program level.....	19,168	5,982	5,982	19,168	32,229	+13,061	+26,247	+13,061	
Developmental Disabilities Programs:									
State Councils.....	73,081	73,081	73,081	73,081	73,081	---	---	---	D
Protection and Advocacy.....	38,416	38,416	38,416	40,000	38,416	---	---	-1,584	D
Voting access for individuals with disabilities...	14,911	14,912	15,000	14,912	15,000	+89	---	+88	D
Developmental Disabilities Projects of National Significance.....	11,561	11,642	11,642	11,642	11,642	+81	---	---	D D
University Centers for Excellence in Developmental Disabilities.....	26,803	26,803	26,803	31,803	31,803	+5,000	+5,000	---	D D
Subtotal, Developmental disabilities programs...	164,772	164,854	164,942	171,438	169,942	+5,170	+5,000	-1,496	
Native American Programs.....	45,157	45,155	45,155	45,157	45,157	---	+2	---	D
Community Services:									
Grants to States for Community Services.....	641,935	494,946	627,500	650,000	641,935	---	+14,435	-8,065	D
Community Initiative Program:									
Economic Development.....	32,338	32,492	32,492	38,000	33,000	+662	+508	-5,000	D
Individual Development Account Initiative.....	24,695	24,912	24,912	24,912	24,912	+217	---	---	D
Rural Community Facilities.....	7,184	---	7,184	7,500	7,300	+116	+116	-200	D
Subtotal, Community Initiative Program.....	64,217	57,404	64,588	70,412	65,212	+995	+624	-5,200	

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2004 Comparable	FY 2005 Request	House	Senate	Conference	Conference vs. FY 2004 Comparable	Conference vs. FY 2005 House	Conference vs. FY 2005 Senate	
National Youth Sports	17,894	---	18,000	---	18,000	+106	---	+18,000	D
Community Food and Nutrition	7,238	---	---	7,238	7,238	---	+7,238	---	D
Subtotal, Community Services	731,284	552,350	710,088	727,650	732,385	+1,101	+22,297	+4,735	
Domestic Violence Hotline	2,982	3,000	3,000	3,500	3,250	+268	+250	-250	D
Family Violence/Battered Women's Shelters	125,648	125,648	125,648	128,000	126,648	+1,000	+1,000	-1,352	D
Early Learning Fund	33,580	---	---	36,000	36,000	+2,420	+36,000	---	D
Faith-Based Center	1,386	1,400	1,400	1,386	1,386	---	-14	---	D
Mentoring Children of Prisoners	49,701	50,000	50,000	50,000	50,000	+299	---	---	D
Independent Living Training Vouchers	44,734	60,000	50,000	44,734	47,000	+2,266	-3,000	+2,266	D
Promoting Responsible Fatherhood and healthy marriages	---	50,000	---	---	---	---	---	---	D
Abstinence Education	70,049	181,926	105,046	100,000	100,000	+29,951	-5,046	---	D
Evaluation Tap Funding	(4,500)	(4,500)	(4,500)	(4,500)	(4,500)	---	---	---	NA
Program Direction	177,894	190,206	190,206	190,206	187,050	+9,156	-3,156	-3,156	D
Total, Children and Families Services Programs	8,841,499	9,106,025	8,985,663	9,094,146	9,069,853	+228,354	+84,190	-24,293	
Current Year	(7,441,499)	(7,706,025)	(7,585,663)	(7,694,146)	(7,669,853)	(+228,354)	(+84,190)	(-24,293)	
FY 2006	(1,400,000)	(1,400,000)	(1,400,000)	(1,400,000)	(1,400,000)	---	---	---	
Evaluation Tap funding	(10,500)	(4,500)	(10,482)	(10,500)	(10,500)	---	(+18)	---	
Total, Program level	8,851,999	9,110,525	8,996,145	9,104,646	9,080,353	+228,354	+84,208	-24,293	
PROMOTING SAFE AND STABLE FAMILIES	305,000	305,000	305,000	305,000	305,000	---	---	---	M
Discretionary Funds	99,383	200,000	105,000	99,383	99,383	---	-5,617	---	D

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2004 Comparable	FY 2005 Request	House	Senate	Conference	Conference vs. FY 2004 Comparable	Conference vs. FY 2005 House	Conference vs. FY 2005 Senate	
PAYMENTS TO STATES FOR FOSTER CARE AND ADOPTION									
Foster Care	4,974,200	4,895,500	4,895,500	4,895,500	4,895,500	-78,700	---	---	M
Adoption Assistance	1,699,700	1,770,100	1,770,100	1,770,100	1,770,100	+70,400	---	---	M
Independent living	140,000	140,000	140,000	140,000	140,000	---	---	---	M
Total, Payments to States	6,813,900	6,805,600	6,805,600	6,805,600	6,805,600	-8,300	---	---	
Less Advances from Prior Year	-1,745,600	-1,767,700	-1,767,700	-1,767,700	-1,767,700	-22,100	---	---	M
Total, payments, current year	5,068,300	5,037,900	5,037,900	5,037,900	5,037,900	-30,400	---	---	
New Advance, 1st quarter	1,767,700	1,767,200	1,767,200	1,767,200	1,767,200	-500	---	---	M
Total, Administration for Children & Families	26,938,420	27,403,491	27,163,526	27,003,795	27,238,099	+299,679	+74,573	+234,304	
Current year	(22,570,720)	(23,036,291)	(22,796,326)	(22,636,595)	(22,870,899)	(+300,179)	(+74,573)	(+234,304)	
FY 2006	(4,367,700)	(4,367,200)	(4,367,200)	(4,367,200)	(4,367,200)	(-500)	---	---	
Evaluation Tap funding	(10,500)	(4,500)	(10,482)	(10,500)	(10,500)	---	(+18)	---	
Total, Administration for Children & Families	26,948,920	27,407,991	27,174,008	27,014,295	27,248,599	+299,679	+74,591	+234,304	

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2004 Comparable	FY 2005 Request	House	Senate	Conference	Conference vs. FY 2004 Comparable	Conference vs. FY 2005 House	Conference vs. FY 2005 Senate	
ADMINISTRATION ON AGING									
Grants to States:									
Supportive Services and Centers	353,889	357,000	357,000	357,000	357,000	+3,111	---	---	D
Preventive Health	21,790	21,919	21,919	21,919	21,790	---	-129	-129	D
Protection of vulnerable older americans-Title VII	19,444	18,559	18,559	20,474	19,444	---	+885	-1,030	D
Family Caregivers	152,738	155,512	157,000	157,000	157,000	+4,262	---	---	D
Native American Caregivers Support	6,318	6,355	6,355	6,355	6,355	+37	---	---	D
Subtotal, Caregivers	159,056	161,867	163,355	163,355	163,355	+4,299	---	---	
Nutrition:									
Congregate Meals	386,353	388,646	392,148	388,646	390,397	+4,044	-1,751	+1,751	D
Home Delivered Meals	179,917	180,985	187,616	180,985	184,301	+4,384	-3,315	+3,316	D
Nutrition Services Incentive Program	148,191	149,183	150,414	149,183	149,799	+1,608	-615	+616	D
Subtotal, Nutrition	714,461	718,814	730,178	718,814	724,497	+10,036	-5,681	+5,683	
Subtotal, Grants to States	1,268,640	1,278,159	1,291,011	1,281,562	1,286,086	+17,446	-4,925	+4,524	
Grants for Native Americans	26,453	26,612	26,612	26,612	26,612	+159	---	---	D
Program Innovations	33,509	23,843	37,943	37,647	43,640	+10,131	+5,697	+5,993	D
Aging Network Support Activities	13,294	13,373	13,373	13,373	13,373	+79	---	---	D

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2004 Comparable	FY 2005 Request	House	Senate	Conference	Conference vs. FY 2004 Comparable	Conference vs. FY 2005 House	Conference vs. FY 2005 Senate	
Alzheimer's Disease Demonstrations	11,883	11,500	11,500	12,883	11,883	---	+383	-1,000	D
White House Conference on Aging	2,814	4,558	4,558	4,558	4,558	+1,744	---	---	D
Program Administration	17,324	18,482	18,482	18,482	18,482	+1,158	---	---	D
Total, Administration on Aging	1,373,917	1,376,527	1,403,479	1,395,117	1,404,634	+30,717	+1,155	+9,517	
OFFICE OF THE SECRETARY									
GENERAL DEPARTMENTAL MANAGEMENT:									
Federal Funds	174,811	180,045	149,045	189,065	192,947	+18,136	+43,902	+3,882	D
Medicare claims appeals	---	---	---	---	50,000	+50,000	+50,000	+50,000	TF
Trust Funds	5,816	5,851	5,851	5,851	5,851	+35	---	---	TF
Subtotal	(180,627)	(185,896)	(154,896)	(194,916)	(248,798)	(+68,171)	(+93,902)	(+53,882)	
Adolescent Family Life (Title XX)	30,946	54,349	31,229	35,000	31,229	+283	---	-3,771	D
National Abstinence Education Campaign 7/	---	---	---	2,500	---	---	---	-2,500	D
Minority health	55,190	47,236	47,236	53,351	51,011	-4,179	+3,775	-2,340	D
Office of women's health	28,915	29,103	29,103	29,103	29,103	+188	---	---	D
Minority HIV/AIDS	49,544	52,838	52,838	52,838	52,838	+3,294	---	---	D
Health care information technology	---	50,000	25,000	---	---	---	-25,000	---	D

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2004 Comparable	FY 2005 Request	House	Senate	Conference	Conference vs. FY 2004 Comparable	Conference vs. FY 2005 House	Conference vs. FY 2005 Senate	
IT Security and Innovation Fund	14,847	18,400	14,847	14,847	14,847	---	---	---	D
Evaluation tap funding (ASPE) (NA)	(21,552)	(21,552)	(21,552)	(21,552)	(21,552)	---	---	---	NA
Total, General Departmental Management	360,069	437,822	355,149	382,555	427,826	+67,757	+72,677	+45,271	
Federal Funds	354,253	431,971	349,298	376,704	371,975	+17,722	+22,677	-4,729	
Trust Funds	5,816	5,851	5,851	5,851	55,851	+50,035	+50,000	+50,000	
Evaluation tap funding	21,552	21,552	21,552	21,552	21,552	---	---	---	
OFFICE OF THE INSPECTOR GENERAL:									
Federal Funds	39,094	40,323	40,323	40,323	40,323	+1,229	---	---	D
HIPAA funding (NA)	(160,000)	(160,000)	(160,000)	(160,000)	(160,000)	---	---	---	NA
Total, Inspector General program level	(199,094)	(200,323)	(200,323)	(200,323)	(200,323)	(+1,229)	---	---	
OFFICE FOR CIVIL RIGHTS:									
Federal Funds	30,607	32,043	32,043	32,043	32,043	+1,436	---	---	D
Trust Funds	3,294	3,314	3,314	3,314	3,314	+20	---	---	TF
Total, Office for Civil Rights	33,901	35,357	35,357	35,357	35,357	+1,456	---	---	
POLICY RESEARCH:									
Federal Funds	---	---	---	---	---	---	---	---	D
Evaluation Tap funding (NA)	(20,750)	(28,750)	(20,750)	(28,750)	(20,750)	---	---	(-8,000)	NA
Total, Policy Research	20,750	28,750	20,750	28,750	20,750	---	---	-8,000	

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2004 Comparable	FY 2005 Request	House	Senate	Conference	Conference vs. FY 2004 Comparable	Conference vs. FY 2005 House	Conference vs. FY 2005 Senate	
MEDICAL BENEFITS FOR COMMISSIONED OFFICERS									
Retirement payments	228,064	241,294	241,294	241,294	241,294	+13,230	---	---	M
Survivors benefits	14,298	14,750	14,750	14,750	14,750	+452	---	---	M
Dependents' medical care	79,401	74,592	74,592	74,592	74,592	-4,809	---	---	M
Total, Medical benefits for Commissioned Officers	321,763	330,636	330,636	330,636	330,636	+8,873	---	---	
PUBLIC HEALTH AND SOCIAL SERVICE EMERGENCY FUND									
HRSA homeland security activities	542,649	503,649	542,649	503,649	523,149	-19,500	-19,500	+19,500	D
CDC homeland security activities 8/	1,507,211	1,509,571	1,637,760	1,639,571	1,573,300	+66,089	-64,460	-66,271	D
NIH homeland security activities	---	47,400	47,400	47,400	47,400	+47,400	---	---	D
Office of the Secretary homeland sercurity activities	64,438	64,438	64,438	64,438	64,438	---	---	---	D
Other PHSSEF homeland security activities	49,705	100,000	60,000	75,000	100,000	+50,295	+40,000	+25,000	D
Total, PHSSEF	2,164,003	2,225,058	2,352,247	2,330,058	2,308,287	+144,284	-43,960	-21,771	
Total, Office of the Secretary	2,918,830	3,069,196	3,113,712	3,118,929	3,142,429	+223,599	+28,717	+23,500	
Federal Funds	2,909,720	3,060,031	3,104,547	3,109,764	3,083,264	+173,544	-21,283	-26,500	
Trust Funds	9,110	9,165	9,165	9,165	59,165	+50,055	+50,000	+50,000	
Total, Title II, Dept of Health & Human Services	360,327,552	374,327,562	374,298,336	375,556,107	375,307,532	+14,979,980	+1,009,196	-248,575	
Federal Funds	357,681,596	371,572,270	371,542,918	372,790,298	372,551,965	+14,870,369	+1,009,047	-238,333	
Current year	(294,897,621)	(303,470,880)	(303,441,528)	(304,688,908)	(304,450,575)	(+9,552,954)	(+1,009,047)	(-238,333)	
FY 2006	(62,783,975)	(68,101,390)	(68,101,390)	(68,101,390)	(68,101,390)	(+5,317,415)	---	---	
Trust Funds	2,645,956	2,755,292	2,755,418	2,765,809	2,755,567	+109,611	+149	-10,242	

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2004 Comparable	FY 2005 Request	House	Senate	Conference	Conference vs. FY 2004 Comparable	Conference vs. FY 2005 House	Conference vs. FY 2005 Senate

Title II Footnotes:
1/ Includes Mine Safety and Health.
2/ Funds provided in P.L. 108-173, the 2003 Medicare Prescription Drug, Improvement & Modernization Act
3/ $1 billion available for fiscal years 2004-2005.
4/ $250 million available for fiscal years 2005-2008.
5/ FY 2005 House jurisdiction change--account moved from Interior Appropriations.
6/ Weatherization assistance funds transferred to and administered by Department of Energy.
7/ Senate display. Funds are within Abstinence Education in ACF.
8/ House display. Senate breaks out the Stockpile funds separately.

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2004 Comparable	FY 2005 Request	House	Senate	Conference	Conference vs. FY 2004 Comparable	Conference vs. FY 2005 House	Conference vs. FY 2005 Senate		
TITLE III - DEPARTMENT OF EDUCATION										
EDUCATION FOR THE DISADVANTAGED										
Grants to Local Educational Agencies (LEAs)										
Basic Grants										
Advance from prior year	(2,011,272)	(1,883,584)	(1,883,584)	(1,883,584)	(1,883,584)	(-127,688)	---	---	NA	
Forward funded	5,150,529	6,150,508	6,150,508	6,194,249	5,650,508	+499,979	-500,000	-543,741	D	FF
Current funded	3,479	3,500	3,500	75,057	3,500	+21	---	-71,557	D	
Subtotal, Basic grants current year approp.	5,154,008	6,154,008	6,154,008	6,269,306	5,654,008	+500,000	-500,000	-615,298		
Subtotal, Basic grants total funds available	(7,165,280)	(8,037,592)	(8,037,592)	(8,152,890)	(7,537,592)	(+372,312)	(-500,000)	(-615,298)		
Basic Grants FY 2006 Advance	1,883,584	883,584	883,584	835,141	1,383,584	-500,000	+500,000	+548,443	D	
Subtotal, Basic grants, program level	7,037,592	7,037,592	7,037,592	7,104,447	7,037,592	---	---	-66,855		
Concentration Grants										
Advance from prior year	(1,365,031)	(1,365,031)	(1,365,031)	(1,365,031)	(1,365,031)	---	---	---	NA	
FY 2006 Advance	1,365,031	1,365,031	1,365,031	1,365,031	1,365,031	---	---	---	D	
Subtotal, Concentration Grants program level	1,365,031	1,365,031	1,365,031	1,365,031	1,365,031	---	---	---		
Targeted Grants										
Advance from prior year	(1,670,239)	(1,969,843)	(1,969,843)	(1,969,843)	(1,969,843)	(+299,604)	---	---	NA	
FY 2006 Advance	1,969,843	4,146,187	2,469,843	2,231,954	2,219,843	+250,000	-250,000	-12,111	D	
Subtotal, Targeted Grants program level	1,969,843	4,146,187	2,469,843	2,231,954	2,219,843	+250,000	-250,000	-12,111		

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2004 Comparable	FY 2005 Request	House	Senate	Conference	Conference vs. FY 2004 Comparable	Conference vs. FY 2005 House	Conference vs. FY 2005 Senate		
Education Finance Incentive Grants										
Advance from prior year	(1,541,759)	(1,969,843)	(1,969,843)	(1,969,843)	(1,969,843)	(+428,084)	---	---	NA	
FY 2006 Advance	1,969,843	793,499	2,469,843	2,756,175	2,219,843	+250,000	-250,000	-536,332	D	
Subtotal, Education Finance Incentive Grants	1,969,843	793,499	2,469,843	2,756,175	2,219,843	+250,000	-250,000	-536,332		
Subtotal, Grants to LEAs, program level	12,342,309	13,342,309	13,342,309	13,457,607	12,842,309	+500,000	-500,000	-615,298		
Even Start	246,910	---	226,910	---	226,910	-20,000	---	+226,910	D	FF
Reading First:										
State Grants (forward funded)	828,923	930,000	930,000	867,000	855,000	+26,077	-75,000	-12,000	D	FF
Advance from prior year	(195,000)	(195,000)	(195,000)	(195,000)	(195,000)	---	---	---	NA	
FY 2006 Advance	195,000	195,000	195,000	195,000	195,000	---	---	---	D	
Subtotal, Reading First State Grants	1,023,923	1,125,000	1,125,000	1,062,000	1,050,000	+26,077	-75,000	-12,000		
Early Reading First	94,439	132,000	132,000	110,000	105,000	+10,561	-27,000	-5,000	D	
Striving readers	---	100,000	100,000	25,000	25,000	+25,000	-75,000	---	D	
Literacy through School Libraries	19,842	19,842	19,842	22,842	19,842	---	---	-3,000	D	
State Agency Programs:										
Migrant	393,577	393,577	393,577	393,577	393,577	---	---	---	D	FF
Neglected and Delinquent/High Risk Youth	48,395	48,395	48,395	52,000	50,000	+1,605	+1,605	-2,000	D	FF
Subtotal, State Agency programs	441,972	441,972	441,972	445,577	443,577	+1,605	+1,605	-2,000		

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2004 Comparable	FY 2005 Request	House	Senate	Conference	Conference vs. FY 2004 Comparable	Conference vs. FY 2005 House	Conference vs. FY 2005 Senate		
Evaluation	8,790	9,500	9,500	9,500	9,500	+710	---	---	D	
Assistance for local school improvement	---	---	---	100,000	---	---	---	-100,000	D	FF
Comprehensive School Reform Demonstration	233,613	---	80,000	233,613	207,000	-26,613	+127,000	-26,613	D	FF
Migrant Education:										
High School Equivalency Program	18,888	18,888	22,545	18,888	18,888	---	-3,657	---	D	
College Assistance Migrant Program	15,657	15,657	15,657	15,657	15,657	---	---	---	D	
Subtotal, Migrant Education	34,545	34,545	38,202	34,545	34,545	---	-3,657	---		
Total, Education for the disadvantaged	14,446,343	15,205,168	15,515,735	15,500,684	14,963,683	+517,340	-552,052	-537,001		
Current Year	(7,063,042)	(7,821,867)	(8,132,434)	(8,117,383)	(7,580,382)	(+517,340)	(-552,052)	(-537,001)		
FY 2006	(7,383,301)	(7,383,301)	(7,383,301)	(7,383,301)	(7,383,301)	---	---	---		
Subtotal, forward funded	(6,901,947)	(7,522,480)	(7,829,390)	(7,840,439)	(7,382,995)	(+481,048)	(-446,395)	(-457,444)		

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2004 Comparable	FY 2005 Request	House	Senate	Conference	Conference vs. FY 2004 Comparable	Conference vs. FY 2005 House	Conference vs. FY 2005 Senate		
IMPACT AID										
Basic Support Payments	1,063,687	1,063,687	1,083,687	1,063,687	1,083,687	+20,000	---	+20,000	D	
Payments for Children with Disabilities	50,369	50,369	50,369	50,369	50,369	---	---	---	D	
Facilities Maintenance (Sec. 8008)	7,901	7,901	7,901	7,901	7,901	---	---	---	D	
Construction (Sec. 8007)	45,935	45,936	45,936	45,936	48,936	+3,001	+3,000	+3,000	D	
Payments for Federal Property (Sec. 8002)	61,634	61,634	63,000	61,634	63,000	+1,366	---	+1,366	D	
Total, Impact aid	1,229,526	1,229,527	1,250,893	1,229,527	1,253,893	+24,367	+3,000	+24,366		
SCHOOL IMPROVEMENT PROGRAMS										
State Grants for Improving Teacher Quality	1,495,126	1,495,126	1,515,000	1,540,126	1,505,126	+10,000	-9,874	-35,000	D	FF
Advance from prior year	(1,150,000)	(1,435,000)	(1,435,000)	(1,435,000)	(1,435,000)	(+285,000)	---	---	NA	
FY 2006	1,435,000	1,435,000	1,435,000	1,435,000	1,435,000	---	---	---	D	
Subtotal, State Grants for Improving Teacher Quality, program level	2,930,126	2,930,126	2,950,000	2,975,126	2,940,126	+10,000	-9,874	-35,000		
Early Childhood Educator Professional Development.	14,814	14,814	14,814	14,814	14,814	---	---	---	D	
Mathematics and Science Partnerships	149,115	269,115	269,115	200,000	180,000	+30,885	-89,115	-20,000	D	FF
State Grants for Innovative Education (Education Block Grant)	296,548	296,549	20,000	---	200,000	-96,548	+180,000	+200,000	D	FF
Advance from prior year	(285,000)	---	---	---	---	(-285,000)	---	---	NA	
FY 2006	---	---	---	---	---	---	---	---	D	
Subtotal, Education Block Grant, program level	296,548	296,549	20,000	---	200,000	-96,548	+180,000	+200,000		

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2004 Comparable	FY 2005 Request	House	Senate	Conference	Conference vs. FY 2004 Comparable	Conference vs. FY 2005 House	Conference vs. FY 2005 Senate		
Educational Technology State Grants	691,841	691,841	600,000	691,841	500,000	-191,841	-100,000	-191,841	D	FF
Supplemental Education Grants	---	---	18,330	17,214	18,330	+18,330	---	+1,116	D	
21st Century Community Learning Centers	999,070	999,070	999,070	1,007,000	999,070	---	---	-7,930	D	FF
State Assessments/Enhanced Assessment Instruments	390,000	410,000	410,000	420,000	415,000	+25,000	+5,000	-5,000	D	FF
Javits gifted and talented education	11,111	---	11,111	12,111	11,111	---	---	-1,000	D	
Foreign language assistance	16,546	---	---	19,000	18,000	+1,454	+18,000	-1,000	D	
Education for Homeless Children and Youth	59,646	59,646	70,000	62,000	63,000	+3,354	-7,000	+1,000	D	FF
Training and Advisory Services (Civil Rights)	7,243	7,243	7,243	7,243	7,243	---	---	---	D	
Education for Native Hawaiians	33,302	33,302	33,302	36,000	34,500	+1,198	+1,198	-1,500	D	
Alaska Native Education Equity	33,302	33,302	33,302	36,000	34,500	+1,198	+1,198	-1,500	D	
Rural Education	167,831	167,831	167,831	175,000	172,000	+4,169	+4,169	-3,000	D	FF
Comprehensive Centers	57,283	27,654	57,283	57,283	57,283	---	---	---	D	
Total, School improvement programs	5,857,778	5,940,493	5,661,401	5,730,632	5,664,977	-192,801	+3,576	-65,655		
Current Year	(4,422,778)	(4,505,493)	(4,226,401)	(4,295,632)	(4,229,977)	(-192,801)	(+3,576)	(-65,655)		
FY 2006	(1,435,000)	(1,435,000)	(1,435,000)	(1,435,000)	(1,435,000)	---	---	---		
Subtotal, forward funded	(4,249,177)	(4,389,178)	(4,051,016)	(4,095,967)	(4,034,196)	(-214,981)	(-16,820)	(-61,771)		

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2004 Comparable	FY 2005 Request	House	Senate	Conference	Conference vs. FY 2004 Comparable	Conference vs. FY 2005 House	Conference vs. FY 2005 Senate	
INDIAN EDUCATION									
Grants to Local Educational Agencies	95,933	95,933	95,933	95,933	95,933	---	---	---	D
Federal Programs:									
Special Programs for Indian Children	19,753	19,753	19,753	19,753	19,753	---	---	---	D
National Activities	5,170	5,170	5,170	5,170	5,170	---	---	---	D
Subtotal, Federal Programs	24,923	24,923	24,923	24,923	24,923	---	---	---	
Total, Indian Education	120,856	120,856	120,856	120,856	120,856	---	---	---	
INNOVATION AND IMPROVEMENT									
Troops-to-Teachers	14,911	14,912	14,912	14,912	14,912	+1	---	---	D
Transition to Teaching	45,295	45,295	45,295	45,295	45,295	---	---	---	D
National Writing Project	17,894	---	17,894	24,000	20,500	+2,606	+2,606	-3,500	D
Teaching of Traditional American History	119,292	119,292	---	120,000	120,000	+708	+120,000	---	D
School Leadership	12,346	---	15,000	16,000	15,000	+2,654	---	-1,000	D
Advanced Credentialing	18,391	7,000	18,391	17,000	17,000	-1,391	-1,391	---	D
Charter Schools Grants	218,702	218,702	218,702	218,702	218,702	---	---	---	D
Credit Enhancement for Charter School Facilities	37,279	100,000	50,000	37,279	37,279	---	-12,721	---	D
Voluntary Public School Choice	26,757	26,757	26,757	26,757	26,757	---	---	---	D
Magnet Schools Assistance	108,640	108,640	108,640	108,640	108,640	---	---	---	D

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2004 Comparable	FY 2005 Request	House	Senate	Conference	Conference vs. FY 2004 Comparable	Conference vs. FY 2005 House	Conference vs. FY 2005 Senate		
Fund for the Improvement of Education (FIE):									D	
Current funded	356,197	170,185	100,000	372,673	417,418	+61,221	+317,418	+44,745	D	
Forward funded	74,073	---	---	74,073	---	-74,073	---	-74,073	D	FF
Subtotal, FIE	430,270	170,185	100,000	446,746	417,418	-12,852	+317,418	-29,328		
Ready to Learn television	22,864	22,864	22,864	24,000	23,500	+636	+636	-500	D	
Dropout Prevention Programs	4,970	---	---	10,000	4,970	---	+4,970	-5,030	D	
Close Up Fellowships	1,481	---	1,481	1,481	1,481	---	---	---	D	
Advanced Placement	23,534	51,534	30,000	33,534	30,000	+6,466	---	-3,534	D	
Total, Innovation and Improvement	1,102,626	885,181	669,936	1,144,346	1,101,454	-1,172	+431,518	-42,892		
Forward funded	(74,073)	---	---	(74,073)	---	(-74,073)	---	(-74,073)		
SAFE SCHOOLS AND CITIZENSHIP EDUCATION										
Safe and Drug Free Schools and Communities:										
State Grants, forward funded	440,908	440,908	440,908	440,908	440,908	---	---	---	D	FF
Advance from prior year	(330,000)	---	---	---	---	(-330,000)	---	---	NA	
FY 2006	---	---	---	---	---	---	---	---	D	
State Grants, program level	440,908	440,908	440,908	440,908	440,908	---	---	---		

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2004 Comparable	FY 2005 Request	House	Senate	Conference	Conference vs. FY 2004 Comparable	Conference vs. FY 2005 House	Conference vs. FY 2005 Senate		
National Programs	153,767	175,069	153,767	156,219	153,767	---	---	-2,452	D	
Mental health integration in schools	---	---	---	10,548	---	---	---	-10,548	D	
Alcohol Abuse Reduction	29,823	---	---	35,000	33,000	+3,177	+33,000	-2,000	D	
Mentoring Programs	49,705	100,000	49,705	65,000	49,705	---	---	-15,295	D	
Character education	24,691	24,691	24,961	24,691	24,691	---	-270	---	D	
Elementary and Secondary School Counseling	33,799	---	33,799	36,000	35,000	+1,201	+1,201	-1,000	D	
Carol M. White Physical Education Program	69,587	69,587	69,587	75,000	74,000	+4,413	+4,413	-1,000	D	
Civic Education	28,642	28,642	28,642	30,642	29,642	+1,000	+1,000	-1,000	D	
State Grants for Incarcerated Youth Offenders	24,852	---	---	28,000	27,000	+2,148	+27,000	-1,000	D	FF
Total, Safe Schools and Citizenship Education	855,774	838,897	801,369	902,008	867,713	+11,939	+66,344	-34,295		
Current Year	(855,774)	(838,897)	(801,369)	(902,008)	(867,713)	(+11,939)	(+66,344)	(-34,295)		
FY 2006	---	---	---	---	---	---	---	---		
Subtotal, forward funded	(465,760)	(440,908)	(440,908)	(468,908)	(467,908)	(+2,148)	(+27,000)	(-1,000)		

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2004 Comparable	FY 2005 Request	House	Senate	Conference	Conference vs. FY 2004 Comparable	Conference vs. FY 2005 House	Conference vs. FY 2005 Senate		
ENGLISH LANGUAGE ACQUISITION										
Current funded	124,220	85,500	85,500	85,500	85,500	-38,720	---	---	D	
Forward funded	556,995	595,715	595,715	614,500	595,715	+38,720	---	-18,785	D	FF
Total, English Language Acquisition	681,215	681,215	681,215	700,000	681,215	---	---	-18,785		
SPECIAL EDUCATION										
State Grants:										
Grants to States Part B current year	4,655,106	5,655,106	5,655,106	5,815,981	5,262,147	+607,041	-392,959	-553,834	D	FF
Part B advance from prior year	(5,672,000)	(5,413,000)	(5,413,000)	(5,413,000)	(5,413,000)	(-259,000)	---	---	NA	
Grants to States Part B (FY 2006)	5,413,000	5,413,000	5,413,000	5,413,000	5,413,000	---	---	---	D	
Subtotal, Grants to States, program level	10,068,106	11,068,106	11,068,106	11,228,981	10,675,147	+607,041	-392,959	-553,834		
Preschool Grants	387,699	387,699	387,699	390,000	387,699	---	---	-2,301	D	FF
Grants for Infants and Families	444,363	466,581	466,581	444,363	444,363	---	-22,218	---	D	FF
Subtotal, State grants, program level	10,900,168	11,922,386	11,922,386	12,063,344	11,507,209	+607,041	-415,177	-556,135		

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2004 Comparable	FY 2005 Request	House	Senate	Conference	Conference vs. FY 2004 Comparable	Conference vs. FY 2005 House	Conference vs. FY 2005 Senate		
IDEA National Activities (current funded):										
State Improvement	51,061	51,061	51,061	51,061	51,061	---	---	---	D	FF
Technical Assistance and Dissemination	52,820	52,819	52,819	54,000	52,819	-1	---	-1,181	D	
Personnel Preparation	91,357	91,357	91,357	93,357	91,357	---	---	-2,000	D	
Parent Information Centers	26,173	26,173	26,173	27,500	26,173	---	---	-1,327	D	
Technology and Media Services	39,129	32,305	32,305	39,129	39,129	---	+6,824	---	D	
Subtotal, IDEA special programs	260,540	253,715	253,715	265,047	260,539	-1	+6,824	-4,508		
Total, Special education	11,160,708	12,176,101	12,176,101	12,328,391	11,767,748	+607,040	-408,353	-560,643		
Current Year	(5,747,708)	(6,763,101)	(6,763,101)	(6,915,391)	(6,354,748)	(+607,040)	(-408,353)	(-560,643)		
FY 2006	(5,413,000)	(5,413,000)	(5,413,000)	(5,413,000)	(5,413,000)	---	---	---		
Subtotal, Forward funded	(5,538,229)	(6,560,447)	(6,560,447)	(6,701,405)	(6,145,270)	(+607,041)	(-415,177)	(-556,135)		
REHABILITATION SERVICES AND DISABILITY RESEARCH										
Vocational Rehabilitation State Grants	2,584,162	2,635,845	2,635,845	2,635,845	2,635,845	+51,683	---	---	M	
Vocational Rehabilitation State Grants	---	61,800	---	---	---	---	---	---	D	
Client Assistance State grants	11,997	11,997	11,997	13,000	11,997	---	---	-1,003	D	
Training	39,139	39,139	39,139	39,139	39,139	---	---	---	D	
Demonstration and training programs	24,286	18,784	18,784	24,286	25,814	+1,528	+7,030	+1,528	D	
Migrant and seasonal farmworkers	2,321	---	2,321	2,500	2,321	---	---	-179	D	
Recreational programs	2,564	---	2,564	2,750	2,564	---	---	-186	D	
Protection and advocacy of individual rights (PAIR)	16,790	19,570	16,790	18,000	16,790	---	---	-1,210	D	
Projects with industry	21,799	---	21,799	22,000	21,799	---	---	-201	D	
Supported employment State grants	37,680	---	37,680	38,000	37,680	---	---	-320	D	

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2004 Comparable	FY 2005 Request	House	Senate	Conference	Conference vs. FY 2004 Comparable	Conference vs. FY 2005 House	Conference vs. FY 2005 Senate	
Independent living:									
State grants	22,020	22,020	25,000	23,000	23,000	+980	-2,000	---	D
Centers	73,563	73,563	75,000	75,000	76,000	+2,437	+1,000	+1,000	D
Services for older blind individuals	31,811	31,811	35,000	31,811	33,495	+1,684	-1,505	+1,684	D
Subtotal, Independent living	127,394	127,394	135,000	129,811	132,495	+5,101	-2,505	+2,684	
Program Improvement	889	850	850	850	850	-39	---	---	D
Evaluation	988	1,500	1,500	1,500	1,500	+512	---	---	D
Helen Keller National Center for Deaf/Blind Youth and Adults	8,666	8,666	8,666	9,000	8,666	---	---	-334	D D
National Inst. Disability and Rehab. Research (NIDRR)	106,652	106,652	106,652	109,152	108,652	+2,000	+2,000	-500	D
Assistive Technology	25,943	15,000	15,000	31,495	30,000	+4,057	+15,000	-1,495	D
Subtotal, discretionary programs	427,108	411,352	418,742	441,483	440,267	+13,159	+21,525	-1,216	
Total, Rehabilitation services	3,011,270	3,047,197	3,054,587	3,077,328	3,076,112	+64,842	+21,525	-1,216	
SPECIAL INSTITUTIONS FOR PERSONS WITH DISABILITIES									
AMERICAN PRINTING HOUSE FOR THE BLIND	16,403	16,403	17,000	17,000	17,000	+597	---	---	D

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2004 Comparable	FY 2005 Request	House	Senate	Conference	Conference vs. FY 2004 Comparable	Conference vs. FY 2005 House	Conference vs. FY 2005 Senate		
NATIONAL TECHNICAL INSTITUTE FOR THE DEAF (NTID):										
Operations	53,118	53,118	54,105	54,105	54,105	+987	---	---	D	
Construction	365	685	1,685	1,685	1,685	+1,320	---	---	D	
Total, NTID	53,483	53,803	55,790	55,790	55,790	+2,307	---	---		
GALLAUDET UNIVERSITY	100,205	100,205	104,000	105,400	105,400	+5,195	+1,400	---	D	
Total, Special Institutions for Persons with Disabilities	170,091	170,411	176,790	178,190	178,190	+8,099	+1,400	---		
VOCATIONAL AND ADULT EDUCATION										
Vocational Education:										
Basic State Grants/Secondary & Technical Education State Grants, current funded	404,008	221,000	424,008	403,295	412,963	+8,955	-11,045	+9,668	D	FF
Advance from prior year	(791,000)	(791,000)	(791,000)	(791,000)	(791,000)	---	---	---	NA	
FY 2006	791,000	791,000	791,000	791,000	791,000	---	---	---	D	
Subtotal, Basic State Grants, program level	1,195,008	1,012,000	1,215,008	1,194,295	1,203,963	+8,955	-11,045	+9,668		
Tech-Prep Education State Grants	106,665	---	106,665	106,665	106,665	---	---	---	D	FF
National Programs	11,852	---	11,852	11,852	11,852	---	---	---	D	FF
Tech-Prep Education Demonstration	4,939	---	---	4,939	4,939	---	+4,939	---	D	FF
Occupational and Employment Information Program	9,382	---	---	9,241	9,382	---	+9,382	+141	D	FF
Subtotal, Vocational Education	1,327,846	1,012,000	1,333,525	1,326,992	1,336,801	+8,955	+3,276	+9,809		

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2004 Comparable	FY 2005 Request	House	Senate	Conference	Conference vs. FY 2004 Comparable	Conference vs. FY 2005 House	Conference vs. FY 2005 Senate		
Adult Education:										
State Grants/Adult basic and literacy education:										
State Grants, current funded	574,372	574,372	574,372	574,266	574,266	-106	-106	---	D	FF
National Programs										
National Leadership Activities	9,169	9,169	9,169	9,169	9,169	---	---	---	D	FF
National Institute for Literacy	6,692	6,692	6,692	6,692	6,692	---	---	---	D	FF
Subtotal, National programs	15,861	15,861	15,861	15,861	15,861	---	---	---		
Subtotal, Adult education	590,233	590,233	590,233	590,127	590,127	-106	-106	---		
Smaller Learning Communities, current funded	8,698	---	5,085	---	4,762	-3,936	-323	+4,762	D	
Smaller Learning Communities, forward funded	165,269	---	96,613	173,967	90,476	-74,793	-6,137	-83,491	D	FF
Community Technology Centers	9,941	---	---	11,000	5,000	-4,941	+5,000	-6,000	D	
Total, Vocational and adult education	2,101,987	1,602,233	2,025,456	2,102,086	2,027,166	-74,821	+1,710	-74,920		
Current Year	(1,310,987)	(811,233)	(1,234,456)	(1,311,086)	(1,236,166)	(-74,821)	(+1,710)	(-74,920)		
FY 2006	(791,000)	(791,000)	(791,000)	(791,000)	(791,000)	---	---	---		
Subtotal, forward funded	(1,292,348)	(811,233)	(1,229,371)	(1,300,086)	(1,226,404)	(-65,944)	(-2,967)	(-73,682)		
STUDENT FINANCIAL ASSISTANCE										
Pell Grants -- maximum grant (NA)	(4,050)	(4,050)	(4,050)	(4,050)	(4,050)	---	---	---	NA	
Pell Grants -- Regular Program	12,006,738	12,830,000	12,830,000	12,830,000	12,464,715	+457,977	-365,285	-365,285	D	
Enhanced Pell grants for State scholars	---	33,000	---	---	---	---	---	---	D	
Federal Supplemental Educational Opportunity Grants	770,455	770,455	794,455	799,850	785,000	+14,545	-9,455	-14,850	D	
Federal Work Study	998,502	998,502	998,502	998,243	998,243	-259	-259	---	D	

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2004 Comparable	FY 2005 Request	House	Senate	Conference	Conference vs. FY 2004 Comparable	Conference vs. FY 2005 House	Conference vs. FY 2005 Senate	
Federal Perkins Loans:									
Capital Contributions	98,764	---	---	98,764	---	-98,764	---	-98,764	D
Loan Cancellations	66,665	66,665	66,665	66,665	66,665	---	---	---	D
Subtotal, Federal Perkins loans	165,429	66,665	66,665	165,429	66,665	-98,764	---	-98,764	
LEAP program	66,172	---	66,172	66,172	66,172	---	---	---	D
Total, Student Financial Assistance	14,007,296	14,698,622	14,755,794	14,859,694	14,380,795	+373,499	-374,999	-478,899	
STUDENT AID ADMINISTRATION									
Administrative Costs	116,727	934,639	120,247	121,000	120,247	+3,520	---	-753	D
Fed Direct Student Loan Reclassification (Leg prop)	---	-795,000	---	---	---	---	---	---	D

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2004 Comparable	FY 2005 Request	House	Senate	Conference	Conference vs. FY 2004 Comparable	Conference vs. FY 2005 House	Conference vs. FY 2005 Senate	
HIGHER EDUCATION									
Aid for Institutional Development:									
Strengthening Institutions	80,986	80,986	80,986	85,000	80,986	---	---	-4,014	D
Hispanic Serving Institutions	93,993	95,873	95,873	100,000	95,873	+1,880	---	-4,127	D
Strengthening Historically Black Colleges (HBCUs)	222,764	240,500	240,500	240,500	240,500	+17,736	---	---	D
Strengthening historically black graduate insts	53,100	58,500	58,500	58,500	58,500	+5,400	---	---	D
Strengthening Alaska Native and Native Hawaiian-Serving Institutions	10,935	6,137	10,935	13,000	12,000	+1,065	+1,065	-1,000	D D
Strengthening Tribal Colleges	23,287	23,753	23,753	25,000	24,000	+713	+247	-1,000	D
Subtotal, Aid for Institutional development	485,065	505,749	510,547	522,000	511,859	+26,794	+1,312	-10,141	
International Education and Foreign Language:									
Domestic Programs	89,211	89,211	93,211	89,211	93,211	+4,000	---	+4,000	D
Overseas Programs	12,840	12,840	12,840	12,840	12,840	---	---	---	D
Institute for International Public Policy	1,629	1,629	1,629	1,629	1,629	---	---	---	D
Subtotal, International Education & Foreign Lang	103,680	103,680	107,680	103,680	107,680	+4,000	---	+4,000	

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2004 Comparable	FY 2005 Request	House	Senate	Conference	Conference vs. FY 2004 Comparable	Conference vs. FY 2005 House	Conference vs. FY 2005 Senate	
Fund for the Improvement of Postsec. Ed. (FIPSE).....	157,700	32,011	32,011	157,700	163,915	+6,215	+131,904	+6,215	D
Minority Science and Engineering Improvement.....	8,889	8,889	8,889	8,889	8,889	---	---	---	D
Interest Subsidy Grants.....	1,988	1,500	1,500	1,500	1,500	-488	---	---	D
Tribally Controlled Postsec Voc/Tech Institutions.....	7,185	7,185	7,185	8,000	7,500	+315	+315	-500	D
Federal TRIO Programs.....	832,559	832,559	842,559	844,500	843,289	+10,730	+730	-1,211	D
GEAR UP.....	298,230	298,230	318,230	302,500	308,960	+10,730	-9,270	+6,460	D
Byrd Honors Scholarships.....	40,758	40,758	---	41,000	41,000	+242	+41,000	---	D
Javits Fellowships.....	9,876	9,876	9,876	9,876	9,876	---	---	---	D
Graduate Assistance in Areas of National Need.....	30,616	30,616	30,616	30,616	30,616	---	---	---	D
Teacher Quality Enhancement Grants.....	88,887	88,888	88,888	88,888	68,888	-19,999	-20,000	-20,000	D
Child Care Access Means Parents in School.....	16,098	16,099	16,099	16,099	16,099	+1	---	---	D
Demonstration in Disabilities / Higher Education.....	6,913	---	---	7,000	7,000	+87	+7,000	---	D
Underground Railroad Program.....	2,222	---	---	2,222	2,222	---	+2,222	---	D
GPRA data/HEA program evaluation.....	988	988	988	988	988	---	---	---	D
B.J. Stupak Olympic Scholarships.....	988	---	988	---	988	---	---	+988	D
Thurgood Marshall legal education opportunity program.	---	---	---	3,000	3,000	+3,000	+3,000	---	D
Total, Higher education.....	2,092,642	1,977,028	1,976,056	2,148,458	2,134,269	+41,627	+158,213	-14,189	

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2004 Comparable	FY 2005 Request	House	Senate	Conference	Conference vs. FY 2004 Comparable	Conference vs. FY 2005 House	Conference vs. FY 2005 Senate	
HOWARD UNIVERSITY									
Academic Program	205,212	205,164	210,342	206,164	207,164	+1,952	-3,178	+1,000	D
Endowment Program	3,552	3,600	3,552	3,600	3,552	---	---	-48	D
Howard University Hospital	29,999	29,999	29,999	29,999	29,999	---	---	---	D
Total, Howard University	238,763	238,763	243,893	239,763	240,715	+1,952	-3,178	+952	
COLLEGE HOUSING AND ACADEMIC FACILITIES LOANS PROGRAM: (CHAFL)	769	578	578	578	578	-191	---	---	D
HBCU CAPITAL FINANCING PROGRAM -- Federal Adm.	209	212	212	212	212	+3	---	---	D
INSTITUTE OF EDUCATION SCIENCES									
Research, development and dissemination	165,518	185,000	165,518	165,518	165,518	---	---	---	D
Statistics	91,664	91,664	91,664	91,664	91,664	---	---	---	D
Regional Educational Laboratories	66,665	---	66,665	66,665	66,665	---	---	---	D
Research and innovation in special education	78,125	78,125	78,125	78,125	83,774	+5,649	+5,649	+5,649	D
Statewide data systems	---	---	30,000	40,000	25,000	+25,000	-5,000	-15,000	D
Assessment:									
National Assessment	89,703	89,703	89,703	89,703	89,703	---	---	---	D
National Assessment Governing Board	5,060	5,129	5,129	5,129	5,129	+69	---	---	D
Subtotal, Assessment	94,763	94,832	94,832	94,832	94,832	+69	---	---	
Total, IES	496,735	449,621	526,804	536,804	527,453	+30,718	+649	-9,351	

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2004 Comparable	FY 2005 Request	House	Senate	Conference	Conference vs. FY 2004 Comparable	Conference vs. FY 2005 House	Conference vs. FY 2005 Senate	
DEPARTMENTAL MANAGEMENT									
PROGRAM ADMINISTRATION	420,379	429,778	421,055	420,379	423,379	+3,000	+2,324	+3,000	D
OFFICE FOR CIVIL RIGHTS	88,305	92,801	90,248	92,801	90,248	+1,943	---	-2,553	D
OFFICE OF THE INSPECTOR GENERAL	46,624	50,576	47,790	50,576	47,790	+1,166	---	-2,786	D
Total, Departmental management	555,308	573,155	559,093	563,756	561,417	+6,109	+2,324	-2,339	
Total: Elementary and Secondary Education Act programs	24,478,026	24,901,337	24,803,103	25,513,020	24,754,029	+276,003	-49,074	-758,991	
Total, Title III, Department of Education	58,246,623	59,974,897	60,317,016	61,484,313	59,668,693	+1,422,070	-648,323	-1,815,620	
Current Year	(43,224,322)	(44,952,596)	(45,294,715)	(46,462,012)	(44,646,392)	(+1,422,070)	(-648,323)	(-1,815,620)	
FY 2006	(15,022,301)	(15,022,301)	(15,022,301)	(15,022,301)	(15,022,301)	---	---	---	

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2004 Comparable	FY 2005 Request	House	Senate	Conference	Conference vs. FY 2004 Comparable	Conference vs. FY 2005 House	Conference vs. FY 2005 Senate	
TITLE IV - RELATED AGENCIES									
ARMED FORCES RETIREMENT HOME									
Operations and Maintenance	62,923	57,195	57,195	57,195	57,624	-5,299	+429	+429	D
Capital Program	1,971	4,000	4,000	4,000	4,000	+2,029	---	---	D
Total, AFRH	64,894	61,195	61,195	61,195	61,624	-3,270	+429	+429	
COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE BLIND OR SEVERELY DISABLED 1/	4,697	4,672	4,672	---	4,707	+10	+35	+4,707	D
CORPORATION FOR NATIONAL AND COMMUNITY SERVICE 2/									
Volunteers in Service to America (VISTA)	93,731	96,428	93,731	96,428	95,000	+1,269	+1,269	-1,428	D
Volunteers in Homeland Security	9,876	15,000	5,000	5,000	5,000	-4,876	---	---	D
National Senior Volunteer Corps:									
Foster Grandparents Program	110,121	106,700	112,323	112,323	112,323	+2,202	---	---	D
Senior Companion Program	45,987	46,563	45,987	46,563	46,275	+288	+288	-288	D
Retired Senior Volunteer Program	58,156	69,884	58,156	60,000	59,000	+844	+844	-1,000	D
Senior Demonstration Program	---	1,397	---	---	---	---	---	---	D
Subtotal, Senior Volunteers	214,264	224,544	216,466	218,886	217,598	+3,334	+1,132	-1,288	
Program Administration	36,469	39,363	38,000	37,500	39,000	+2,531	+1,000	+1,500	D
Total, Domestic Volunteer Service Programs	354,340	375,335	353,197	357,814	356,598	+2,258	+3,401	-1,216	

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2004 Comparable	FY 2005 Request	House	Senate	Conference	Conference vs. FY 2004 Comparable	Conference vs. FY 2005 House	Conference vs. FY 2005 Senate	
CORPORATION FOR PUBLIC BROADCASTING:									
FY 2007 (current) with FY 2006 comparable.....	400,000	---	400,000	400,000	400,000	---	---	---	D
FY 2006 advance with FY 2005 comparable (NA).....	(390,000)	(400,000)	(400,000)	(400,000)	(400,000)	(+10,000)	---	---	NA
FY 2005 advance with FY 2004 comparable (NA).....	(377,758)	(390,000)	(390,000)	(390,000)	(390,000)	(+12,242)	---	---	NA
Digitalization program, current funded 3/.....	49,705	---	---	49,705	39,705	-10,000	+39,705	-10,000	D
Digitalization, non-add 4/.....	---	(20,000)	(20,000)	---	---	---	(-20,000)	---	NA
Interconnection, current funded 3/.....	9,941	---	---	50,000	40,000	+30,059	+40,000	-10,000	D
Interconnection, non-add 4/.....	---	(75,000)	(60,000)	(75,000)	(75,000)	(+75,000)	(+15,000)	---	NA
Subtotal, FY 2005 appropriation.....	59,646	---	---	99,705	79,705	+20,059	+79,705	-20,000	
Subtotal, FY 2005 comparable.....	(59,646)	(95,000)	(80,000)	(174,705)	(154,705)	(+95,059)	(+74,705)	(-20,000)	
FEDERAL MEDIATION AND CONCILIATION SERVICE.....	43,129	43,964	43,964	44,464	44,797	+1,668	+833	+333	D
FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION.....	7,728	7,813	7,813	7,813	7,872	+144	+59	+59	D
INSTITUTE OF MUSEUM AND LIBRARY SERVICES.....	262,240	261,743	261,743	262,240	282,827	+20,587	+21,084	+20,587	D
MEDICARE PAYMENT ADVISORY COMMISSION.....	9,245	9,905	9,905	9,905	9,979	+734	+74	+74	TF
NATIONAL COMMISSION ON LIBRARIES AND INFO SCIENCE.....	994	1,000	1,000	994	1,001	+7	+1	+7	D
NATIONAL COUNCIL ON DISABILITY.....	3,021	2,873	2,873	3,371	3,371	+350	+498	---	D
NATIONAL LABOR RELATIONS BOARD.....	242,633	248,785	248,785	250,000	251,875	+9,242	+3,090	+1,875	D
NATIONAL MEDIATION BOARD.....	11,354	11,635	11,635	11,635	11,722	+368	+87	+87	D
OCCUPATIONAL SAFETY AND HEALTH REVIEW COMMISSION.....	9,805	10,516	10,516	10,516	10,595	+790	+79	+79	D

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2004 Comparable	FY 2005 Request	House	Senate	Conference	Conference vs. FY 2004 Comparable	Conference vs. FY 2005 House	Conference vs. FY 2005 Senate	
RAILROAD RETIREMENT BOARD									
Dual Benefits Payments Account	118,298	108,000	108,000	108,000	108,000	-10,298	---	---	D
Less Income Tax Receipts on Dual Benefits	-7,953	-8,000	-8,000	-8,000	-8,000	-47	---	---	D
Subtotal, Dual Benefits	110,345	100,000	100,000	100,000	100,000	-10,345	---	---	
Federal Payment to the RR Retirement Account	150	150	150	150	150	---	---	---	M
Limitation on Administration	100,702	102,600	102,202	102,600	103,370	+2,668	+1,168	+770	TF
Inspector General	6,561	7,200	6,561	7,200	7,254	+693	+693	+54	TF
SOCIAL SECURITY ADMINISTRATION									
Payments to Social Security Trust Funds	21,658	20,454	20,454	20,454	20,454	-1,204	---	---	M

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2004 Comparable	FY 2005 Request	House	Senate	Conference	Conference vs. FY 2004 Comparable	Conference vs. FY 2005 House	Conference vs. FY 2005 Senate	
SUPPLEMENTAL SECURITY INCOME									
Federal benefit payments	34,198,000	38,109,000	38,109,000	34,909,000	38,109,000	+3,911,000	---	+3,200,000	M
Beneficiary services	100,000	45,929	45,929	45,929	45,929	-54,071	---	---	M
Research and demonstration	38,000	27,000	27,000	35,000	35,000	-3,000	+8,000	---	M
Administration	2,973,300	3,017,000	2,986,900	2,928,020	2,986,900	+13,600	---	+58,880	D
Subtotal, SSI program level	37,309,300	41,198,929	41,168,829	37,917,949	41,176,829	+3,867,529	+8,000	+3,258,880	
Less funds advanced in prior year	-11,080,000	-12,590,000	-12,590,000	-12,590,000	-12,590,000	-1,510,000	---	---	M
Subtotal, regular SSI current year	26,229,300	28,608,929	28,578,829	25,327,949	28,586,829	+2,357,529	+8,000	+3,258,880	
User Fee Activities	120,000	124,000	124,000	124,000	124,000	+4,000	---	---	D
Total, SSI, current request	26,349,300	28,732,929	28,702,829	25,451,949	28,710,829	+2,361,529	+8,000	+3,258,880	
New advance, 1st quarter, FY 2006	12,590,000	10,930,000	10,930,000	14,130,000	10,930,000	-1,660,000	---	-3,200,000	M
Total, SSI program	38,939,300	39,662,929	39,632,829	39,581,949	39,640,829	+701,529	+8,000	+58,880	

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2004 Comparable	FY 2005 Request	House	Senate	Conference	Conference vs. FY 2004 Comparable	Conference vs. FY 2005 House	Conference vs. FY 2005 Senate	
LIMITATION ON ADMINISTRATIVE EXPENSES									
OASDI Trust Funds	4,070,369	4,454,000	4,412,700	4,322,654	4,412,896	+342,527	+196	+90,242	TF
HI/SMI Trust Funds	1,147,705	1,284,000	1,272,500	1,246,144	1,272,500	+124,795	---	+26,356	TF
Social Security Advisory Board	1,800	2,000	2,000	2,000	2,000	+200	---	---	TF
SSI	2,973,300	3,017,000	2,986,900	2,928,020	2,986,900	+13,600	---	+58,880	TF
Subtotal, regular LAE	8,193,174	8,757,000	8,674,100	8,498,818	8,674,296	+481,122	+196	+175,478	
User Fee Activities (SSI)	120,000	124,000	124,000	124,000	124,000	+4,000	---	---	TF
Total, Limitation on Administrative Expenses	8,313,174	8,881,000	8,798,100	8,622,818	8,798,296	+485,122	+196	+175,478	
MEDICARE REFORM FUNDING									
HI/SMI trust funds mandatory spending 5/ 6/	(500,000)	---	---	---	---	(-500,000)	---	---	NA
Medicare reform contingency fund 7/	---	100,000	---	---	---	---	---	---	D

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2004 Comparable	FY 2005 Request	House	Senate	Conference	Conference vs. FY 2004 Comparable	Conference vs. FY 2005 House	Conference vs. FY 2005 Senate	
OFFICE OF INSPECTOR GENERAL									
Federal Funds	24,355	26,000	25,748	26,000	25,748	+1,393	---	-252	D
Trust Funds	63,324	66,000	65,359	66,000	65,359	+2,035	---	-641	TF
Total, Office of Inspector General	87,679	92,000	91,107	92,000	91,107	+3,428	---	-893	
Adjustment: Trust fund transfers from general revenues	-3,093,300	-3,141,000	-3,110,900	-3,052,020	-3,110,900	-17,600	---	-58,880	TF
Total, Social Security Administration	44,268,511	45,615,383	45,431,590	45,265,201	45,439,786	+1,171,275	+8,196	+174,585	
Federal funds	38,985,313	39,809,383	39,679,031	39,628,403	39,687,031	+701,718	+8,000	+58,628	
Current year	(26,395,313)	(28,879,383)	(28,749,031)	(25,498,403)	(28,757,031)	(+2,361,718)	(+8,000)	(+3,258,628)	
New advances, 1st quarter	(12,590,000)	(10,930,000)	(10,930,000)	(14,130,000)	(10,930,000)	(-1,660,000)	---	(-3,200,000)	
Trust funds	5,283,198	5,806,000	5,752,559	5,636,798	5,752,755	+469,557	+196	+115,957	
UNITED STATES INSTITUTE OF PEACE 8/	---	---	---	22,099	---	---	---	-22,099	
Total, Title IV, Related Agencies	45,959,995	46,864,769	47,057,801	47,016,902	47,177,233	+1,217,238	+119,432	+160,331	
Federal Funds	40,560,289	40,939,064	41,186,574	41,260,399	41,303,875	+743,586	+117,301	+43,476	
Current Year	(27,570,289)	(30,009,064)	(29,856,574)	(26,730,399)	(29,973,875)	(+2,403,586)	(+117,301)	(+3,243,476)	
FY 2006 Advance	(12,590,000)	(10,930,000)	(10,930,000)	(14,130,000)	(10,930,000)	(-1,660,000)	---	(-3,200,000)	
FY 2007 Advance	(400,000)	---	(400,000)	(400,000)	(400,000)	---	---	---	
Trust Funds	5,399,706	5,925,705	5,871,227	5,756,503	5,873,358	+473,652	+2,131	+116,855	

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

						Conference vs.		
	FY 2004 Comparable	FY 2005 Request	House	Senate	Conference	FY 2004 Comparable	FY 2005 House	FY 2005 Senate

Title IV Footnotes:
1/ FY 2005 House jurisdiction change--account moved from Transportation-Treasury Appropriations.
2/ Appropriations for Americorps are provided in the VA-HUD bill.
3/ Current funded.
4/ Requested funds for these activities are from previously appropriated funds.
5/ Funds provided in P.L. 108-173, the 2003 Medicare Prescription Drug, Improvement & Modernization Act
6/ Available in fiscal years 2004 and 2005.
7/ Two-year availability. Funds may be transferred between CMS and SSA.
8/ Senate display. House jurisdiction change--account moved to Commerce-Justice-State appropriations.

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2004 Comparable	FY 2005 Request	House	Senate	Conference	Conference vs. FY 2004 Comparable	Conference vs. FY 2005 House	Conference vs. FY 2005 Senate
SUMMARY								
Federal Funds	467,973,109	483,957,294	484,255,006	487,132,210	485,060,136	+17,087,027	+805,130	-2,072,074
Current year	(374,625,833)	(387,359,603)	(387,257,315)	(386,934,519)	(388,062,445)	(+13,436,612)	(+805,130)	(+1,127,926)
2006 advance	(92,947,276)	(96,597,691)	(96,597,691)	(99,797,691)	(96,597,691)	(+3,650,415)	---	(-3,200,000)
2006 advance	(400,000)	---	(400,000)	(400,000)	(400,000)	---	---	---
Trust Funds	11,844,869	12,477,283	12,410,505	12,357,301	12,492,375	+647,506	+81,870	+135,074
Grand Total	479,817,978	496,434,577	496,665,511	499,489,511	497,552,511	+17,734,533	+887,000	-1,937,000

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2004 Comparable	FY 2005 Request	House	Senate	Conference	Conference vs. FY 2004 Comparable	Conference vs. FY 2005 House	Conference vs. FY 2005 Senate
BUDGET ENFORCEMENT ACT RECAP								
Mandatory, total in bill	340,041,821	353,539,511	353,539,511	353,547,511	353,595,511	+13,553,690	+56,000	+48,000
Less advances for subsequent years	-74,061,975	-77,712,390	-77,712,390	-80,912,390	-77,712,390	-3,650,415	---	+3,200,000
Plus advances provided in prior years	65,883,986	74,061,975	74,061,975	74,061,975	74,061,975	+8,177,989	---	---
Total, mandatory, current year	331,863,832	349,889,096	349,889,096	346,697,096	349,945,096	+18,081,264	+56,000	+3,248,000
Discretionary, total in bill	139,776,157	142,895,066	143,126,000	145,942,000	143,957,000	+4,180,843	+831,000	-1,985,000
Less advances for subsequent years	-19,285,301	-18,885,301	-19,285,301	-19,285,301	-19,285,301	---	---	---
Plus advances provided in prior years	19,229,267	19,275,301	19,275,301	19,275,301	19,275,301	+46,034	---	---
Subtotal, Discretionary, current year	139,720,123	143,285,066	143,116,000	145,932,000	143,947,000	+4,226,877	+831,000	-1,985,000
Scorekeeping adjustments:								
SSA User Fee Collection	-120,000	-124,000	-124,000	-124,000	-124,000	-4,000	---	---
SSI date shift	---	---	---	-3,200,000	---	---	---	+3,200,000
Vaccines for children legislative proposal	---	-110,000	---	---	---	---	---	---
Average Weekly Insured Unemploy (AWIU) contingency	---	---	---	---	---	---	---	---
Adjustment-OMB Mandatory scoring in Voc Rehab	---	---	---	---	---	---	---	---
Medicaid/Medicare offsetting proposals	---	-462,000	---	---	---	---	---	---
HI/SMI user fees	---	-165,000	-155,000	---	---	---	+155,000	---
Medicare Hospital loans	---	---	-200,000	-199,900	---	---	+200,000	+199,900
CDC Management/IT Savings	---	---	-15,000	---	---	---	+15,000	---
Smallpox vaccine injury compensation rescission	---	---	---	---	-20,000	-20,000	-20,000	-20,000

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2004 Comparable	FY 2005 Request	House	Senate	Conference	Conference vs. FY 2004 Comparable	Conference vs. FY 2005 House	Conference vs. FY 2005 Senate
Medical facilities guarantee and loan fund Rescission	---	---	---	---	-66,000	-66,000	-66,000	-66,000
Health professions student loan rescission	---	---	---	---	-19,000	-19,000	-19,000	-19,000
Welfare to Work rescission	-176,000	---	---	---	---	+176,000	---	---
H-1B rescission	---	-100,000	-100,000	-100,100	-100,000	-100,000	---	+100
75 percent rule scoring	---	---	9,000	9,000	9,000	+9,000	---	---
75 percent rule offset in CMS	---	---	-12,500	---	---	---	+12,500	---
Across the board administrative expenses reduction	---	---	---	---	-18,000	-18,000	-18,000	-18,000
ESA Special benefits (offsetting collections)	-54	---	---	---	---	+54	---	---
Section 223 P.L. 104-191	---	---	---	-35,000	---	---	---	+35,000
Section 223 Office of Inspector General	---	---	---	35,000	---	---	---	-35,000
Less emergency appropriations	---	---	---	---	-300,000	-300,000	-300,000	-300,000
Total, discretionary	139,424,069	142,324,066	142,518,500	142,317,000	143,309,000	+3,884,931	+790,500	+992,000
Adjustment to balance with 2004 enacted	-252,080	---	---	---	---	+252,080	---	---
Total, discretionary (FY 2004 enacted)	139,171,989	142,324,066	142,518,500	142,317,000	143,309,000	+4,137,011	+790,500	+992,000
Grand total, current year (incl FY 2004 comparable)	471,287,901	492,213,162	492,407,596	489,014,096	493,254,096	+21,966,195	+846,500	+4,240,000
Grand total, current year (incl FY 2004 enacted)	471,035,821	492,213,162	492,407,596	489,014,096	493,254,096	+22,218,275	+846,500	+4,240,000

CONFERENCE TOTAL—WITH COMPARISONS

The total new budget (obligational) authority for the fiscal year 2005 recommended by the Committee of Conference, with comparisons to the fiscal year 2004 amount, the 2005 budget estimates, and the House and Senate bills for 2005 follow:

[In thousands of dollars]

New budget (obligational) authority, fiscal year 2004	$479,817,978
Budget estimates of new (obligational) authority, fiscal year 2005	496,434,577
House bill, fiscal year 2005	496,665,511
Senate bill, fiscal year 2005	499,489,511
Conference agreement, fiscal year 2005	497,552,511
Conference agreement compared with:	
New budget (obligational) authority, fiscal year 2004	+17,734,533
Budget estimates of new (obligational) authority, fiscal year 2005	+1,117,934
House bill, fiscal year 2005	+887,000
Senate bill, fiscal year 2005	−1,937,000

DIVISION G—LEGISLATIVE BRANCH APPROPRIATIONS ACT, 2005

LEGISLATIVE BRANCH WIDE MATTERS

The conferees recognize the provisions of H.R. 4755 and the accompanying House Report 108–577, and S. 2666 and the accompanying Senate Report 108–307, and any instructions and detail included in such reports are to be adhered to, unless amended or restated herein.

Many items in both House and Senate Legislative Branch Appropriations bills are identical and are included in the conference agreement without change. The conferees have endorsed statements of policy contained in the House and Senate reports accompanying the appropriations bills, unless amended or restated herein. With respect to those items in the conference agreement that differ between House and Senate bills, the conferees have agreed to the following with the appropriate section numbers, punctuation, and other technical corrections.

The conferees are very concerned with the responsiveness and working relationships between the Committees and the Chief Financial Officers of the agencies of the Legislative Branch. In order for the Committees to review, analyze, evaluate, and provide the budgetary resources to the agencies of the Legislative Branch it is imperative that solid working relationships exist between the Committees and each CFO, and that they provide the highest level of timeliness, accuracy, and confidentiality. The conferees believe that in order for the budgetary cycle to accomplish the appropriate outcome the collaborative arrangements are essential, however, emphasize to the heads of the agencies, that the Committees will proceed with the budgetary process with or without these cooperative and confidential relationships.

It has also come to the attention of the conferees that agencies of the Legislative Branch are using varying assumptions and operating processes at times when the Government is operating under a continuing resolution. The conferees direct the members of Legislative Branch Financial Managers Council to work together to assure that all agencies are operating within the rules, regulations,

and accounting procedures required by a continuing resolution and report its findings to the Committee on Appropriations of the House and Senate by January 31, 2005.

The conferees emphasize to the Legislative Branch agencies that the large budgetary increases requested in the fiscal year 2005 budget submissions cannot be sustained. The conferees encourage the agencies to submit more reasonable budget requests for fiscal year 2006, and thereafter.

TITLE I

SENATE

Appropriates $726,067,000 for Senate operations. Inasmuch as these items relate solely to the Senate, and in accord with long practice under which each body determines its own housekeeping requirements and the other concurs without intervention, the managers on the part of the House, at the request of the managers on the part of the Senate, have receded to the amendments of the Senate.

HOUSE OF REPRESENTATIVES

Appropriates $1,048,581,000 for House operations. Inasmuch as these items relate solely to the House, and in accord with long practice under which each body determines its own housekeeping requirements and the other concurs without intervention, the managers on the part of the Senate, at the request of the managers on the part of the House, have receded to the amendments of the House.

JOINT ITEMS

JOINT ECONOMIC COMMITTEE

Appropriates $4,139,000 as proposed by the House and the Senate.

JOINT COMMITTEE ON TAXATION

Appropriates $8,433,000 as proposed by the House instead of $8,476,000 as proposed by the Senate.

OFFICE OF THE ATTENDING PHYSICIAN

Appropriates $2,528,000 as proposed by the House and the Senate.

CAPITOL GUIDE SERVICE AND SPECIAL SERVICES OFFICE

Appropriates $3,844,000 for the Capitol Guide Service and Special Services Office as proposed by the House and the Senate.

STATEMENTS OF APPROPRIATIONS

Appropriates $30,000 as proposed by the House and the Senate.

CAPITOL POLICE

The conferees are very concerned that the Chief of the Capitol Police has made operational decisions, which necessitated levels of spending in excess of funds appropriated, without consultation with the Committees. The conferees direct that the Chief abide by the Antideficiency Act and that the Department will operate within its appropriations for the fiscal year. The Chief of Police should not expect supplemental funding if he exceeds the appropriation. In the future, all permanent security improvements are to be funded within existing appropriations not the Emergency Response Fund. If a long-term security need exists, the conferees expect the Chief to propose funding solutions, and await approval from the Capitol Police Board and the appropriate committees of Congress for a permanent solution.

The conferees direct that the Chief of Police make every effort to keep the Committees informed of all issues impacting appropriations in a more timely manner. The Chief of Police is directed to report quarterly, by approved line item, on obligations to date compared to the original budgeted items, beginning with the first quarter of fiscal year 2005, ending December 31, 2004.

SALARIES

Appropriates $203,440,000 for salaries of officers, members, and employees of the Capitol Police as proposed by the House instead of $198,000,000 as proposed by the Senate.

The fiscal year 2002 conference report (H. Rpt. 107–259) accompanying the Legislative Branch Appropriations bill outlined reprogramming guidelines for the Legislative Branch. The conferees are very concerned that the Capitol Police have not followed the prescribed guidelines outlined in the fiscal year 2002 conference report. The conferees direct the Government Accountability Office to audit the budgetary execution of the Capitol Police, beginning with fiscal year 2002, to determine if the established reprogramming guidelines are being followed. The GAO is to report its findings to the Committees on Appropriations of the House and Senate within 90 days of enactment of this Act. The conferees further direct that the GAO continue to monitor the Capitol Police budget, in terms of reprogramming actions, and report all reprogramming actions in its regular semi-annual reports regarding the Capitol Police administrative operations.

The conferees are concerned with the broad interpretation by the Capitol Police regarding the obligation and expenditure of funds under the auspice of a declared emergency situation. The conferees direct the Government Accountability Office to review the policies, procedures, notification criteria, and approval processes of the Capitol Police to obtain the appropriate approvals by the Capitol Police Board and the Committees on Appropriations when funding is required during an emergency situation. The GAO is directed to report its findings to the Committee on Appropriations of the House and Senate no later than January 31, 2005.

The USCP has recently presented to the Committees on Appropriations another new plan for reorganizing the Department. The conferees acknowledge that changes to the USCP organization will

be necessary to effectively address strategic objectives, performance measures, recommendations made by the Government Accountability Office, and changing conditions reflected in regular updates of the threat assessment. However, organizational changes proposed by the USCP, to date, fail to link specifically desired outcomes to a clearly defined set of strategic objectives emanating from an approved strategic plan. Reorganization proposals do not adequately reflect recommendations made by the Government Accountability Office to establish a clear link between organization structure, strategic objectives, and staffing requirements. Therefore, the conferees do not approve any changes in organizational structure at this time. The department has experienced a considerable amount of growth over the past few years in both mission and resources. The conferees believe that it is important for the USCP to develop a reorganization plan that is clear, transparent, and supports the efficient and effective use of current and requested resources. The plan should clearly demonstrate how the proposed organizational realignment is tied to the strategic objectives in an approved strategic plan which is founded on the following criteria: results of an up-to-date threat assessment; well-defined policies; and new or reformed practices designed to transform and modernize the force in response to post-9/11 security requirements. The conferees believe that an independent review of a proposed USCP reorganization plan, including the application of best practices, where applicable, would be helpful in this regard and directs the Government Accountability Office to undertake such a review. The GAO will report its findings and make recommendations that will assist the Chief and the Capitol Police Board in the development of a reorganization plan. The GAO should report the results of its review to the Committees and the Capitol Police Board by February 28, 2005.

The conferees direct that 10 additional civilian administrative FTEs be allocated within existing "Salaries" resources as follows: three accountants for FMS start-up and operations, a budget analyst for budget execution, a manpower analyst, a facilities administrator, a vehicle maintenance administrator, an assets manager, and two human resources specialists. In addition, the conferees direct that from within existing "General Expenses" resources, the Capitol Police contract for the staffing resources to cover the requirements for wireless technicians, currently estimated at four FTEs, and for radio installation repair technicians and security control operators, currently estimated at 11 FTEs. The conferees believe that these positions will permit the USCP to properly address growing issues with financial management, human resources management, workforce planning and budget, as well as technical requirements. The conferees expect that a portion of these resources will be used by the USCP to assist in the analysis and evaluation of mission requirements as related to organization structure and overall staffing needs. The conferees also expect that prior to any future requests for additional FTEs, the Capitol Police Board will present to the Committees a workforce plan that clearly communicates the relationship between a revised organizational structure and an approved strategic plan that is based on the following criteria: an up-to-date threat assessment; security policies and procedures approved by the Capitol Police Board; best prac-

tices that are consistent with similar institutions; and human resources policies and practices designed to maximize the effective and efficient use of FTEs.

The conferees further direct that the Capitol Police review all existing operations and general expenses to determine if any outsourcing opportunities exist and report those findings to the Committee on Appropriations of the House and Senate by March 1, 2005.

The conferees are concerned over the inflated estimates for the "Salaries" appropriations submitted by the Chief of Police. This situation has resulted in excess unobligated balances of $19.6 million, or 11.2% in fiscal year 2003 and $11.2 million, or 5.7% in fiscal year 2004. This practice is inexcusable, especially in consideration of the budget restraints under which the Congress is operating.

GENERAL EXPENSES

Appropriates $28,888,000 for general expenses of the Capitol Police, instead of $28,925,000, as proposed by the Senate.

As directed in the fiscal year 2005 House Report (108–577), the Chief of Police is to report on the economics of continuing the use of the Capitol Police command vehicle due to the requested maintenance cost of $200,000 for 2005. The conferees are concerned that, since November 2003, the USCP have been aware of major mechanical structural problems with the vehicle and did not inform the Committees. The study, which was to be submitted to the Committees on September 1, 2004, was not received until November 5, 2004. It was then reported that the command vehicle is "mechanically and structurally unsound for service," and had been removed from service on November 1, 2004. The conferees note that $1.6 million was invested in the command vehicle and direct that no further funding be obligated or expended for this vehicle until all options are explored on its continued use and reported to the Committee on Appropriations of the House and Senate by February 1, 2005.

The conferees direct the Government Accountability Office to conduct a study of the equestrian unit of the USCP. The study is to examine the effectiveness, efficiency, cost benefits, risk analysis, and overall operations of the unit. The study is to be provided to the Committee on Appropriations of the House and Senate by March 15, 2005.

The conferees direct that the Chief of Police provide the Committee on Appropriations of the House and Senate a quarterly report of all travel of the command staff of the Capitol Police. This report should provide the names of the travelers, the dates and purpose of the travel, and all costs including any training or registration fees associated with the travel. These reports should begin with the first quarter ending December 31, 2004.

The conferees urge the Capitol Police to deploy wherever appropriate first applied sorbent treatment for use by the Hazardous Materials Response Team in chemical decontamination efforts.

ADMINISTRATIVE PROVISIONS

(INCLUDING TRANSFER OF FUNDS)

The conferees have included an administrative provision allowing for the transfer of funds upon the approval of the Committee on Appropriations of the House and Senate.

In addition, the conferees have included an administrative provision relating to hiring authority of the Capitol Police. The conferees also included authorization for the Capitol Police to carry a specifically authorized weapon during periods when the officer or member is not on duty that is different from the weapon furnished by the Department. The conferees have provided authority for setting pay with the Capitol Police Board or the Chief of the Capitol Police. The conferees have provided authority for the acceptance of donations of animals for the canine unit. The conferees have also provided authority to the Chief of the Capitol Police to settle Federal tort claims, in accordance with Title 31 of the United States Code, with reporting requirements to the Committee on House Administration and the Senate Committee on Rules and Administration. The conferees have included a provision related to the protection of information that is sensitive to the policing, protection, physical security, counter terrorism, emergency response, and preparedness of the Congress and the Capitol buildings and grounds. Language has also been included regarding the General Counsel that is not intended to effect changes to the current organizational structure. The conferees have also included a provision relating to deployment of the Capitol Police outside of their jurisdiction.

OFFICE OF COMPLIANCE

SALARIES AND EXPENSES

Appropriates $2,421,000 as proposed by the House and the Senate. The conferees have agreed to strike the student loan repayment provision. The conferees remind the Office of Compliance that funding provided for cost-of-living increases is not to be used for any other purpose without the prior approval of the House and Senate Committees on Appropriations.

CONGRESSIONAL BUDGET OFFICE

SALARIES AND EXPENSES

Appropriates $34,919,000 instead of $34,790,000 as proposed by the House and Senate. The additional amount of $129,000 is provided to cover the increased agency cost for the Federal Employee Retirement System (FERS).

ARCHITECT OF THE CAPITOL

GENERAL ADMINISTRATION

Appropriates $80,347,000, to the Architect of the Capitol for general administration, instead of $79,581,000 as proposed by the House and $74,063,000 as proposed by the Senate. Of the amount appropriated, $2,220,000 shall remain available until September

30, 2009, instead of $1,500,000 as proposed by the House and $720,000 as proposed by the Senate.

The conferees are concerned that little has been accomplished through the new Chief Operating Officer (COO) function, which the Congress created in fiscal year 2003. This function was intended to improve management, streamline day-to-day Architect of the Capitol (AOC) operations, and effectuate team building.

Specifically, Public Law 108–7 required that the COO prepare an action plan describing "the policies, procedures, and actions" to be implemented "and timeframes for carrying out the responsibilities under this section". The conferees note that the action plan submitted to Congress by the COO did not adequately describe how the COO would carry out the assigned responsibilities detailed in the legislation. Because the submitted action plan is outlined at such a general level, it fails to convey how the listed items link together to move the agency forward and address the Agency's longstanding and well known weaknesses, the reason the COO position was created. In addition, the plan lacks details of the steps necessary for completing the listed items, nor does it explain how individual items will be measured in order to monitor AOC's performance. Further, the plan does not specify how the items listed in the action plan relate to and link with the AOC's strategic plan, released on December 15, 2003, even though the legislation required that the action plan be "developed concurrently and consistent with the development of a strategic plan."

In addition, the action plan was to be submitted not later than 90 days after the appointment of the Chief Operating Officer on July 28, 2003, but the plan was not received until December 22, 2003, almost 2 months late and with no evidence of having benefited from additional work over that period. The conferees note that the action plan was delivered without briefing or discussion, which could have provided the relevant Committees with better understanding regarding the details of the implementation of the plan.

Based on ongoing monitoring efforts conducted by the Government Accountability Office (GAO), it appears that there have been no substantive improvements made to overall AOC operations by the new COO. In fact, the conferees are concerned that efforts by the COO to direct changes without the context of strategic objectives and a transparent, well-organized change management process are having a negative impact on morale, productivity, and effectiveness of the AOC as an institution. It is apparent that the COO has not seriously addressed the intended results of this law and that he has either misunderstood or intentionally ignored the purpose for which the position was created. Therefore, the conferees have eliminated funding of $171,000 for the salary and benefit costs of the incumbent of the Chief Operating Officer position. The conferees further direct that Architect of the Capitol enters into a contract with an executive employment search organization to perform a nation-wide recruitment for a new Chief Operating Officer. The conferees further direct that a panel comprised of the Comptroller General of the United States, the Public Printer of the United States, the Chief Administrative Officer of the House of Representatives, a designee from the Senate Sergeant at Arms, and a designee from the office of the Architect of the Capitol review the

applications, interview the top applicants, and forward a recommendation, including not less than three applicants, to the Architect of the Capitol for his review and final selection within 180 days of enactment of this Act.

The conferees have agreed to defer the transfer of FTEs and associated costs as proposed by the Senate until an organizational structure is approved for the Office of the Architect of the Capitol.

The conferees are concerned that the AOC has ignored previous directives to improve the quality of the FTE data analysis submitted in the annual budget, particularly related to ongoing and new projects, and therefore, direct that these very important FTE projection and tracking issues be readdressed by the Architect. The conferees found the previous recommendations by the AOC to remedy the FTE analysis difficulties to be questionable, including the AOC proposals to completely remove the FTE caps, or to increase the caps to significantly higher levels without justification. It is understood that the FTE situation in the AOC is complex due to the multi-faceted responsibilities of the Architect, including ongoing operations, annual and multi-year projects; a variety of funding sources; and the various types of positions that are required to accomplish these responsibilities. However, it is due to these varying and complex factors that more systemic processes and greater controls are required for FTE estimates, projections and tracking. The AOC needs to provide comprehensive, meaningful, realistic, and transparent FTE data.

The conferees have agreed to defer the establishment of a separate FTE cap for the Construction Management Division (CMD), as proposed by the House. The AOC has been provided relief from the FTE caps for project work for the past two years. The conferees agree that a less cumbersome, yet accurate, approach for managing FTE data is required. Therefore, the conferees direct the Architect of the Capitol and the Government Accountability Office to work together to prepare a report with recommendations that will address and improve the AOC's ability to estimate, track, and report on all FTEs. The report is to include recommendations for improvements that address FTE data by appropriation and organizational levels, including permanent and temporary FTEs required for each of the following categories: all jurisdiction operations, including those in general administration; ongoing and new projects performed by the superintendents; and ongoing and new projects performed by the CMD. The recommendations will take into account that data should be derived from a zero-base for all temporary employees, including non-project and support temporary positions as well as temporary project positions for both superintendent jurisdictions and CMD projects.

Further, the report will address future personnel requirements by contracting out functions to free up FTEs for functions that are inherently governmental. The conferees further direct that the caps established in FY 2004 will continue in FY 2005. The report with recommendations is to be delivered to the Committees on Appropriations of the House and Senate not later than 120 days after the enactment of this Act.

The conferees note that there have been complaints regarding the responsiveness of the Architect of the Capitol to the needs of

clients. The conferees remind the Architect that the organization must reflect a posture that is timely, professional, and responsive.

Included in the operating budget is an additional $277,000 to cover anticipated increased agency contributions to the Federal Employees Retirement System for employees paid through the General Administration appropriation.

With respect to operations and projects the House and Senate conferees have agreed to the following:

Operating Budget	$77,467,000
Project Budget:	
1. Emergency Defibrillators	660,000
2. Study, Design, and Condition Assessment	720,000
Legislative Call System	(120,000)
Telecommunications infrastructure	(350,000)
ACF Emergency Vehicle Storage Facility	(250,000)
3. CATV System Upgrade Design	1,500,000
Total, General Administration	80,347,000

CAPITOL BUILDING

(INCLUDING TRANSFER OF FUNDS)

Appropriates $28,857,000, to the Architect of the Capitol for maintenance, care, and operation of the Capitol building, instead of $18,185,000 as proposed by the House and $24,784,000 as proposed by the Senate. Of the amount appropriated, $14,500,000 shall remain available until expended, instead of $4,000,000 as proposed by the House and $8,770,000 as proposed by the Senate to remain available until September 30, 2009.

Included in the operating budget is an additional $72,000 to cover anticipated increased agency contributions to the Federal Employees Retirement System for employees paid through the Capitol Building appropriation.

The conferees have agreed to include authority for the transfer of up to $10,600,000 to the Capitol Visitor Center project. The conferees are distressed with the Architect's ongoing inability to provide the Committees with accurate cost estimates and delivery schedules on this very important and high profile project. Since the commencement of the project, the Committees have made every effort to work with the Architect and staff through these issues, and yet, continue to receive notifications of schedule delays, unforeseen requirements, and escalating costs of the Capitol Visitor Center.

With respect to operations and projects the House and Senate conferees have agreed to the following:

Operating Budget	$14,814,000
Project Budget:	
1. Replacement of Minton Tile	473,000
2. Computer, Telecom, and Electrical Support	300,000
3. Restore Shutters & Upgrade Window Lighting	400,000
4. CVC Facility Maintenance	6,000,000
5. Install Emergency Exit Signs & Lighting	1,000,000
6. CVC Start-up Operations	3,270,000
7. Minor Construction	2,500,000
8. Study, Design, and Condition Assessment:	
Subway Terminal Water Infiltration	100,000
Total, Capitol Building	28,857,000

CAPITOL GROUNDS

Appropriates $6,974,000, to the Architect of the Capitol for the care and improvements of the grounds surrounding the Capitol, House and Senate office buildings, and the Capitol Power Plant, instead of $7,033,000, of which $527,000 shall remain available until September 30, 2009, as proposed by the House and $6,940,000, as proposed by the Senate.

Included in the operating budget is an additional $34,000 to cover anticipated increased agency contributions to the Federal Employees Retirement System for employees paid through the Capitol Grounds appropriation.

With respect to operations and projects the House and Senate conferees have agreed to the following:

Operating Budget	$6,509,000
Project Budget:	
1. Restore Decorative Vases & Lights, W. Terrace	78,000
2. Inaugural Support	10,000
3. Renovate Former D.C. Street Lights	177,000
4. Study, Design, and Condition Assessment: Restoration of the Summerhouse	100,000
5. Wayfinding and ADA Compliant Signage	100,000
Total, Capitol Grounds	6,974,000

SENATE OFFICE BUILDINGS

Appropriates $62,083,000, of which $9,070,000 shall remain available until September 30, 2009, to the Architect of the Capitol for the maintenance, care, and operation of the Senate office buildings. Inasmuch as this item relates solely to the Senate, and in accord with long practice under which each body determines its own housekeeping requirements and the other concurs without intervention, the managers on the part of the House, at the request of the managers on the part of the Senate, have receded to the Senate.

Included in the operating budget is an additional $219,000 to cover anticipated increased agency contributions to the Federal Employees Retirement System for employees paid through the Senate Office Buildings appropriation.

Operating Budget	$52,112,000
Project Budget:	
1. Refinish Historic Woodwork	285,000
2. Repair Marble Floors & Clean Architectural Surfaces	510,000
3. Roof Maintenance	300,000
4. Seal Fire Wall Penetrations, HSOB, DSOB	300,000
5. Ramp Repair, HSOB Garage	200,000
6. Replace Suite Counters, Sinks & Faucets, HSOB	100,000
7. General Painting	150,000
8. Workman Vehicle	25,000
9. Man-Lift (Masonry Shop)	19,000
10. General Purpose Utility Vehicle	12,000
11. Replace Modular Furniture, HSOB	3,700,000
12. Renovate Restrooms, ADA, HOB	1,300,000
13. Study, Design, and Condition Assessment	2,350,000
Study/Design, Existing Fire Alarm System Upgrade	(750,000)
Design, Replace Roof and Skylights, HOB	(600,000)
Design, Renovate North Server	(300,000)
Study, Reclaim Parking under Senate Office Buildings and Space Utilization	(250,000)

Study, Waterproofing/Code Compliant Upgrades, Old Senate Tunnel	(100,000)
Design, Fire Alarm System ADA Upgrade, DSOB	(75,000)
Assessment, Penetrations of Fire Resistant Rated Walls, RSOB	(70,000)
Design, Sprinkler Protection for Legislative Garage	(65,000)
Design, Renovation of South Buffet	(50,000)
Assessment and Design, Taft Memorial	(50,000)
Design, Pre-action Sprinkler System, Russell Library	(40,000)
14. HVAC: Elevator Machine Room Modernization	420,000
15. Furniture, Special Allowance	300,000
Total, Senate Office Buildings	62,083,000

HOUSE OFFICE BUILDINGS

Appropriates $65,353,000, of which $27,103,000 shall remain available until September 30, 2009, to the Architect of the Capitol for the maintenance, care, and operation of the House office buildings. Inasmuch as this item relates solely to the House, and in accord with long practice under which each body determines its own housekeeping requirements and the other concurs without intervention, the managers on the part of the Senate, at the request of the managers on the part of the House, have receded to the House.

Included in the operating budget is an additional $223,000 to cover anticipated increased agency contributions to the Federal Employees Retirement System for employees paid through the House Office Buildings appropriation.

The conferees direct the Architect of the Capitol to administer fire code regulations in the House office buildings under the same protocols used for administration of fire codes in the Capitol building.

Operating Budget	$37,900,000
Project Budget:	
1. Egress Door Improvements	200,000
2. Replace Chilled Water Coils, FHOB	150,000
3. Minor Construction	5,000,000
4. Study, Design, and Condition Assessment	1,955,000
Design, RHOB Egress	(500,000)
Design, FHOB Egress	(80,000)
Study, Upgrade Room 1100, RHOB	(400,000)
Design, Repairs to Garage Floor, RHOB	(975,000)
5. CAO Project Support	4,894,000
6. Replace Windows, FHOB	4,900,000
7. Exterior Waterproofing, Underground Garages	2,954,000
8. Extend Sprinkler Systems	3,300,000
9. Fire Alarm System Upgrade, HOB (Less RHOB)	1,100,000
10. Staff Fitness Facility	3,000,000
Total, House Office Buildings	65,353,000

CAPITOL POWER PLANT

In addition to $4,400,000 made available from receipts credited as reimbursements to this appropriation, appropriates $56,834,000, to the Architect of the Capitol for maintenance, care, and operation of the Capitol Power Plant, instead of $56,139,000 as proposed by the House and $60,928,000 as proposed by the Senate. Of the amount appropriated, $1,000,000 shall remain available until September 30, 2009, instead of $630,000 as proposed by the House and $2,190,000 as proposed by the Senate.

Included in the operating budget is an additional $63,000 to cover anticipated increased agency contributions to the Federal Employees Retirement System for employees paid through the Capitol Power Plant appropriation.

With respect to operations and projects the House and Senate conferees have agreed to the following:

Operating Budget (net)	$53,015,000
Project Budget:	
1. Implement Shoring and Repairs to Tunnels	100,000
2. Replace Expansion Joints	1,342,000
3. Retube Condensers, West Refrigeration Plant.	866,000
4. Study, Design, and Condition Assessment	1,000,000
Design, In-Plant Power Generation	(750,000)
Design, Upgrade Environmental Control Equipment	(250,000)
5. Remove Tar Paper/Reinsulate Violet Tunnel	261,000
6. Repair/Maintenance Chiller Motors 6A & 5	250,000
Total, Capitol Power Plant (net)	56,834,000

LIBRARY BUILDINGS AND GROUNDS

Appropriates $40,097,000, to the Architect of the Capitol for structural and mechanical care of the Library buildings and grounds instead of $34,783,000 as proposed by the House and $65,145,000 as proposed by the Senate. Of the amount appropriated, $21,506,000 shall remain available until September 30, 2009 instead of $18,110,000 as proposed by the House and $47,114,000 as proposed by the Senate.

Included in the operating budget is an additional $78,000 to cover anticipated increased agency contributions to the Federal Employees Retirement System for employees paid through the Library Buildings and Grounds appropriation.

With respect to operations and projects the House and Senate conferees have agreed to the following:

Operating Budget	$17,516,000
Project Budget:	
1. Repair Life Safety Deficiencies	400,000
2. Replace Partitions Supports, JMMB	250,000
3. Painting, TJB Arches and Ft. Meade Module 1	245,000
4. Replace Sidewalks, JAB & TJB	100,000
5. Preservation Environmental Monitoring	80,000
6. Minor Construction	1,300,000
7. Collections Security	860,000
8. Sprinkler System Upgrades, TJB	6,754,000
9. Smoke Detector Upgrades, TJB	3,850,000
10. ADA Bathroom Renovations, JAB	3,700,000
11. Sprinkler System Upgrades, JAB	2,400,000
12. Study, Design, and Condition Assessment, Infrastructure Maintenance	842,000
Design, Replace Rain Leaders	300,000)
Design, Repair/Replace Copper Roof	(215,000)
Design, Roof Repairs, TJB	(200,000)
Study, Coil Deterioration, TJB & JAB	(75,000)
Design, Conservation of Murals	(52,000)
13. Design, LOC Egress Improvements	1,800,000
Total, Library Buildings and Grounds	40,097,000

CAPITOL POLICE BUILDINGS AND GROUNDS

Appropriates $5,853,000, to the Architect of the Capitol for the maintenance, care, and operation of buildings and grounds of the

Capitol Police instead of $4,883,000 as proposed by the House and $7,090,000 as proposed by the Senate. Of the amount appropriated, $500,000 shall remain available until September 30, 2009, instead of no multi-year funding as proposed by the House and $1,500,000 as proposed by the Senate.

Included in the operating budget is an additional $3,000 to cover anticipated increased agency contributions to the Federal Employees Retirement System for employees paid through the Capitol Police Buildings and Grounds appropriation.

With respect to operations and projects the House and Senate conferees have agreed to the following:

Operating Budget	$4,853,000
Project Budget:	
1. USCP Furniture Replacement	500,000
2. Study, Design, and Condition Assessment	500,000
Annual Update to USCP Facilities Master Plan	(100,000)
Study, Replacement of 67 K Street Facility	(200,000)
Two Decontamination Support Stations	(200,000)
Total, Capitol Police Buildings and Grounds	5,853,000

BOTANIC GARDEN

Appropriates $6,326,000, to the Architect of the Capitol for the Botanic Garden, instead of $5,932,000 as proposed by the House and $6,294,000 as proposed by the Senate. The increase includes $62,000 for one new FTE.

Included in the operating budget is an additional $32,000 to cover anticipated increased agency contributions to the Federal Employees Retirement System for employees paid through the Botanic Garden appropriation.

With respect to operations and projects the conferees have agreed to the following:

Operating Budget	$5,783,000
Project Budget:	
1. D.C. Village Facility, Roof Replacement	243,000
2. Partnership Support	300,000
Total, Botanic Garden	6,326,000

ADMINISTRATIVE PROVISION

The conference agreement includes an administrative provision that requires the Comptroller General to conduct a study to analyze the cost, cost effectiveness, benefits, and feasibility of the Architect of the Capitol entering into a contract with a private entity for the management and operation of the Capitol Power Plant.

LIBRARY OF CONGRESS

SALARIES AND EXPENSES

Provides $384,671,000 for salaries and expenses, Library of Congress instead of $373,225,000 as proposed by the House and $379,648,000 as proposed by the Senate. Of this amount, $6,350,000 is made available from receipts collected by the Library of Congress and shall remain available until expended; and $12,481,000 shall remain available until expended for acquisition of books, periodicals, newspapers, and other library materials as pro-

posed by the House instead of $11,981,000 as proposed by the Senate. The conferees have provided 2 FTEs and $256,000 for the Office of the Inspector General to address information technology security audits. The conferees have agreed to a base reduction of 3 FTEs and $300,000 in accordance with Public Law 106–57, Section 208.

The conferees expect the Librarian of Congress to work with the established educational consortium to draft future budgets for the Adventure of the American Mind program and to submit them to Congress. The conferees further direct that the Library of Congress and the educational consortium establish a program in Georgia to be funded within existing resources.

An amount of $616,000 is included to cover anticipated increased agency contributions to the Federal Employees Retirement System.

With respect to program allowances the conferees have agreed to the following:

1. Adventures of the American Mind	$2,250,000
2. Abraham Lincoln Bicentennial Commission	500,000
3. Middle Eastern Text Initiative	500,000
4. National Film Preservation Board and National Film Preservation Foundation	500,000
5. NAVCC—Culpeper Project	19,538,000
6. Department of State Capital Security Cost-Sharing Program.	1,200,000
7. Veterans History Project	1,035,000
8. Security Equipment Maintenance	930,000
9. Information Technology System Maintenance	1,000,000
10. Association for Diplomatic Studies and Training	100,000
11. Cooperative Preservation and Conservation Project	300,000

COPYRIGHT OFFICE

SALARIES AND EXPENSES

Provides $53,611,000, including $33,477,000 made available from receipts, for salaries and expenses, Copyright Office, instead of $53,518,000 as proposed by the House and Senate. The $93,000 increase provides for the increased cost of FERS.

The conferees are encouraged by the Copyright Office's recent efforts to reengineer its processes, creating an electronic Copyright Office where applications and copies of copyright works can be submitted, processed and stored in digital form. An electronic system will provide the public with better access to copyrights and better enable the protection of copyrights and other intellectual property. The conferees also recognize that for any electronic system to be complete and useful to the public, it must also include all previous copyright records not currently in electronic form. The conferees are pleased that the office has initiated a study which will assess the costs and feasibility, as well as technical approaches, of converting its historical records so that there will be electronic access to all records from 1790 to the present. The conferees understand that there will be costs associated with such an effort, and will be interested to hear the office's proposal to begin to transition the historical records into electronic and searchable format.

CONGRESSIONAL RESEARCH SERVICE

SALARIES AND EXPENSES

Appropriates $96,893,000 for salaries and expenses, Congressional Research Service, Library of Congress, instead of $96,385,000 as proposed by the House and $96,678,000 as proposed by the Senate. The increase over the House allowance provides $293,000 for mandatory pay reallocations and $215,000 for the increased cost of FERS.

BOOKS FOR THE BLIND AND PHYSICALLY HANDICAPPED

SALARIES AND EXPENSES

Appropriates $54,412,000 for Books for the Blind and Physically Handicapped, salaries and expenses, instead of $60,187,000 as proposed by the House and $53,937,000 as proposed by the Senate. Of the appropriated amount, $16,235,000 shall remain available until expended instead of $22,210,000 as proposed by the House and $15,960,000 as proposed by the Senate. The conference agreement provides $275,000 above the amount requested for the Digital Talking Book Project. The conference agreement also provides $200,000 to remain available until expended to defray telecommunications costs for the National Federation of the Blind "NEWSLINE" audio daily newspaper service. This funding will complete the project that was begun in fiscal year 2003.

ADMINISTRATIVE PROVISIONS

In addition to various technical corrections the conferees have agreed to a provision pertaining to the National Film Preservation Board and the National Film Preservation Foundation. The conferees have included an administrative provision that limits the amount of reimbursement to the Department of State for maintenance, upgrade, and construction.

GOVERNMENT PRINTING OFFICE

CONGRESSIONAL PRINTING AND BINDING

(INCLUDING TRANSFER OF FUNDS)

Appropriates $88,800,000 as proposed by the House and the Senate.

OFFICE OF THE SUPERINTENDENT OF DOCUMENTS

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

Appropriates $31,953,000 for Office of the Superintendent of Documents, salaries and expenses instead of $32,524,000 proposed by the House and $31,935,000 proposed by the Senate. The $18,000 above the Senate allowance covers the increased cost of FERS. The conferees have agreed to a FTE cap of 2,621 as proposed by the Senate instead of 2,889 as proposed by the House.

The conferees support public access to materials in the Federal Depository Library Program's legacy and electronic collections and

authorize the Superintendent of Documents to move forward with this program within available FTEs and funding.

ADMINISTRATIVE PROVISION

The conferees have agreed to the administrative provision proposed by the House and Senate authorizing the Superintendent of Documents to discount sales copies of GPO publications below the current limitation.

GOVERNMENT ACCOUNTABILITY OFFICE

SALARIES AND EXPENSES

Provides $478,392,000, of which $7,419,000 is from offsetting collections, for salaries and expenses, Government Accountability Office instead of $481,000,000 as proposed by the House and $477,419,000 as proposed by the Senate. The increase of $973,000 above the Senate allowance is to cover the increased cost of FERS.

The conferees have withdrawn the request made by the House for the Government Accountability Office to provide a report outlining the statutory responsibilities of the Congressional Budget Office, the Congressional Research Service, the Joint Economic Committee, and the Joint Committee on Taxation.

The conferees support the Senate report language (108–307) on technology assessments and mail screening technology.

ADMINISTRATIVE PROVISION

The conferees have agreed to an administrative provision proposed by the Senate which amends the Anti-Deficiency Act to require the heads of executive agencies and the Mayor of the District of Columbia to transmit to the Comptroller General copies of reports of violations of the Act at the same time violations are reported to the Congress.

PAYMENT TO THE OPEN WORLD LEADERSHIP CENTER TRUST FUND

Appropriates $13,500,000 for a payment to the Open World Leadership Center Trust Fund, as proposed by the Senate instead of $6,750,000 as proposed by the House.

ADMINISTRATIVE PROVISIONS

The conferees have agreed to a provision that expands the Open World Leadership countries upon submission of a plan to the Committees on Appropriations of the House and Senate; and to a provision that amends the language relating to the membership of the board.

TITLE II—GENERAL PROVISIONS

In Title II, General Provisions, section numbers have been changed to conform to the conference agreement and technical corrections have been made.

The conferees have included a provision that authorizes the Architect of the Capitol to maintain and improve landscape features of property located near the House office buildings.

The conferees have included a provision that prohibits funding in the Act, from being transferred except as provided in this Act.

The conferees have included a provision that agencies of the Legislative Branch shall not be required to use the eTravel Service established by the General Services Administration.

The conferees have included a provision that authorizes permanent separation incentive payments to employees of the Legislative Branch as was provided to all Executive branch agencies in the Homeland Security Act of 2002, Public Law 107–296.

The conferees have included a House provision that prohibits the use of funds to study, design, plan, or construct a fence around the Capitol Grounds.

The conferees have included the Senate provision that makes technical corrections to the Congressional Recognition for Excellence in Arts Education Act; and a provision that transfers property near the Japanese American Patriotism Memorial to the Architect of the Capitol.

The conferees have included a provision relating to the Abraham Lincoln Fellowship Program.

CONFERENCE TOTAL—WITH COMPARISONS

The total new budget (obligational) authority for the fiscal year 2005 recommended by the Committee of Conference, with comparisons to the fiscal year 2004 amount, the 2005 budget estimates, and the House and Senate bills for 2005 follows:

[In thousands of dollars]

New budget (obligational authority, fiscal year 2004	$3,527,460
Budget estimates of new (obligational) authority, fiscal year 2005	3,977,283
House bill, fiscal year 2005	2,750,522
Senate bill, fiscal year 2005	3,575,000
Conference agreement, fiscal year 2005	3,575,000
Conference agreement compared with:	
New budget (obligational) authority, fiscal year 2004	+47,540
Budget estimates of new (obligational) authority, Fiscal year 2005	−402,283
House bill, fiscal year 2005	+824,478
Senate bill, fiscal year 2005	—

DIVISION H—DEPARTMENTS OF TRANSPORTATION AND TREASURY, INDEPENDENT AGENCIES, AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 2005

CONGRESSIONAL DIRECTIVES

The conferees agree that Executive Branch propensities cannot substitute for Congress' own statements concerning the best evidence of Congressional intentions; that is, the official reports of the Congress. The committee of conference approves report language included by the House (House Report 108–671) or the Senate (Senate Report 108–342) that is not changed by the conference. The statement of the managers, while repeating some report language for emphasis, is not intended to negate the language referred to above unless expressly provided herein.

BUDGET JUSTIFICATION MATERIAL AND CONGRESSIONAL REPROGRAMMING PROCEDURES

The conferees agree to all language and directives included in the House and Senate reports concerning the need to improve the budget justification materials and Congressional reprogramming procedures for departments and agencies funded in this Act.

TITLE I—DEPARTMENT OF TRANSPORTATION

OFFICE OF THE SECRETARY

SALARIES AND EXPENSES

Appropriates $87,234,000 for the salaries and expenses instead of $89,000,000 as proposed by the House and $86,000,000 as proposed by the Senate. As proposed by both the House and the Senate, bill language is included that specifies funding by office. The conference agreement is as follows:

Immediate office of the Secretary	$2,220,000
Immediate office of the Deputy Secretary	705,000
Office of the General Counsel	15,395,000
Office of the Under Secretary for Transportation Policy	12,627,000
Office of the Assistant Secretary for Budget and Programs	8,573,000
Office of the Assistant Secretary for Governmental Affairs	2,316,000
Office of the Assistant Secretary for Administration	23,436,000
Office of Public Affairs	1,929,000
Office of the Executive Secretariat	1,456,000
Board of Contract Appeals	704,000
Office of Small and Disadvantaged Business Utilization	1,278,000
Office of the Chief Information Officer	11,392,000
Office of Intelligence and Security	2,053,000
Office of Emergency Transportation	3,150,000

Retains provisions proposed by both the House and the Senate limiting transfers among each office to no more than 5 percent and requiring notification and approval by the House and Senate Committees on Appropriations for any transfer greater than 5 percent. Bill language, as proposed by both the House and the Senate, is included which allows the Department to spend up to $60,000 for official reception and representation expenses.

Retains language proposed by the House prohibiting funds from being used to fill the position of Assistant Secretary for Public Affairs.

Retains the House direction that the Assistant Secretary for Administration fund training and recruitment activities at a total of $378,000, and FedBiz Ops electronic business practice activities at $68,000. Retains the Senate direction to the Inspector General to review the budget justifications for the last three fiscal years and the mission of the Office of Assistant Secretary for Administration to determine if resources are commensurate with office responsibilities.

Retains the House direction to transfer the Office of Emergency Transportation to the Office of the Secretary. Of the amounts provided, $100,000 is for improvements to the crisis management center and $100,000 is for regional emergency response team training.

The conferees direct the Secretary to submit an operating plan for the entire Department as described in the House report within

60 days of enactment of this Act. Further, the Assistant Secretary for Budget and Programs shall submit a quarterly report on the status of all outstanding reports and reporting requirements as directed by the Senate.

The conferees direct the Department to include in the fiscal year 2006 budget justification materials detailed information in the same manner as that of the fiscal year 2003 justifications. In addition, the conferees direct the Chief Information Officer (CIO) to include in the fiscal year 2006 budget materials details of all funds that are utilized and managed by the CIO, regardless of funding source or mode. The conferees reiterate the need for better budget materials from the Department in general.

The conferees direct OST to conduct a study of declining intercity bus service, as proposed by the House under the Federal Transit Administration.

OFFICE OF CIVIL RIGHTS

Appropriates $8,700,000 as proposed by both the House and the Senate.

COMPENSATION FOR AIR CARRIERS

(RESCISSION)

Rescinds $235,000,000 from unobligated funds as proposed by the Senate. The House did not include a similar provision.

TRANSPORTATION PLANNING, RESEARCH AND DEVELOPMENT

Appropriates $20,000,000 for transportation planning, research and development instead of $10,800,000 as proposed by the House and $15,000,000 as proposed by the Senate. Adjustments to the budget request are as follows:

Circumpolar Infrastructure Task Force of the Arctic Council and Northern Forum, AK	$450,000
DOT privacy assessment	750,000
Inland waters freight mobility study, AL	750,000
SDSU instrument training capital initiative, SD	200,000
UI NIATT transportation infrastructure research and technology transfer, ID	300,000
Transportation, infrastructure, and logistics research	750,000
University of Nebraska—Kearney agricultural transportation pilot project, NE	500,000
Western Washington University Transportation and Border Research Institute, WA	1,000,000
Yellow Bend Port planning and development, AR	300,000
NIU Fuel Cell Research, IL	750,000
Gulf of Mexico Transportation Strategic Study	500,000
National Research Center for Rural Transportation, KS	500,000
Center for Coastal Engineering Research, AL	750,000
Interstate Digital Image Exchange	500,000
Great Lakes Maritime Research Institute, short seas shipping Route evaluation	750,000
University of Wisconsin, Superior—Transportation Logistics Research Center shipper and rail service study	250,000
I–91 Corridor Rail Implementation Plan Study	750,000
Hampton University Transportation Center	250,000

WORKING CAPITAL FUND

Limits working capital fund activities to $151,054,000 as proposed by the Senate instead of $125,000,000 as proposed by the House.

MINORITY BUSINESS RESOURCE CENTER PROGRAM

Appropriates $900,000 for the administrative expenses of the minority business resource center program and limits loans made under the program to $18,367,000 as proposed by both the House and the Senate.

MINORITY BUSINESS OUTREACH

Appropriates $3,000,000 for minority business outreach as proposed by both the House and the Senate.

NEW HEADQUARTERS BUILDING

Appropriates $68,000,000 for continued construction and buildout of the new headquarters building. Neither the House nor the Senate provided funds for this account.

PAYMENTS TO AIR CARRIERS

(AIRPORT AND AIRWAY TRUST FUND)

Appropriates $52,000,000 for payments to air carriers to be derived from the trust fund as proposed by the Senate, instead of $51,700,000 as proposed by the House. In addition to these funds, the program will receive $50,000,000 in mandatory spending pursuant to the Federal Aviation Authorization Act of 1996, resulting in a program budget of $102,000,000.

FEDERAL AVIATION ADMINISTRATION

OPERATIONS

The conference agreement includes $7,775,000,000 for operations of the Federal Aviation Administration instead of $7,726,000,000 as proposed by the House and $7,784,000,000 as proposed by the Senate. Of the total amount provided, $4,918,073,000 is to be derived from the airport and airway trust fund instead of $4,972,000,000 as proposed by the House and $4,959,503,000 proposed by the Senate. Funds are distributed in the bill by budget activity, as proposed by the Senate.

Contract tower cost-sharing.—The bill specifies $7,000,000 for continuation of the contract tower cost-sharing program as proposed by the House and Senate.

Level of operational air traffic control supervisors.—The conference agreement includes language proposed by the House specifying that $4,000,000 of funds under this heading are available only to raise the level of operational air traffic control supervisors to 1,846. The Senate bill included no similar provision.

Administration of government credit cards.—The agreement includes language proposed by the House related to FAA manage-

ment of government credit cards. The Senate bill included no similar provision.

The following table compares the conference agreement to the President's budget and the levels proposed in the House and Senate bills by budget activity:

FAA Operations
Fiscal Year 2005

	House Bill	Senate Bill	Conference agreement
Air Traffic Organization:	**$6,522,109,000**	**$6,522,109,000**	**$6,522,109,000**
Contract tower base program	6,800,000	6,800,000	6,800,000
Contract tower cost-sharing program	7,000,000	7,000,000	7,000,000
Restoration of Office of ARA	-224,039,000	-224,039,000	-224,039,000
NAS handoff	-104,000,000	0	-50,000,000
Required navigation performance	-8,000,000	0	0
Management of MOUs and MOAs	-500,000	0	-500,000
Realignment of functions to ARC	-52,252,400	0	-52,252,400
New controller hires and training	9,000,000	10,000,000	9,500,000
Aviation weather support training program	500,000	0	500,000
Asset supply chain management program	0	0	300,000
ATC operational supervisors	4,000,000	0	4,000,000
Medallion program	0	3,000,000	3,000,000
Alien species action plan	0	3,000,000	3,000,000
Study of ATC requirements, Chicago, IL	0	0	5,000,000
Undistributed reduction	0	-60,000,000	0
Amount recommended	***6,160,617,600***	***6,267,870,000***	***6,234,417,600***
Regulation and Certification	**905,194,000**	**905,194,000**	**905,194,000**
Certification of upset training	500,000	0	500,000
Flight attendant fatigue study	200,000	0	200,000
Safety and security analytics	1,000,000	0	1,000,000
Transfer of Office of System Safety	10,000,000	0	10,000,000
Amount recommended	***916,894,000***	***905,194,000***	***916,894,000***
Research and Acquisitions	**0**	**0**	**0**
Restoration of office funding	224,039,000	224,039,000	224,039,000
Undistributed increase	0	200,000	200,000
Amount recommended	***224,039,000***	***224,239,000***	***224,239,000***
Commercial Space Transportation	**11,941,000**	**11,941,000**	**11,941,000**
Reduction to reflect authorization	-267,000	-267,000	-267,000
Amount recommended	***11,674,000***	***11,674,000***	***11,674,000***
Financial Services	**0**	**0**	**0**
Restoration of office funding	53,624,000	53,624,000	53,624,000
Denial of additional staffing	-3,000,000	0	-1,500,000
Amount recommended	***50,624,000***	***53,624,000***	***52,124,000***
Human Resources	**0**	**0**	**0**
Restoration of office funding	78,660,000	78,660,000	78,660,000
Realignment of functions to ARC	-8,838,400	0	-8,838,400
Amount recommended	***69,821,600***	***78,660,000***	***69,821,600***
Region and Center Operations	**0**	**0**	**0**
Restoration of office funding	88,479,000	88,479,000	88,479,000
Realignment of functions from ATO/AHR	61,090,800	0	61,090,800
Amount recommended	***149,569,800***	***88,479,000***	***149,569,800***

FAA Operations
Fiscal Year 2005

	House Bill	Senate Bill	Conference agreement
Staff Offices	**409,756,000**	**409,756,000**	**409,756,000**
Restoration of individual offices	-259,017,000	-259,017,000	-259,017,000
Transfer of Office of System Safety	-11,437,000	0	-11,437,000
Amount recommended	***139,302,000***	***150,739,000***	***139,302,000***
Information Services	**0**	**0**	**0**
Restoration of base funding	38,254,000	38,254,000	38,254,000
Undistributed reduction	0	-2,000,000	-2,000,000
Amount recommended	***38,254,000***	***36,254,000***	***36,254,000***
Account-wide Adjustments			
Working capital fund reduction	-5,796,000	0	0
Official time	-7,000,000	0	-7,000,000
Executive positions agency-wide	-1,000,000	0	0
BTS aviation studies	-2,000,000	0	-2,000,000
Executive training	-3,000,000	0	-3,000,000
Personnel compensation and benefits	-16,000,000	0	0
Undistributed reduction	0	-32,733,000	-47,296,000
Amount recommended	***-34,796,000***	***-32,733,000***	***-59,296,000***
Total	**7,726,000,000**	**7,784,000,000**	**7,775,000,000**

Administration of potential shortfall due to essential air service transfer.—The conferees agree that the FAA Administrator has the flexibility to propose the use of funds in either the "Operations" or "Facilities and equipment" appropriations to address any shortfalls in essential air service funding for which FAA resources are required under existing law. The Administrator is directed to advise the House and Senate Committees on Appropriations on the appropriations and programs from which these funds would be drawn.

Air traffic controller training.—The conferees agree that the initial training of personnel hired with funds in this Act above the budget request is to be conducted at the FAA Academy to the maximum extent possible. However, conferees do not intend for this directive to negatively influence FAA's acceptance into the controller workforce of individuals hired through the Collegiate Training Initiative program using funds from FAA's base budget.

Study of ATC requirements, Chicago O'Hare, IL.—The conference agreement transfers $5,000,000 from the "Facilities and equipment" account for airspace redesign studies and associated analyses at Chicago O'Hare International Airport. The budget had requested such funding under the air traffic control tower replacement program.

National airspace redesign.—Conferees agree to Senate language regarding the amount and use of funds for the national airspace redesign project in the New York/New Jersey metropolitan area. This results in an allocation of $4,000,000 for this project. The conferees agree that no funds made available under this appropriation may be used to prepare the Environmental Impact Statement for the redesign of the New York/New Jersey/Philadelphia regional airspace, or to conduct any work as part of the review of the redesign project conducted under the National Environmental Policy Act and related laws, as long as the FAA fails to consider noise mitigation. Further, none of the funds made available for this purpose shall be reprogrammed by the FAA to other activities, including airspace redesign not directly related to New York, New Jersey, and Philadelphia airspace redesign.

Accounting system consolidation.—The conferees agree that FAA may proceed with its consolidation of accounting operations. However, the FAA should not consolidate operations of the Kansas City, Missouri office during fiscal year 2005.

Official time.—The conference agreement includes a reduction of $7,000,000, as proposed by the House. The conferees direct the FAA Administrator and the Director of the Office of Personnel Management to submit a joint report to the House and Senate Committees on Appropriations, not later than April 1, 2005, explaining the specific short-term actions taken to reduce official time consumption, and the long-term plan to bring FAA's policies and procedures into closer conformance to government-wide averages.

FACILITIES AND EQUIPMENT

(AIRPORT AND AIRWAY TRUST FUND)

The conference agreement includes $2,540,000,000 instead of $2,500,000,000 as proposed by both the House and the Senate. Of the total amount available, $421,000,000 is available for one year,

and $2,119,000,000 is available for three years. The appropriation of $3,000,000 proposed by the House for Defense Contract Audit Agency audits is not included.

The following table provides a breakdown of the House and Senate bills and the conference agreement by program:

Facilities and Equipment
Fiscal Year 2005

FY05 BLI	Program Name	FY05 estimate	House bill	Senate bill	Conference agreement
	Engineering Development, Test and Evaluation:				
1A01	Advanced Technology Development & Prototyping	$37,300,000	$42,400,000	$56,575,000	$59,075,000
1A02	Safe Flight 21	40,454,000	40,454,000	44,454,000	44,454,000
1A03	Aeronautical Data Link (ADL) Applications	4,000,000	4,000,000	4,000,000	4,000,000
1A04	Next Generation VHF Air/Ground Communications System (NEXCOM)	31,950,000	31,950,000	29,950,000	29,950,000
1A06	Free Flight Phase 2	92,500,000	92,500,000	92,500,000	88,000,000
1A07	Louisville, KY technology demonstration	0	3,000,000	0	1,500,000
1A08	Local Area Augmentation System	0	0	10,000,000	10,000,000
1A09	NAS Improvement of System Support Laboratory	1,000,000	1,000,000	1,000,000	1,000,000
1A10	Technical Center Facilities	12,000,000	12,000,000	12,000,000	12,000,000
1A11	Technical Center Building and Plant Support	4,300,000	4,300,000	4,300,000	4,300,000
	GCNSS	0	0	20,000,000	10,000,000
	Total Activity 1	**223,504,000**	**231,604,000**	**274,779,000**	**264,279,000**
	Air Traffic Control Facilities and Equipment:				
2A01	En Route Automation Program	361,200,000	361,200,000	333,200,000	347,200,000
2A02	Next Generation Weather Radar (NEXRAD)	4,900,000	4,900,000	4,900,000	4,900,000
2A03	ATOMS Local Area/Wide Area Network	1,000,000	1,000,000	1,000,000	1,000,000
2A04	Weather and Radar Processor (WARP)	4,700,000	4,700,000	4,700,000	4,700,000
2A05	ARTCC Building Improvements/Plant Improvements	35,000,000	35,000,000	28,000,000	26,000,000
2A06	Voice Switching and Control System (VSCS)	24,100,000	24,100,000	24,100,000	24,100,000
2A07	Air Traffic Management (ATM)	57,000,000	37,500,000	38,000,000	37,500,000
2A08	Critical Telecommunication Support	1,300,000	1,300,000	1,300,000	1,300,000
2A09	Air/Ground Communications Infrastructure	13,500,000	13,500,000	13,500,000	13,500,000
2A10	Volcano Monitoring	0	0	4,000,000	4,000,000
2A11	ATCBI Replacement (ATCBI-6)	15,100,000	15,100,000	15,100,000	10,000,000
2A12	ATC En Route Radar Facilities Improvements	3,000,000	0	3,000,000	0
2A13	En Route Communications and Control Facilities Improvements	1,020,800	1,020,800	1,020,800	1,020,800
2A14	Aviation Weather Services Improvements (CIWS)	4,000,000	4,000,000	4,000,000	4,000,000
2A15	FAA Telecommunications Infrastructure (FTI)	71,150,000	56,000,000	71,150,000	71,150,000
2A16	Guam Center Radar Approach Control (CERAP) - Relocate	2,300,000	2,300,000	2,300,000	2,300,000
2A17	Oceanic Automation System	50,850,000	50,850,000	42,000,000	48,000,000
2A21	ARSR-4 Automated Technical Documentation	0	0	3,000,000	2,000,000
	Integrated Terminal Weather System (ITWS)	14,100,000	0	14,100,000	14,100,000

Facilities and Equipment
Fiscal Year 2005

FY05 BLI	Program Name	FY05 estimate	House bill	Senate bill	Conference agreement
	Subtotal - En Route Programs	***664,220,800***	***612,470,800***	***608,370,800***	***616,770,800***
2B01	Airport Surface Detection Equipment -- Model X (ASDE-X)	51,300,000	51,300,000	51,300,000	48,000,000
2B02	Terminal Doppler Weather Radar (TDWR)	8,000,000	8,000,000	8,000,000	8,000,000
2B03	Terminal Automation Program	21,700,000	35,000,000	21,700,000	31,700,000
2B04	Terminal ATC Facilities Replacement	95,100,000	112,700,000	126,100,000	128,025,000
2B05	ATC/TRACON Facilities Improvement	55,175,800	41,068,900	55,175,800	48,122,350
2B06	Terminal Voice Switch Replacement/Enhanced TVS	10,200,000	10,200,000	16,000,000	14,000,000
2B07	NAS Facilities OSHA and Environmental Standards Compliance	25,500,000	25,500,000	25,500,000	22,000,000
2B08	Houston Area Air Traffic System	12,000,000	12,000,000	12,000,000	12,000,000
2B09	NAS Infrastructure Management System (NIMS)	16,000,000	16,000,000	10,000,000	10,000,000
2B10	ASR-9 SLEP	20,700,000	20,700,000	20,700,000	20,700,000
2B11	Voice Recorder Replacement Program (VRRP)	5,100,000	7,100,000	5,100,000	7,100,000
2B12	Terminal Digital Radar (ASR-11)	107,100,000	75,000,000	100,100,000	87,500,000
2B13	DOD/FAA Facilities Transfer	1,200,000	1,200,000	3,200,000	3,200,000
2B14	Precision Runway Monitors	7,400,000	7,400,000	7,400,000	7,400,000
2B15	Terminal Radar Improvements	1,073,700	1,073,700	1,073,700	1,073,700
2B16	Terminal Communications - Improve	1,129,400	1,129,400	1,129,400	1,129,400
2B17	Standard Terminal Automation System Replacement	113,900,000	0	113,900,000	108,900,000
2B22	Integrated Control and Monitoring System	0	3,500,000	0	3,500,000
	Subtotal - Terminal Programs	***552,578,900***	***428,872,000***	***578,378,900***	***562,350,450***
2C01	Automated Surface Observing System (ASOS)	7,300,000	7,800,000	7,300,000	7,800,000
2C02	FSAS Operational and Supportability Implementation System (OASIS)	10,200,000	8,000,000	9,200,000	9,200,000
2C03	Weather Message Switching Center Replacement	1,000,000	1,000,000	1,000,000	1,000,000
2C06	Flight Service Station (FSS) Modernization	1,300,000	1,300,000	1,300,000	1,300,000
	Subtotal - Flight Service Programs	***19,800,000***	***18,100,000***	***18,800,000***	***19,300,000***
2D01	VOR/DME	2,000,000	2,000,000	2,000,000	2,000,000
2D02	Instrument Landing System (ILS) Establishment	5,800,000	25,000,000	25,250,000	41,345,000
2D03	Transponder Landing System (TLS)	0	8,400,000	6,300,000	7,000,000
2D05	Runway Visual Range	1,400,000	1,400,000	1,400,000	1,400,000
2D07	Navigation and Landing Aids - Improve	4,408,700	4,408,700	4,408,700	4,408,700
2D08	Approach Lighting System Improvement Program (ALSIP)	5,000,000	17,160,000	19,700,000	24,360,000

Facilities and Equipment
Fiscal Year 2005

FY05 BLI	Program Name	FY05 estimate	House bill	Senate bill	Conference agreement
2D10	DME Sustainment	1,000,000	1,000,000	1,000,000	1,000,000
2D11	Visual Navaids (PAPI/REIL)	3,200,000	3,200,000	3,200,000	3,200,000
2D12	Loran-C	0	27,226,900	10,000,000	22,500,000
2D13	Instrument Approach Procedures Automation	3,100,000	3,100,000	3,100,000	3,100,000
2D14	Navigation and Landing Aids Service Life Extension Pgm	2,000,000	2,000,000	2,000,000	2,000,000
	Wide Area Augmentation System (WAAS)	100,030,000	0	65,090,000	100,030,000
	Subtotal - Landing and Navigational Aids	***127,938,700***	***94,895,600***	***143,448,700***	***212,343,700***
2 02	Fuel Storage Tank Replacement and Monitoring	3,000,000	3,000,000	3,000,000	3,000,000
2 02	FAA Buildings and Equipment	11,027,600	11,027,600	11,027,600	11,027,600
2 03	Electrical Power Systems - Sustain/Support	45,000,000	45,000,000	40,000,000	40,000,000
2 03	Air Navigational Aids and ATC Facilities (Local Projects)	2,300,000	2,300,000	2,300,000	2,300,000
2 04	Aircraft Related Equipment Program	12,000,000	12,000,000	12,000,000	12,000,000
2 05	Computer Aided Eng and Graphics (CAEG) Modernization	800,000	800,000	800,000	800,000
2 06	Airport Cable Loop Systems - Sustained Support	4,600,000	7,100,000	9,600,000	7,600,000
2 06	Programs being rebaselined (ITWS, STARS, WAAS)	0	190,000,000	0	0
	Subtotal - Other ATC Facilities	***78,727,600***	***271,227,600***	***78,727,600***	***76,727,600***
	Total Activity 2	**1,443,266,000**	**1,425,566,000**	**1,427,726,000**	**1,487,492,550**
	Non-ATC Facilities and Equipment:				
3A01	NAS Management Automation Program (NASMAP)	1,000,000	1,000,000	1,000,000	1,000,000
3A02	Hazardous Materials Management	17,000,000	17,000,000	17,000,000	15,000,000
3A03	Aviation Safety Analysis System (ASAS)	12,900,000	12,900,000	6,900,000	6,900,000
3A04	Logistics Support Systems and Facilities (LSSF)	6,000,000	6,000,000	6,000,000	6,000,000
3A05	Test Equipment - Maintenance Support for Replacement	3,000,000	3,000,000	3,000,000	3,000,000
3A06	National Aviation Safety Data Analysis Center (NASDAC)	1,600,000	1,600,000	1,600,000	1,600,000
3A07	NAS Recovery Communications (RCOM)	10,000,000	10,000,000	10,000,000	7,633,450
3A08	Facility Security Risk Management	40,000,000	40,000,000	40,000,000	35,000,000
3A09	Information Security	8,000,000	8,000,000	8,000,000	8,000,000
	Subtotal - Support Equipment	***99,500,000***	***99,500,000***	***93,500,000***	***84,133,450***
3B01	Aeronautical Center Infrastructure Modernization	8,500,000	8,500,000	8,500,000	8,500,000
3B02	National Airspace System (NAS) Training Facilities	0	6,400,000	0	6,400,000
3B03	Distance Learning	1,500,000	1,500,000	1,500,000	1,500,000

Facilities and Equipment
Fiscal Year 2005

FY05 BLI	Program Name	FY05 estimate	House bill	Senate bill	Conference agreement
	Subtotal - Training Equipment & Facilities	***10,000,000***	***16,400,000***	***10,000,000***	***16,400,000***
	Total Activity 3	**109,500,000**	**115,900,000**	**103,500,000**	**100,533,450**
	Mission Support:				
4A01	System Engineering and Development Support	30,400,000	28,400,000	27,765,000	27,765,000
4A02	Safety Management System	1,700,000	0	1,700,000	0
4A03	Program Support Leases	42,600,000	42,600,000	42,600,000	42,600,000
4A04	Logistics Support Services (LSS)	7,900,000	7,900,000	7,900,000	7,900,000
4A05	Mike Monroney Aeronautical Center - Leases	14,200,000	14,200,000	14,200,000	14,200,000
4A06	Transition Engineering Support	35,000,000	35,000,000	30,000,000	30,000,000
4A07	Frequency and Spectrum Engineering	3,600,000	6,100,000	2,000,000	6,100,000
4A08	PCS Moves	1,530,000	1,530,000	1,530,000	1,530,000
4A09	Technical Support Services Contract (TSSC)	43,300,000	43,300,000	38,300,000	38,300,000
4A10	Resource Tracking Program (RTP)	1,500,000	1,500,000	1,000,000	1,000,000
4A11	Center for Advanced Aviation System Development	84,600,000	86,000,000	84,600,000	85,300,000
4A12	NAS Aeronautical Info Management Enterprise System	13,700,000	13,700,000	13,700,000	12,000,000
4A13	DCAA Audits	0	3,000,000	0	0
	Total Activity 4	**280,030,000**	**283,230,000**	**265,295,000**	**266,695,000**
	Personnel and Related Expenses:				
5A01	Personnel and Related Expenses	443,700,000	443,700,000	428,700,000	421,000,000
	Total Activity 5	**443,700,000**	**443,700,000**	**428,700,000**	**421,000,000**
	Total	2,500,000,000	2,500,000,000	2,500,000,000	2,540,000,000

Advanced technology development and prototyping.—The conference agreement includes $59,075,000 for advanced technology development and prototyping instead of $42,400,000 as proposed by the House and $56,575,000 as proposed by the Senate. The following table compares the conference agreement to the House and Senate bills by budget activity:

Project	*Conference agreement*
Runway incursion	$9,100,000
Aviation system capacity improvement	4,000,000
Separation standards	2,500,000
GA/vertical flight technology	1,500,000
Operational concept validation	2,000,000
NAS requirements development	1,500,000
Domestic RVSM	2,200,000
Safer skies	3,400,000
Lithium technologies to mitigate ASR	1,000,000
Wind/weather research, Juneau, AK	4,900,000
Phased array radar technology	4,000,000
Airport research	10,100,000
Fogeye	1,000,000
NAS safety assessment	1,000,000
GPS anti-jam technology	3,000,000
Airborne automated flight alert system	3,000,000
Runway obstruction warning system	375,000
Airport cooperative research program	3,000,000
Data exchange project	1,500 000
Total	59,075,000

Airport research.—Of the funds provided, $4,000,000 is for the airfield improvement program authorized under section 905 of Public Law 106–181.

Safe flight 21.—The conference agreement provides $44,454,000, to be distributed as follows:

Activity	Amount
Project Capstone	$36,000,000
(Weather cameras)	(7,000,000)
Ohio River Valley	4,004,000
Other activities	4,450,000

En route automation.—The conference agreement provides $347,200,000 for en route automation. FAA is given the discretion to allocate the reduction of $14,000,000 among projects within this program. The conferees agree that, in future budget submissions, FAA is to display funds for the en route automation modernization (ERAM) program in a separate budget line item, and to identify sub-elements of that program, with associated funding, in the budget justification documents.

Aviation weather services improvement.—The Senate recedes from its direction regarding this program. Funds for these activities are included under "Safe flight 21".

Wide area augmentation system.—The conferees do not agree with Senate direction deferring funds for the additional geo-stationary satellite for the wide area augmentation system. The conference agreement fully funds this program.

New York integrated control complex.—The conferees reiterate support for continued analysis of a New York integrated control complex. Although no current funding is provided, conferees support further investigation of the New York consolidation and will

consider future Congressional funding based on the outcome of those studies.

Terminal air traffic control facilities replacement.—The conference agreement provides $128,025,000 for this program. Funds shall be distributed as follows:

Location	Conference agreement
Cleveland, OH	$5,000,000
Dayton, OH	975,000
Toledo, OH	975,000
Abilene, TX	1,260,000
Memphis, TN	10,200,000
Deer Valley, AZ	2,000,000
Manchester, NH	1,800,000
Addison Field, Dallas, TX	1,349,375
Reno, NV	3,000,000
Seattle, WA	1,300,000
Fort Wayne, IN	2,200,000
Port Columbus, OH	700,000
Billings, MT	3,000,000
Savannah, GA	700,000
Roanoke, VA	700,000
Merrimack, NH (Tracon)	834,000
Phoenix, AZ	1,334,800
Dulles International, Chantilly, VA	5,500,000
Newport News, VA	2,000,000
Portland, OR (Tracon)	1,000,000
Orlando, FL (Tracon)	2,010,625
Pensacola, FL (Tracon)	1,133,900
Huntsville, AL	11,000,000
Houston, TX (Tracon)	25,000,000
Jefferson County Airport, CO	1,000,000
McCarran International, NV	4,000,000
Montgomery County Airport, TX	1,000,000
North Bend Municipal, OR	2,000,000
Pago Pago, American Samoa	2,000,000
Opa Locka Airport, FL	1,000,000
Spokane International, WA	2,500,000
Boise International, ID	4,500,000
Kalamazoo/Battle Creek International, MI	1,250,000
Palm Beach International, FL	4,000,000
Albert Whitted Airport, FL	2,200,000
Joplin Regional Airport, MO	3,500,000
Kona, HI	2,000,000
Lihue, HI	2,000,000
Missoula, MT	2,000,000
Rogers, AR	700,000
Electronics equipment procurement	7,402,300
Total	**128,025,000**

Terminal automation.—The conferees direct FAA not to obligate the government contractually during fiscal year 2005 to actions which would involve replacement of common ARTS systems or ARTS color displays until the Inspector General reviews and validates the life cycle cost studies and other relevant analyses provided to FAA's Joint Resources Council to justify and rebaseline this possible phase of the terminal automation modernization program. This direction is the same as enacted for fiscal year 2004. During the current year, FAA made some decisions on this program, but deferred final decisions on this critical phase of the program, pending further analysis. The conferees believe that FAA urgently needs to make decisions on these systems, as they involve many of the agency's largest and busiest air traffic control facilities. Consistent with fiscal year 2004, the conference direction does not prohibit the agency from including such activities in contract options that the agency could exercise after full review and approval is received. The conferees remain neutral on the issue of STARS deployment, and await the FAA's detailed analyses and the Inspector General's review.

Detroit Metro Airport, MI.—Detroit Metro Airport was recently identified as a candidate airport where FAA should consider installation of the precision runway monitor (PRM) system to improve airport capacity in inclement weather conditions. Since then, FAA has begun to limit PRM deployment in favor of multilateration technology. Since the need for capacity improvements at Detroit Metro remains valid, and FAA is moving away from PRM deployments, the conferees encourage FAA to apply fiscal year 2005 funding to develop and implement the multilateration technology at this airport on an accelerated basis.

Approach lighting system improvement program.—The conference agreement provides $24,360,000 for this program. Funds shall be distributed as follows:

Location	*Item*	*Conference agreement*
Nationwide	ALSIP nationwide program	$1,000,000
Herbert Small Airport, GA	Precision approach path indicators	300,000
Washington County Airport, PA	Design/install approach lighting system	1,000,000
Mena Intermountain Airport, AR	Install PAPI	360,000
Nationwide	MALSR nationwide program	3,000,000
Kingston Airport, NC	Install ALSF-2	2,500,000
Wilmington Airport, DE	Install MALSR	2,500,000
Gulfport-Biloxi Airport, MS	Install TDZ and CL lighting, runway 14-32	1,100,000
Alaska statewide rural airfield lighting program	Acquire and install airfield lighting	7,000,000
North Las Vegas and Henderson Executive Airports, NV	Runway end identification lights (REILs)	500,000
Monroe Regional Airport, LA	Airfield lighting	2,200,000
Mobile Regional Airport, AL	Acquire and install MIRL, runway 18/36	1,000,000
Adak Airport, AK	Upgrade instrument approach lighting	1,900,000
Total recommended		***$24,360,000***

Instrument landing system establishments.—The conference agreement provides $41,345,000 for this program. Funds shall be distributed as follows:

Location	*Item*	*Conference agreement*
Nationwide	Items in the budget estimate	$2,500,000
Middleton Municipal Airport, WI	Purchase/install localizer and DME	400,000
Arlington Municipal Airport, TX	Install ILS and MALSR	2,500,000
San Diego International, CA	Upgrade ILS on runway 9	2,500,000
Eugene Airport, OR	Install category I ILS with ALS, PAPI, & REILs	1,250,000
Clay County Regional Airport, MO	Install ILS and MALSR	950,000
Orlando Executive Airport, FL	Install ILS with MALSR	1,900,000
Tri-County Airport, Lone Rock, WI	Install localizer, approach lights, and DME	800,000
Swainsboro-Emanual Airport, GA	Install localizer, glideslope, and MALSR	1,145,000
Sheboygan County Memorial, WI	Purchase/install ILS/localizer/DME/glideslope	1,000,000
Fond du Lac County Airport, WI	Purchase and install localizer and DME	400,000
Saline County Airport, AR	Purchase and install ILS	1,000,000
Nationwide	National ILS replacement program	4,500,000
Alliance, NE	Acquire and install ILS	1,000,000
Andalusia-Opp Airport, AL	Acquire and install ILS with MALSR	1,625,000
Carbon County, UT	Acquire and install ILS	2,000,000
Colorado Springs, CO	Acquire and install ILS	2,000,000
Herbert Smart Downtown Regional, GA	Acquire and install ILS	2,000,000
Kirksville Regional, MO	Acquire and install ILS	975,000
John F. Kennedy International, NY	Installation of MALSR	1,300,000
O'Hare International, IL	CAT II/III ILS installation	2,000,000
St. Louis Lambert International, MO	CAT III ILS for new runway	2,000,000
Tooele, UT	Install CAT I ILS with MALSR	2,000,000
Walterboro Municipal, SC	Acquire and install ILS	1,600,000
Winston-Salem, NC	Installation of ALSF-2	2,000,000
		41,345,000

Transponder landing system.—The conference agreement provides $7,000,000 for this program. The conferees agree that FAA should use these funds to conduct site surveys at locations listed in the House and Senate reports. Funds may also be used to evaluate other landing system alternatives, in consultation with the affected airports.

Airport cable loop systems.—Funding of $3,000,000 above the budget estimate is for Atlanta Hartsfield International Airport, GA.

FACILITIES AND EQUIPMENT

(AIRPORT AND AIRWAY TRUST FUND)

(RESCISSION)

The conference agreement deletes the rescission of $50,000,000 proposed by the Senate. The House bill contained no similar rescission.

RESEARCH, ENGINEERING, AND DEVELOPMENT

(AIRPORT AND AIRWAY TRUST FUND)

The conference agreement provides $130,927,000 for research, engineering, and development instead of $117,000,000 as proposed by the House and $129,427,000 as proposed by the Senate. The following table compares the conference agreement to the House and Senate bills by budget activity:

Research, Engineering and Development
Conference Agreement
Fiscal Year 2005

Program	House bill	Senate bill	Conference agreement
Improve Commercial Aviation Safety:			
Fire research and safety	$5,578,000	$6,578,000	$6,578,000
Propulsion and fuel systems	3,672,000	7,672,000	7,172,000
Advanced materials/structural safety	2,197,000	6,697,000	6,697,000
Flight safety/atmospheric hazards	4,119,000	4,119,000	4,119,000
Aging aircraft	18,351,000	19,151,000	19,151,000
Aircraft catastrophic failure prevention	1,116,000	1,116,000	1,116,000
Flightdeck safety/systems integration	8,294,000	12,794,000	11,794,000
Aviation safety risk analysis	8,640,000	8,640,000	8,640,000
ATC/AF human factors	9,467,000	9,467,000	9,467,000
Aeromedical research	6,660,000	6,660,000	10,160,000
Weather research	20,838,000	20,838,000	20,838,000
Improve Efficiency of the ATC System:			
National plan for air transportation	5,100,000	5,100,000	5,100,000
Wake turbulence	2,296,000	4,796,000	4,296,000
Reduce Environmental Impacts:			
Environment and energy	16,008,000	11,890,000	11,890,000
Improve Mission Efficiency:			
System planning and resource mgmt	1,275,000	520,000	520,000
Technical laboratory facilities	3,389,000	3,389,000	3,389,000
Total	***$117,000,000***	***$129,427,000***	***$130,927,000***

Propulsion and fuel systems.—Of the funds provided, $2,000,000 is to continue the evaluation of molecular markers for detecting the adulteration or dilution of jet fuel; $500,000 is for research into modifying general aviation piston engines to enable their safe operation using unleaded aviation fuel; and $1,000,000 is for research into aviation grade ethanol fuels at South Dakota State University.

Advanced materials/structural safety.—Of the funds provided, $4,000,000 is for research and equipment at the National Institute for Aviation Research at Wichita State University (NIAR) and $500,000 is for advanced materials research at the University of Washington.

Flightdeck safety/systems integration.—Of the funds provided, $2,000,000 is for the mobile object technology program and $1,500,000 is for continued development of in-flight simulator training for commercial pilots. Proposed funding for training and education in aircraft inspection, maintenance, and repair is not included.

Aeromedical research.—The conference agreement provides $10,160,000, an increase of $3,500,000 above the budget estimate. Of the additional funds, $3,000,000 is to carry out studies and analyses of airline cabin air quality through the Center of Excellence for Cabin Air Quality, as recommended by the Senate. The conferees encourage FAA to consider adding Oklahoma State University to the consortium of universities in this center of excellence. In addition, $500,000 is to conduct preliminary investigations of the potential of low cost, low power, lightweight, polymer array technologies, networked within aircraft, to meet requirements for cabin air quality monitoring. This work is to be carried out through the FAA Civil Aeromedical Institute.

Weather research.—Of the funds provided, $1,000,000 is for weather-related research to be conducted between FAA and the National Severe Storms Laboratory, Norman, Oklahoma.

Wake turbulence.—Of the funds provided, $2,000,000 is to enhance the capability of pulsed laser Doppler radar to detect and track aircraft wakes.

GRANTS-IN-AID FOR AIRPORTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(AIRPORT AND AIRWAY TRUST FUND)

The conference agreement includes a liquidating cash appropriation of $2,800,000,000, as proposed by the Senate. The House had no similar appropriation.

Obligation limitation.—The conferees agree to an obligation limitation of $3,500,000,000 for the "Grants-in-aid for airports" program as proposed by the Senate. The House bill contained no similar limitation.

Administration.—The conference agreement includes a limitation on administrative expenses of $68,802,000 as proposed by the Senate. The House bill contained no similar limitation.

Small community air service development pilot program.—The bill includes $20,000,000 under the obligation limitation to continue the small community air service development pilot program, as proposed by the Senate. The House had no similar funding. This is consistent with actions taken in the past four fiscal years.

San Diego Airport.—Conferees agree to House direction regarding the San Diego Air Transportation Action Plan site selection process.

High priority projects.—Of the funds covered by the obligation limitation in this bill, the conferees direct FAA to provide not less than the following funding levels, out of available resources, for the following projects in the corresponding amounts. The conferees agree that state apportionment funds may be construed as discretionary funds for the purposes of implementing this provision. To the maximum extent possible, the administrator should work to ensure that airport sponsors for these projects first use available entitlement funds to finance the projects. However, the FAA should not require sponsors to apply carryover entitlements to discretionary projects funded in the coming year, but only those entitlements applicable to the fiscal year 2005 obligation limitation. The conferees further direct that the specific funding allocated above shall not diminish or prejudice the application of a specific airport or geographic region to receive other AIP discretionary grants or multiyear letters of intent.

Redesignation of project.—The conferees agree that the fourteenth project in the AIP priority list on page 33 of House Report 108–671 is renamed "Stockton Airport".

Airport	Project description	Amount
Akron-Canton Airport, OH	Construction of de-icing fluid containment facility	$5,000,000
Akutan Airport, AK	Various improvements	2,000,000
Albany Airport, GA	Runway extension	1,000,000
Albemarle-Stanly County Airport, NC	Various improvements	600,000
Alliance Airport, TX	Runway extension; relocate navaids; associated relocations.	4,000,000
Andalusia-Opp Airport, AL	Apron and Connector Taxiway Construction, Runway/Taxiway Extension Design, Land Acquisition, Runway Overlay, Road Relocation, and Runway/Taxiway Extension.	3,500,000
Andrews-Murphy Airport, NC	Corporate apron expansion and land acquisition	1,000,000
Ardmore Municipal Airport, OK	Reconstruct runway 17/35	1,108,113
Arnold Palmer Regional, PA	Extend runway	1,000,000
Augusta Regional Airport, GA	Terminal construction	1,500,000
Aurora Municipal Airport, IL	Various improvements	2,800,000
Bartlesville Airport, OK	Extend runway 17/35	1,210,526
Bastrop-Morehouse Memorial Airport, LA	Phase I funding for land acquisition and project design.	800,000
Baxter County Regional Airport, AR	Development of parallel runway	1,000,000
Belen Alexander Municipal Airport, NM	Various improvements	850,000
Bessemer Municipal, AL	Runway extension and security improvements	1,000,000
Big Sandy Airport, KY	Fencing	150,000
Blue Ridge Airport, VA	Land acquisition and road relocation associated with expansion of apron.	500,000
Brooks County Airport, TX	Land acquisition for runway extension	100,000
Brownsville-South Padre Island Airport, TX	Engineering costs associated with increasing the runway length.	1,250,000
Castle Airport, CA	Upgrade for Part 139 Certification, tower into compliance and various improvements.	1,000,000
Central Nebraska Regional Airport, NE	Pavement repair and replacement; lighting installation.	2,100,000

Airport	Project description	Amount
Chandler Municipal Airport, AZ	Heliport relocation	1,300,000
Chattanooga Metropolitan Airport, TN	Taxiway "alpha" north reconstruction	1,500,000
Cleveland Hopkins International Airport, OH	Runway safety area improvements and software installation.	1,300,000
Collin County Regional Airport, TX	Reconstruction/overlay of parallel taxiway; runway overlay.	300,000
Concord Regional Airport, NC	Runway extension	1,250,000
Council Bluffs Municipal, IA	Runway improvements	2,000,000
Craig/Klawock Airport, AK	Various improvements	500,000
Dane County Regional Airport, WI	Construct 2nd phase of runway 13 safety area, object free space and approach surface.	1,500,000
DeKalb Taylor Municipal, IL	Widen taxiway A and taxiway C	700,000
Detroit Metropolitan Airport, MI	Demolition of the Berry Terminal and construction of a new deicing pad.	1,000,000
Dillon County Airport, SC	Construct hangars, runways, and other facilities for new airport.	1,000,000
DuPage Airport, IL	Rehabilitation of taxiways A and C	2,500,000
Eastman Airport, GA	Construction of the proposed cross wind runway	1,000,000
Edinburg Airport, TX	Design and engineering for upgrades to add cargo capacity.	100,000
Enid Airport, OK	Reconstruct parallel taxiway; rehabilitate runway 17/35.	947,368
Erie County-Plum Brook Airport, OH	Initial engineering and design work to build the airport.	1,500,000
Fairbanks International, AK	Various improvements	1,300,000
Farmington Airport, MO	Construct apron, partial parallel, and t-hanger taxiways.	1,500,000
Fitzgerald Municipal Airport, GA	Runway extension and precision approach equipment.	1,300,000
Forbes Field Airport, KS	Taxiway improvements	1,000,000
Franklin Field, AL	Land acquisition, runway extension, and parallel taxiway.	1,000,000
Freddie Jones Airport, AL	Runway extension	1,000,000
Frenchville Airport, ME	Construction of aircraft hangar, complete access road; purchase and remove existing hangars.	1,300,000
Gary/Chicago Airport, IN	Railroad relocation	2,800,000
Georgetown County Airport, SC	Various improvements	1,000,000
Golden Triangle Regional Airport, MS	Cargo ramp construction	2,000,000
Granbury Municipal Airport, TX	Runway extension	1,250,000
Great Falls International Airport, MT	Runway improvements	3,000,000
Gulfport-Biloxi International Airport, MS	Various improvements	1,250,000
Guthrie Airport, OK	Complete runway 16/34 extension	684,211
Halifax-Northampton Regional Airport, NC	Installation of category I instrument landing system, including localizer, glideslope, approach lighting system, and other related components.	1,000,000
Hancock International, NY	Improve drainage; acquire snow removal vehicle; rehab apron.	1,000,000
Harlan Tucker Guthrie Airport, KY	Fencing	200,000
Harnett County Airport, NC	Runway and parallel taxiway extension; apron expansion/overlay; and localizer installation.	700,000
Havre City-County Airport, MT	Terminal remodeling and expansion; various improvements.	150,000
Hawkins Field, MS	Extend runway 1634 to 6,500 feet	750,000
Hector International Airport, ND	Reconstruct and shorten runway and various improvements.	1,500,000
Helena Regional, MT	Terminal remodeling and expansion	1,250,000
Highmore Airport, SD	Construct new runway, apron and taxiway	1,000,000
Hilo International Airport, HI	Runway pavement rehabilitation	1,000,000
Horry County Airport, SC	Airport study	500,000
Huntsville International—Jones Field, AL	Taxiway extension and land acquisition	2,000,000
Ithaca Tompkins Airport, NY	Relocation of parallel taxiway	500,000
Jackson International Airport, MS	Apron replacement and related taxiway	1,750,000
Jamestown Municipal Airport, ND	Milling off the current surface and resurfacing airline runway 13/31 and various improvements.	4,500,000
JFK Memorial Airport, WI	Security fencing	500,000
Jimmy Stewart Airport, PA	Runway extension	900,000

Airport	Project description	Amount
Joplin Regional Airport, MO	Terminal Replacement	1,500,000
Juneau Airport, AK	Terminal enhancements	1,200,000
Kahului Airport, HI	Taxiway pavement rehabilitation	1,000,000
Kansas City International Airport, MO	Various improvements	3,000,000
Kansas State University Airport, KS	Apron and hangar door repair	1,000,000
Kenai Airport, AK	Various improvements	1,000,000
Kenosha Regional Airport, WI	Various improvements	1,000,000
L.O. Simenstad Municipal Airport, WI	Reconstruct and extend primary runway to 5000 feet, construct parallel taxiway, install high intensity runway lighting.	2,000,000
La Crosse Municipal Airport, WI	Construct Parallel Taxiway	1,500,000
Levelland Municipal Airport, TX	Renovation project phase I	68,000
Littlefield Municipal Airport, TX	Renovation project phase I	68,000
Logan Cache Airport, UT	Master plan	100,000
Lumberton Municipal Airport, NC	Rehabilitate the primary runway	1,000,000
Madras/Jefferson County Airport, OR	Construction of flight services building	300,000
Manistee County Blacker Airport, MI	Terminal project	1,000,000
Marshall Municipal Airport, MN	Extension of runways	1,000,000
Mason City Airport, IA	Rehabilitation of runways; land acquisition for RSA	2,500,000
Medford Airport, OR	Terminal construction	1,200,000
Merrill Airport, WI	Install jet A fuel facility; install fence.	1,000,000
Mid-Way Regional Airport, TX	Extension of runway 18–356	700,000
Missoula International Airport, MT	Land acquisition	3,925,000
Montgomery County Airport, NC	Lighting upgrades	150,000
Montgomery Regional (Dannelly Field), AL	Terminal Renovation—Phase III	2,000,000
Moriarty Airport, NM	Construction of new crosswind runway—phase I	200,000
Moton Field Municipal, AL	Land acquisition, runway and taxiway extension, apron expansion, and other improvements.	1,000,000
Nacogdoches—A.L. Mangham, Jr. Regional Airport, TX.	Runway expansion phase II	2,000,000
Nashville International Airport, TN	Expansion of the airport rescue and fire fighting facility.	750,000
New Castle County Airport, DE	Taxiway improvements	1,750,000
New Castle-Henry County Airport, IN	Land acquisition and runway expansion	1,000,000
Newport News/Williamsburg International, VA	Phase II airline ramp expansion	1,000,000
Norman Airport, OK	Reconstruct main hanger and apron areas	1,000,000
Nut Tree Airport, CA	Improve airport access and parking aprons; seal hanger taxi landings.	1,000,000
Oakland County International, MI	Relocation of t-hangers	2,000,000
Orlando International, FL	Elimination of wildlife attractants	1,000,000
Owensboro—Daviess County Regional Airport, KY	Runway extension	1,000,000
Paulding County Airport, GA	Land acquisition, design engineering; airfield improvements.	1,000,000
Pellston Regional Airport, MI	Perimeter access road and new entrances, expansion of auto parking lots, de-icing facility, and new entryway signage.	500,000
Person County Airport, NC	Construct runway extension, widen the existing runway safety area, strengthen existing pavement, and complete the parallel taxiway.	1,250,000
Philadelphia International Airport, PA	Environmental impact statements	2,000,000
Phoenix Sky Harbor International, AZ	Taxiway reconstruction	3,500,000
Put-in-Bay Airport, OH	Various improvements	1,000,000
R. L. Jones Airport, OK	Improve airport drainage	236,843
Reno/Tahoe International Airport, NV	Apron reconstruction	1,000,000
Rice Lake Regional Airport (Carl's Field), WI	Various improvements	2,000,000
Rochester Airport, NY	Extension of runway 10/28	1,250,000
Sacramento International Airport, CA	Various improvements	1,500,000
Salina Municipal, KS	Apron and Hangar Repair	1,000,000
San Bernardino International, CA	Runway improvements	4,000,000
San Francisco International Airport, CA	Perimeter security fence combined with electronic detection.	1,000,000
Santa Teresa (Dona Ana) Airport, NM	Runway improvement—phase I	1,000,000
Soldotna Airport, AK	Runway safety area, drainage improvements, tundra tire/ski runway, signing and visual guidance system.	1,300,000
Somerset Airport, KY	Relocation of Kit Cowan Road	2,500,000

Airport	Project description	Amount
Southwest Georgia Regional Airport, GA	Runway extension	1,000,000
Spearfish Airport, SD	Construct new airport runway	1,000,000
Spokane International Airport, WA	Taxiway 'C' extension	5,000,000
Springfield-Beckley Municipal Airport, OH	Purchase land for instrument landing system and development.	1,700,000
St. Petersburg/Clearwater International, FL	Runway extension	6,000,000
Ted Stevens International Airport, AK	Laser lines of tug roads and Lake Hood Seaplane base.	1,400,000
Trent Lott International Airport, MS	Runway expansion	1,000,000
Tulsa International, OK	Taxi lanes; taxiway rehabilitation; drainage improvements.	1,500,000
Tupelo Airport, MS	Upgrade terminal	1,000,000
Unalaska Airport, AK	Air terminal expansion	1,000,000
Upper Cumberland Regional Airport, TN	Extend runway and construct taxiway extension	2,500,000
Virginia Highlands Airport, VA	Environmental assessment, relocation of State Route 611, and design of a runway extension.	1,250,000
W.K. Kellogg Airport, MI	Various improvements	3,000,000
Warren County Airport, NY	Various improvements	500,000
Waukesha County Airport (Crites Field), WI	Various improvements	3,000,000
West Virginia Statewide	Various improvements	8,000,000
Westfield-Barnes Airport, MA	Navigation aids to add an array of eight new antennas.	100,000
Williamsburg/Whitley County Airport, KY	Various improvements	650,000
Willmar Airport, MN	Various improvements	1,000,000

GRANTS-IN-AID FOR AIRPORTS

(AIRPORT AND AIRWAY TRUST FUND)

(RESCISSION OF CONTRACT AUTHORIZATION)

The conference agreement includes a rescission of contract authority of $265,000,000 as proposed by the Senate. No similar rescission was proposed by the House.

GENERAL PROVISIONS—FEDERAL AVIATION ADMINISTRATION

Sec. 101 retains authorization for airports to transfer instrument landing systems and other equipment purchased with federal airport grants to the FAA, subject to certain conditions, as proposed by the House and Senate.

Sec. 102 allows 375 technical staff-years at the Center for Advanced Aviation Systems Development as proposed by the House, instead of 350 as proposed by the Senate.

Sec. 103 retains a provision proposed by the House prohibiting funds for engineering work related to an additional runway at Louis Armstrong New Orleans International Airport in Louisiana. The Senate bill contained no similar provision.

Sec. 104 retains a provision prohibiting FAA from requiring airports to provide "without cost" building construction or space, as proposed by the House and Senate.

Sec. 105 retains a provision proposed by the House prohibiting funds to change weight restrictions or prior permission rules at Teterboro Airport in New Jersey. The Senate bill contained no similar provision.

Sec. 106 modifies provisions proposed by the House and Senate concerning the continuation and mandatory expansion of the war risk insurance program. The modification deletes expansion of the program to aircraft manufacturers and associated entities. As pro-

posed by the House and Senate, the conference agreement extends the existing terms and conditions of the program for one year, until December 31, 2005. The conferees note that, under the provisions of section 106 of Public Law 108–176, the Secretary continues to have the authority to extend war risk insurance to aircraft manufacturers at his discretion.

Sec. 107 includes a provision making eligible for the FAA's Airport Improvement Program a project meeting certain specified requirements.

The conference agreement deletes a provision proposed by the Senate authorizing the FAA Administrator to accept funds from an airport sponsor, subject to certain conditions, for environmental reviews related to a project to add critical airport capacity. A similar provision was enacted on December 12, 2003 in Public Law 108–176.

FEDERAL HIGHWAY ADMINISTRATION

LIMITATION ON ADMINISTRATIVE EXPENSES

The conference agreement limits administrative expenses of the Federal Highway Administration (FHWA) to $346,500,000 instead of $346,000,000 as proposed by the House and $349,594,000 as proposed by the Senate. This amount assumes funding for six full time equivalents to help oversee FHWA major projects.

The conferees recommend the following adjustments to the budget request by program and activity:

Employee multidisciplinary development program	−$1,600,000
Undistributed reduction	−1,494,000

The conferees note a report on this program due by March 15, 2004 has yet to be received by the House and Senate Committees on Appropriations, and therefore reduce funding for the employee multidisciplinary development program to $2,506,000. The conferees include an undistributed reduction of $1,494,000 and direct FHWA to report back to the House and Senate Committees on Appropriations on the planned amounts for these activities and funding sources with the 2005 operations plan, and actual amounts and funding sources in future budget justifications. A table should include information on each LAE subline item, including the budget request, reductions (if any), and a total. Examples of subline items are "awards", "Oracle licensing", "electronic government", or "IT cost to meet new IT architecture standards".

FEDERAL-AID HIGHWAYS

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

The conference agreement limits obligations for the federal-aid highways program to $34,700,000,000 instead of $34,641,000,000 as proposed by the House and $34,900,000,000 as proposed by the Senate.

Project clarifications—The conference agreement deletes language associated with changes or corrections to projects in the

statement of managers associated with both the fiscal year 2004 and 2003 bills, as proposed by the Senate.

Public lands.—The conference agreement modifies language proposed by the Senate directing that funds allocated to FHWA's public lands discretionary program be derived from that program and not from funds allocated to the National Park Service, and that these funds not come from funds allocated to the Fish and Wildlife Service's regions.

Major projects updates.—The conferees require FHWA to provide the House and Senate Committees on appropriations quarterly updates on major projects it is tracking.

Tranportation Enhancements—The conferees are aware that the Surface Transportation Extension Acts continue TEA–21's requirement that 10 percent of the Surface Transportation Program (STP) funds apportioned to a State be set-aside specifically for transportation enhancement (TE) activities, which fund community-based transportation infrastructure projects. The Conferees direct that of the fiscal year 2005 TE funds distributed to the State of Oklahoma, the Federal Highway Administration shall ensure that a total of $2,500,000 is provided to the visitor welcome centers at Blackwell and at Erick, Oklahoma; and that $750,000 is provided to the recreational trails project in Edmond, Oklahoma.

District of Columbia partnership.—The conferees recognize the success of the "DC Streets" partnership, a project to preserve and maintain the majority of the 75 mile NHS system in the District of Columbia. The conferees note the favorable evaluation of asset condition when measured against performance measures, and believe that the project could serve as a national model for performance based contracting.

LIMITATION ON TRANSPORTATION RESEARCH

The conferees provide a general limitation on transportation research of $462,500,000, as proposed by the Senate, instead of $478,000,000 as proposed by the House.

SURFACE TRANSPORTATION RESEARCH

Within the funds provided for surface transportation research, the conference agreement modifies House and Senate language and includes $103,000,000 for highway research and development for the following activities:

Environmental, planning, real estate	$16,850,000
Research and technology program support	8,000,000
International research	400,000
Structures	14,000,000
Safety	11,500,000
Operations	13,000,000
Asset management	2,750,000
Pavements research	16,000,000
Long term pavement project (LTPP)	10,000,000
Advanced research	750,000
Policy research	9,000,000
R&T strategic planning and performance measures	750,000
Total	103,000,000

The conference agreement replaces language allocating research funding proposed by the Senate with the following language:

Environmental, planning, and real estate.—The conference agreement provides $16,850,000 for environmental, planning, and real estate research. Within the funds provided for this research activity, the FHWA is directed to provide $1,000,000 to continue dust and persistent particulate abatement research in Emmonak, Alaska, $500,000 for Central California Ozone Study, and $250,000 for the Sacramento Blueprint, California.

Research and technology.—The conference agreement provides $8,000,000 for research and technology program support. Within the funds provided for this activity, the FHWA is directed to provide $250,000 to the Transportation Research Center at Georgia Tech University; $700,000 to the Center for Intermodal Freight Mobility and Security in Maryland; $750,000 for the Center on Coastal Transportation Research at the University of South Alabama, $475,000 for NEPA training at Pellissippi State Community College in Tennessee, $650,000 for the University of Vermont for research related to dynamic transportation modeling and advanced ground penetrating radar systems, and $1,500,000 for the Oklahoma Transportation Center.

International research.—"The conferees provide $400,000 for international research activities. Further, FHWA is directed by the conferees to consult the House and Senate Appropriations Committees before any international agreements are consummated that are likely to require financial support as proposed by the House.

Structures.—The conference agreement provides $14,000,000 for structures research. Within the funds provided for structures research, the conferees direct FHWA to provide $125,000 to support nondestructive structural evaluation technology at New Mexico State University's Bridge Research Center, $200,000 for West Virginia University Constructed Facilities Center for fire and blast resistant composite barriers research, and $150,000 for the University of Delaware's innovative bridge research program, $350,000 to the University of Maine to study the use of wood composite material to extend the life of ports, and $1,000,000 for the National Steel Bridge Alliance. The conferees strongly encourage FHWA to continue its research and deployment of lithium technologies to prevent and mitigate ASR since advances in these lithium technologies have the potential to help increase the durability of our transportation infrastructure.

Safety.—The conference agreement provides $11,500,000 for safety research.

Operations and asset management.—The conference agreement provides $13,000,000 for operations and $2,750,000 for asset management. Within the funds provided for these activities, the conferees direct FHWA to provide $700,000 for Wisconsin's critical vulnerability assessment and countermeasure plan; $300,000 for the Wisconsin STRAHNET detour route planning; $1,500,000 for the Puget Sound In-Vehicle Traffic Map Demonstration initiative in Washington State; and $500,000 for the Pacific Northwest freight mobility research program at Washington State University, the University of Washington, and North Dakota State University.

The conference agreement does not provide funds for statistical analysis of the National Quality Initiative under any FHWA re-

search program, as proposed by the House. Such analysis shall be performed by the Bureau of Transportation Statistics.

Pavements.—The conference agreement provides $16,000,000 for pavements research. Within the funds provided for this activity, the conferees direct FHWA to provide $250,000 to Tennessee Tech University rapid set pavement research and development; $500,000 for low cost carbon fiber production technology, University of Tennessee Space Institute; $550,000 for the Center for Portland Cement Concrete Pavement Technology at Iowa State University; $1,250,000 to the National Center for Asphalt Technology, Auburn, Alabama; $450,000 for the Mack-Blackwell Paving Materials Study, Arkansas; $300,000 for the concrete research at Oklahoma State University; and $500,000 for aggregates research at the International Center for Aggregates Research, Texas.

Policy.—The conference agreement provides $9,000,000 for policy research. Within the funds provided for this activity, FHWA is directed to provide $300,000 to the Boston University infrastructure investment research initiative.

INTELLIGENT TRANSPORTATION SYSTEMS

The conference agreement modifies language proposed in the House and Senate and provides a limitation on Intelligent Transportation Systems of $232,000,000. Funds are available for the following activities:

Research and development	$52,000,000
Operational tests	10,000,000
Evaluations	7,000,000
Architecture and standards	18,000,000
Integrations	11,500,000
Program support	11,500,000
Subtotal	110,000,000
ITS Deployment incentive program	122,000,000
Total	232,000,000

Joint Program Office.—The conferees retain House language regarding the structure of the ITS Joint Program and directing the Secretary to justify any changes to the administrative structure.

Intelligent transportation systems deployment projects.—Within the funds available for intelligent transportation systems deployment, the conference agreement provides that not less than the following sums shall be available for intelligent transportation projects in these specified areas:

Project Name	*Amount*
Alameda Corridor—East Project, San Gabriel Valley, California	$2,000,000
Alexandria Fiber Optic Cable for Traffic Signal Coordination, Virginia	2,000,000
Alliance for Transportation Research, Transportation Technology Center, New Mexico	750,000
Appalachian Transportation Institute and U3C, West Virginia	1,000,000
Atlanta Construction and Traffic Management Project, Georgia	2,000,000
Baltimore City Intelligent Transportation System, Maryland	1,000,000
Bay County Regional ITS, Florida	2,000,000
Calmar Research Vehicle Communication Systems, New York	1,150,000
Center for Injury Sciences, Alabama	2,000,000
Central Florida Regional Transportation Authority (LYNX): North Orange/South Seminole ITS Enhanced Circulator	500,000
Cicero Avenue Smart Corridor, Illinois	1,000,000
City of Boston Directional Signage Program, Massachussets	1,000,000

Project Name	*Amount*
City of Elk Grove ITS Project, California	1,500,000
City of Fort Worth Intelligent Transportation Systems, Texas	1,800,000
City of San Antonio Municipal ITS Technologies, Texas	1,300,000
Clark County ITS, Washington	2,000,000
Commercial Vehicle Information Systems Network, Illinois	500,000
COTA ITS Integration Project Phases II and III, Ohio	800,000
DeKalb Co. Signal System Improvements, Georgia	500,000
Downtown Signalization Project, Mechanicsburg, Pennsylvania	750,000
FAST-TRAC Signal Expansion, Michigan	1,000,000
Florida State University System Center for Intermodal Transportation Safety	3,000,000
Freeway Incident Management Program, Houston, Texas	3,250,000
Ft. Lauderdale Intelligent Trans System Improvement, Florida	1,000,000
GEARS Demonstration Project, Cumberland County, Pennsylvania	150,000
Germantown ITS, Tennessee	500,000
GMU ITS Appropriations, Virginia	2,000,000
Highway Speed E-ZPass, Outerbridge Crossing, New York	350,000
Hillsborough Area Regional Transit Authority: Bus Tracking, Communication and Security, Florida	750,000
I–70 Incident Management Plan, Colorado	1,250,000
I–91 Fiber and ITS Construction, Massachussets	2,500,000
Intelligent Transportation at George Washington University, Virginia	1,000,000
Intelligent Transportation System feasibility study and implementation plan, Edmond, OK	100,000
Intelligent Transportation System, Jackson, Tennessee	385,000
Intelligent Transportation System, Wichita, Kansas	1,250,000
Intelligent Transportation Systems—Nebraska	450,000
Intelligent Transportation Systems, City of Jackson, Tennessee	1,000,000
Intelligent Transportation Systems, Illinois	5,000,000
Intercity Transit ITS (Thurston County), Washington	2,000,000
Interurban Transit Partnership, Grand Rapids, MI	2,000,000
Iowa ITS	2,000,000
ITS—Commercial Vehicle Safety and Integration Statewide, Utah	500,000
ITS—Northwest Arkansas Regional Architecture, Arkansas	250,000
ITS—Rural Recreation & Tourism, Statewide, Utah	750,000
ITS—Springfield, Illinois	650,000
ITS Deployment Project, Inglewood, California	400,000
ITS Statewide, Maryland	1,000,000
Jacksonville Transportation Authority: Intelligent Transportation Systems Regional Planning, Florida	750,000
JAXPORT Intermodal Cargo Tracking Project, Florida	900,000
Kansas City SmartPort, Missouri	750,000
King County, County-Wide Signal Program, Washington	2,000,000
Lake County Passage, Lake County, Illinois	1,250,000
Laredo ITS Multi-Agency Integration and Incidence Project, Texas	500,000
Los Angeles Union Station Communication System	1,000,000
Lynnwood Traffic Management Center of Multi-Jurisdictional ITS, Washington	1,000,000
MARTA Automated Fare Collection/Smart Card System, Georgia	500,000
Missouri Statewide Rural ITS	2,500,000
Montgomery County Integrated ITS Program, Maryland	750,000
Montgomery Intelligent Transportation System Acquisition and Implementation, Alabama	1,000,000
Nepperhan Traffic Improvements, City of Yonkers, New York	300,000
Northwest Arkansas Regional Planning Commission—ITS Regional Architecture	300,000
Park Avenue Corridor Improvements, New Jersey	1,000,000
Park Avenue Corridor Improvements, Union County, NJ	765,000
Pennsylvania Turnpike ITS Initiative, Pennsylvania	2,000,000
PSU's Center for Transportation Studies ITS Initiatitive, Oregon	400,000
Puget Sound In-Vehicle Traffic Map Expansion Program, Washington	2,000,000
Pulaski at Irving Park Intersection Improvement, Illinois	500,000
PVTA ITS, Massachussets	1,000,000
Regional ITS Springfield, Missouri	2,000,000
Reston Traffic Signal Prioritization, Virginia	750,000

Project Name	*Amount*
Route 28 traffic light synchronization	500,000
Route 50 signalization improvement, Virginia	1,000,000
Route 7 signalization improvements, Virginia	500,000
Rural Highway Information System, Kentucky	2,000,000
San Diego Joint Transportation Operations Center, California	750,000
SCDOT InRoads, South Carolina	2,500,000
Signal Preemption Upgrades, Culver City, California	110,000
South Boulevard Signal System, North Carolina	470,000
Springfield Regional Intelligent Transportation System, Missouri	2,000,000
Stamford Urban Transitway Phase II, Connecticut	1,000,000
State Transportation Incident Management Center, Wisconsin	500,000
STRAP 3 Transportation Program Tracking	1,500,000
The Mass Country Roads Traveler Information System, Massachusetts	200,000
TMC Transportation Operations Center, Texas	500,000
Traffic Operations Center, City of Fresno, California	500,000
Traffic Response and Information, Partnership Center, Maryland	1,500,000
Transportation Management & Emergency Ops Center/Oakland, California	750,000
Transportation Research Center, Georgia	1,000,000
Traveler Information System, Seattle, Washington	1,000,000
Tri-County ITS Coordination Intitiative, Michigan	500,000
Twin Cities, Minnesota Redundant Communications Pilot	750,000
University of Alaska Arctic Transportation Engineering Research Center, Alaska	1,500,000
University of Kentucky Transportation Center	1,500,000
US 2 Lohman Rail Crossing Advance Warning, Montana	1,000,000
US 280 Corridor ITS, Alabama	800,000
US 280, Jefferson County, ITS, Alabama	4,000,000
US 98 Widening from Bayshore Road to Portside Road, Florida	500,000
Variable Message Signs and 511 Implementation, Idaho	2,250,000
Ventura County Intelligent Transportation Systems, California	750,000
Vermont Roadway Weather Information System	1,000,000
Village of Tarrytown, New York	320,000
West Baton Rouge Emergency Communications Center, Louisiana	1,500,000
Wisconsin State Patrol Mobile Data Communications Network—Phase III	3,400,000

FERRY BOATS AND FERRY TERMINAL FACILITIES

Within the funds available for ferry boats and ferry terminal facilities, funds are to be available for the following projects and activities:

Project	*Amount*
Beale Street Landing/Docking Facility, Memphis, Tennessee	$500,000
Beale Street Landing/Docking Facility, Tennessee	1,350,000
Bridgeport High Speed Ferry Terminal, Connecticut	550,000
Bridgeport High-Speed Ferry Terminal Project, Connecticut	350,000
City dock repairs, Bayfield, Wisconsin	500,000
Claggett Hill, Lewis and Clark Ferry Boat Facilities on Missouri River, Montana	1,000,000
Claggett Road/Lewis and Clark Ferry Boat Facilities, Montana	500,000
Commuter Ferry to Boston, Winthrop, Massachussets	300,000
Ferry Boat for San Francisco Water Transit Authority, California	1,000,000
Ferry for Jamestown 2007 Festivities, Virginia	250,000
Greenup-Boyd Riverport Authority in Greenup County, Kentucky	850,000
Jamaica Bay Transportation Hub, New York	300,000
Kitsap Transit Ferry Boat Buy, Washington	1,750,000
Mammoth Cave/Edmonson County Green River Ferry, Kentucky	250,000
Mid-Chesapeake Bay Ferry, Virginia	250,000
National Park Service Sandy Hook, New Jersey	400,000
Newport Harbor Water Shuttle, Rhode Island	600,000
Oklahoma City Water Taxi	1,000,000
Penobscot River Passenger Ferry Docking Facility, Maine	750,000
Putnam County, FL Ferry Boat & Terminal Facilities, Florida	500,000
Savannah Water Taxi, Georgia	500,000

Project	*Amount*
St. Johns River Ferry Terminal, Florida	700,000
Stamford High Speed Ferry, Connecticut	500,000
Staten Island Ferryboat Replacement—New York, New York	1,000,000
Washington State Ferries, Smart Video Surveillance for Ferry Security	750,000
Water taxi docks, New York	600,000
Water Taxi Study, Barnett Reservoir, Mississippi	1,000,000

NATIONAL CORRIDOR PLANNING AND BORDER DEVELOPMENT PROGRAM

Within the funds available for the national corridor planning and border development program, funds are to be available for the following projects and activities:

Project	*Amount*
Albany Bypass, Clinton County, Kentucky	$1,000,000
Berkley Road Polk County, Florida	2,000,000
Bishopville Bypass Construction, South Carolina	1,500,000
Broad & Washington Street Reconstruction, Connecticut	2,000,000
Carrollton/US90–US61 Rehabilitation Project, Louisiana	1,000,000
Construction of Juneau Access road, Alaska	2,000,000
Construction of road from Kotzebue, Alaska to Cape Blossom, Alaska	2,000,000
Construction of road, Shot Gun Cove, Alaska	2,000,000
County State Aid Highway 21 Project, Minnesota	1,000,000
Craig roads, Alaska	1,000,000
Cross Valley Connector, California	5,000,000
East Hiram Parkway, Paulding County, Georgia	1,000,000
Emmonak street lighting, Alaska	1,000,000
Englewood Interstate Connector EIC, Sarasota, Florida	1,000,000
FAST Corridor Program, Washington	2,500,000
Haleyville Bypass, Winston County, Alabama	6,500,000
Highway 65 Hollister Interchange Missouri	1,000,000
Horse Stamp Road/I–95 Interchange, Georgia	3,000,000
I–4/Crosstown Connection in Hillsborough County, Florida	1,000,000
I–235/US54 and I–235/Central Ave, Wichita, Kansas	1,500,000
I–49 North, Louisiana	2,250,000
I–49 South, Louisiana	2,250,000
I–494/US 169 Interchange, Minnesota	1,500,000
I–635, Texas	2,450,000
I–69 Access Project, Hamilton County, IN	1,000,000
I–69/SR 304 Paving, Mississippi	1,000,000
I–69 Connector (I–530 Ext.): Pine Bluff-Hwy. 278, Arkansas	2,000,000
I–74 from Maxton Bypass to Lumberton, North Carolina	1,000,000
Improvements to Anaheim Street, from 710 Freeway, California	500,000
Improvements to CR 833 in Hendry County, Florida	1,000,000
Interchange at K–7 & 55th St./Johnson Dr, Shawnee, Kansas	2,000,000
Interstate 280 Interchange Improvements, New Jersey	1,500,000
Interstate 5 Riverfront Reconnector, California	1,000,000
Interstate 69, Tennessee	1,500,000
Jennie Barker Rd./Mary St./K–156 Intersection, Finney County, Kansas	500,000
Kalispell Bypass, Montana	3,000,000
Kodiak Island roads, Alaska	1,300,000
KY 911/115 Widening, Kentucky	1,000,000
Lincoln Parish I–20 Corridor, Louisiana	1,000,000
Loop 49 from SH 155 to SH 31, Texas	3,000,000
Manchester Road in Akron, Ohio	1,000,000
Mesa del Sol/I–25 Interchange, New Mexico	1,000,000
Mon-Fayette Expressway Project/Uniontown to Browns, Pennsylvania	2,000,000
Navajo Route N7048 Bridge Construction, New Mexico	250,000
Nikiski emergency escape road, Alaska	500,000
Northwest Butler Transportation Improvement District, Ohio	4,000,000
Old Highway 471, Rankin County, Mississippi	1,000,000

Project	*Amount*
Outer Loop/I–85 Connector, Montgomery, Alabama	2,000,000
Parkway West Missing Ramps and Widening Project, Pennsylvania	1,000,000
Port of Albany Operational Improvements, New York	1,000,000
Ports of Savage/TH 13 Improvements, Minnesota	1,000,000
President George Bush Tollway Eastern Extension, Texas	2,000,000
Pt. Hope evacuation road, Alaska	2,000,000
Reconstruction of Ashburton Avenue, Saw Mill River	1,200,000
Reyes Adobe Road Interchange Project, California	1,500,000
Rickenbacker Intermodal Facility, Ohio	1,500,000
Route 247, Nelson County, Kentucky	600,000
Route 412 Improvement Project, Bethlehem, Pennsylvania	3,000,000
Route 79 Improvements, Fall River, Massachusetts	1,000,000
SR 0171, Drinkers Creek Bridge, Susquehanna County, Pennsylvania	1,000,000
Santa Fe Corridor, Colorado	1,000,000
SR 519 Intermodal Access, Washington	1,000,000
Street Improvements, Lawndale, California	500,000
US 82 Bypass at Greenville, Mississippi	1,500,000
US 101 Off-ramp Extension at Van Nuys Boulevard, California	1,000,000
US 319 Improvements, Florida	1,000,000
US 321 Corridor, North Carolina	1,000,000
US 60 bridge replacement, Virginia	2,600,000
US Highway 56 Improvements, Kansas	4,000,000
US Route 2/Danville, Vermont Improvements	2,000,000
Upgrade of NH Rte. 110 Berlin, New Hampshire	800,000
US 395—North Spokane Corridor, Washington	1,000,000
US 401 in Harnett, Cumberland & Wake Counties, North Carolina	800,000
US 62—Franklin County/Frank Road, Ohio	1,000,000
US 83 from .5 mi e of FM1425 to Hidalgo/Cameron, Texas	1,000,000
US Highway 62/180 Four-Lane Reconstruction, New Mexico	5,000,000
US–95, MP 536 to Canadian Border, Idaho	1,500,000
UW-Bothell/Cascadia South Access Project, Washington	1,000,000
Wadsworth/U.S. 36 Interchange in Broomfield, Colorado	1,250,000
Wasilla substandard road improvements, Alaska	1,000,000
West Virginia Route 9—Berkeley and Jefferson Counties	10,000,000
White County/Monticello 6th Street West Shafer Drive Project, Indiana	250,000
Yakima Grade Separations, Washington	1,500,000

TRANSPORTATION AND COMMUNITY AND SYSTEM PRESERVATION PROGRAM

Within the funds made available for the transportation and community and system preservation program, funds are to be distributed to the following projects and activities:

Project	*Amount*
Aberdeen, South Dakota Pedestrian/Bicycle Trail	$200,000
AltaVista Business Park Entrance, Pennsylvania	2,500,000
American Village Citizenship Trust—Transportation Access and Improvement, Alabama	1,000,000
Antelope Valley Transportation Improvements, Nebraska	1,000,000
Blount County Transportation Growth and Planning Study, Tennessee	500,000
Clayton Core Area Revitalization and Enhancement Program, Alabama	250,000
Concord 20/20, New Hampshire	450,000
Coosa River Boardwalk, Gadsden, Alabama	800,000
Culpeper Regional Airport Road Project, Virginia	1,100,000
Fairgrounds Road in Alamagordo, New Mexico	400,000
Farmington Canal Greenway, New Haven, Connecticut	750,000
Hammonton Pedestrian Downtown Improvements, New Jersey	200,000
Hattiesburg Rail-Roadway Intersection Congestion Study, Mississippi	300,000
Henry M. Jackson Pedestrian and Bicycle Bridge and Snohomish River Shoreline Trail Project, Everett, Washington	500,000

Project	*Amount*
INAAP Re-Use Authority Project, Indiana	1,000,000
Lakeview Park Trail, Mexico, Missouri	375,000
Luverne, AL Downtown Revitalization, Alabama	500,000
Miami Performing Arts Center: Pedestrian Plaza and Traffic Calming, Florida	250,000
Midwest City Hudiburg Drive Improvements, Oklahoma	875,000
Mingo Trail Construction, Oklahoma	200,000
New Cassel Revitalization Project, NY	1,000,000
NH Rte. 103 Bridge, Warner, New Hampshire	200,000
Norman, Oklahoma Railroad Grade Separations, Oklahoma	1,000,000
Oglala, South Dakota Pedestrian/Bicycle Trail	225,000
Orange Beach Pedestrian Safety and Lighting Enhancements, Alabama	250,000
Ottawa, KS Master Transportation Plan, Kansas	200,000
Paulding Business and Technology Park, Georgia	1,000,000
Paulding County Business and Technology Park Roadway Improvement, Georgia	1,000,000
Pedestrian bridge, Shandon, California	250,000
Pedestrian safety improvements, San Miguel, California	250,000
Philadelphia Port—Access Enhancement Plan, Pennsylvania	500,000
Portsmouth Town Center, Rhode Island	225,000
Resurfacing Diaz Avenue in Hurley, New Mexico	100,000
Sidewalk & Lighting Improvements, Bevill State CC, Alabama	400,000
Southern Corridor/Atkinville Interchange, Utah	2,500,000
State Route 52 East from SR125 to SR67, California	1,000,000
US–2 Development Plan, Washington	500,000
Wheeler NWR—Wildlife Drive, Alabama	250,000
Windsor, VT Industrial Access Road, Vermont	1,000,000

BRIDGE DISCRETIONARY PROGRAM

Within the funds available for the bridge discretionary program, including the bridge set-aside, funds are to be available for the following projects and activities:

Project	*Amount*
Black Narrows and Chincoteague Bridge, Virginia	$1,000,000
Brent Spence Bridge Replacement, Kentucky	3,000,000
Brent Spence Bridge, Kentucky	1,000,000
Bridge Number 658, Arizona	200,000
Covered Bridge Program, Vermont	2,000,000
Dover Bridge, Bonner County, Idaho	1,500,000
Eutaw, Alabama Bridge Reconstruction	500,000
Flat Road Bridge, Pennsylvania	500,000
Flint River Bridge, Albany, Georgia	1,000,000
Gill Montague Bridge, Massachussets	3,000,000
Gilmerton Bridge, Chesapeake, Virginia	250,000
Golden Gate Bridge Seismic Retrofit, California	5,000,000
Highway 35 Bridge Repair, near Little River Canyon, Alabama	800,000
Hoover Dam Bypass Bridge, Arizona	10,000,000
I–10 Bridge Widening at Ray Road, Arizona	1,000,000
I–40 Oklahoma City Cross Town Expressway	10,000,000
I–75 bridge upgrades for capacity improvements, Florida	1,500,000
Indian River Inlet Bridge Replacement, Delaware	5,000,000
Interstate 35–E at CSAH 14 in Lino Lakes, Minnesota	250,000
Interstate 74 Bridge, Bettendorf, Iowa	1,100,000
Joachim Avenue Bridge Replacement, Missouri	2,500,000
Juneau bridge repair and upgrade, Alaska	1,800,000
LA 143–US 165 Connector/Ouachita River Bridge, Louisiana	1,500,000
Leeville Bridge, Lafourche Parish, Louisiana	1,000,000
Louisiana Department of Transportation	1,000,000
Lowell Street Bridge, Somerville, Massachussets	2,000,000
Matthews Bridge Replacement, Florida	1,500,000
McBaine Bridge Replacement, Missouri	850,000
Meridian Bridge, Yankton, South Dakota	4,000,000
Missisquoi Bay Bridge, Vermont	1,500,000
Naknek Bridge, Alaska	3,000,000

Project	*Amount*
National Covered Bridge Program	2,000,000
NM467 Highway Overpass, New Mexico	1,000,000
North-South Wacker Drive Reconstruction, Chicago, Illinois	5,000,000
Ohio River Bridges, Kentucky	2,000,000
Old Central Bridge in Pickens County, South Carolina	200,000
Old Town-Milford Bridge, Maine	2,000,000
Rancho Cucamonga I–15 Base Line Road Interchange, California	500,000
Reconstruction of Multorpor Overpass at Highway 26, Oregon	2,500,000
Removal of old Jamestown Bridge, Rhode Island	3,000,000
Replacement of Waldo-Hancock Bridge, Maine	1,000,000
Route 17/Essex Street Bridge Replacement, Bergen County, New Jersey	2,000,000
Scioto River Bridges Replacements, Columbus, Ohio	1,000,000
Seventh Street Bridge Reconstruction—Port Huron, Michigan	500,000
SR–520 Bridge Replacement and HOV Project, Washington	1,000,000
SR–6, Bridge Replacement Project, Pacific County, Washington	1,000,000
Star Landing Railroad Underpass, Southaven, Mississippi	2,000,000
State Hwy. 32 (Claude Allouez Bridge, DePere), Wisconsin	1,000,000
Sutton Road Bridge, Pennsylvania	500,000
Topeka Boulevard Bridge, Kansas	850,000
US 220-Business Bridge Replacement, Virginia	400,000
US 34 Missouri River Bridge, Mills County, Iowa	500,000
Upgrade Route 141 from I–64 to Route 340, Missouri	800,000

FEDERAL LANDS

Within the funds available for the federal lands program, funds are to be available for the following projects and activities:

Project Name	*Amount*
14th Street Bridge Improvements, Virginia	$1,250,000
Access Road Planning—Big Gem Park/Shenandoah, Virginia	60,000
Alaska Trail Initiative	4,000,000
Amherst County River Walk Trail, Virginia	500,000
Beale Air Force Base access road improvements, California	1,000,000
Bear River Access Road, Utah	2,000,000
Cape Cod Seashore Eastham/Dennis Bike Trail Repair, Massachussetts	1,200,000
City of Palm Harbor Safety and Access Program	700,000
City of Rocks Back Country Byway, Stage 3, Idaho	1,000,000
City of Rocks Back Country Byway, Stage 3, Idaho	3,000,000
City of Treasure Island Harbor Safety and Access Program	450,000
Doyle Drive Replacement Project, California	1,000,000
Enumclaw Welcome Center, Washington	1,000,000
Fort Campbell Cole Road Widening, Kentucky	2,000,000
Fort Peck Reservoir Fishing Access Roads, Montana	5,000,000
Frederick Douglass Bridge, Washington, DC	4,500,000
Golden Gate National Park Conservancy	1,000,000
Grand Teton National Park pathway system, Wyoming	4,000,000
Hoover Dam Bypass Boulder City Extension, Nevada	1,000,000
I–25/NM 556 Interchange, Pueblo of Sandia, New Mexico	500,000
I–5/116th Street NE Interchange Improvements, Tulalip Tribe, Washington	1,000,000
IH20–Dyess AFB Access Project, Texas	750,000
Kentucky Scenic Byways	1,000,000
Lake Mead Parkway/Lake Las Vegas Gateway	1,000,000
Leelanau County Road Commission, Michigan	300,000
Lone Pine Dam Road, Arizona	2,500,000
Louis Reef Road and Boswick Lake Road, Alaska	1,500,000
Lowell Riverwalk, Massachusetts	1,000,000
M–6 Paul Henry Trail construction, Michigan	1,000,000
Marin Parklands/Muir Woods Visitor Access, California	1,278,000
Marysville Road Construction Project, Montana	3,000,000
MD 4, Suitland Parkway, Maryland	3,750,000
Missisquoi Wildlife Refuge Federal Lands Project, Vermont	500,000
Needles Highway/NV Improvements, California	500,000
OR 140, Lake County, Oregon	500,000

Project Name	*Amount*
OR 140, Lake County, Oregon	400,000
Palm Coast Trail System, Flagler County, Florida	1,000,000
Pine Springs Road N9010, Arizona	1,000,000
Port of Stockton Daggett Road, California	1,000,000
Preston North & South, Nebraska	700,000
S–323 Alzada-Ekalaka, Montana	3,000,000
Serpentine Hot Springs Road, Bering Land Bridge National Park, Alaska	1,000,000
SH 145—Dolores to Stoner, Colorado	500,000
Silvio Conte National Fish & Wildlife Refuge Educational Outreach Center, Norwich, Vermont	1,000,000
South Palm Canyon Drive Phase 2, California	1,582,000
SR 160 Blue Diamond Highway Widening—Valley View to Rainbow Clark County, Nevada	5,000,000
SR–92, I–15 to 1200 East, Lehi, Utah	750,000
Statewide Improvements to Federal Lands, Hawaii	4,000,000
Summit Valley Road, San Bernardino County, California	1,000,000
Swinomish Tribe Marina Project, Washington	2,000,000
Timucuan Preserve Bike Trail, Florida	1,000,000
Turtle Mountain Access Road to Ojibwa Indian School, North Dakota	1,000,000
USMC Heritage Center Access, Virginia	500,000
Valles Caldera National Preserve, New Mexico	1,250,000
Vermont Civil War Monument in Virginia	200,000

INTERSTATE MAINTENANCE DISCRETIONARY

Within the funds available for the interstate maintenance discretionary program, funds are to be available for the following projects and activities:

Project Name	*Amount*
I–15, SR–92 to University Parkway, Utah County, Utah	$1,000,000
34th Street Corridor/I–94 Interchange, Moorhead, Minnesota	4,000,000
Clark County Beltway (I–215) Interchanges project, Nevada	1,000,000
Cocke County Tennessee I–40 Connector Roads, Tennessee	1,000,000
Coweta County Noise Barrier, Georgia	750,000
Exit 18 Reconstruction, Town of Queensbury, New York	1,000,000
Exit 3, I–295 South Portland, Maine	800,000
Harrison County New 184 Interchange, Indiana	1,000,000
Heartland Expressway Nebraska	1,000,000
I–10 Riverside Avenue Interchange, California	1,250,000
I–12 @ LA 1088 Interchange, St. Tammany Parish, LA	500,000
I–15—24th Street Interchange, Ogden, Utah	500,000
I–15 North & Commuter Rail Coordination, Utah	2,500,000
I–20 Interchange at Hawkins Crossing, Lauderdale County, Mississippi	250,000
I–205, Oregon	1,000,000
I–215/Barton Road Interchange Improvements, California	2,000,000
I–25 through Colorado Springs, Colorado	750,000
I–253/US–54 & I–235/Central Ave. Interchanges, Kansas	3,000,000
I–29 Northbound Reconstruction, North Dakota	2,000,000
I–30 Dallas Construction of Bridge, Trinity River, Texas	500,000
I–35 Interchange, Thackerville, Oklahoma	1,000,000
I–40 and Morgan Road Interchange Improvements, Oklahoma City, OK	500,000
I–40 Oklahoma City Cross Town Expressway	5,000,000
I–5 Blaine Exit Interchange, Whatcom County, Washington	2,500,000
I–5 South HOV Lane, Phase 1, California	500,000
I–5/SR 18 Interchange Reconstruction, Washington	1,000,000
I–55 Sound Barrier, Darien, Illinois	1,400,000
I–580/Meadowood Complex Improvements, Reno, Nevada	1,000,000
I–635/Van de Populier Road Interchange, Missouri	5,000,000
I–64 from IL 157 to Lincoln Trail at O'Fallon, Illinois	1,000,000
I–66/Route 29 Interchange, Gainesville, Virginia	250,000
I–695, Baltimore Beltway N/E, Maryland	1,000,000
I–70 at SH 58 Interchange Reconstruction, Colorado	1,500,000

Project Name	*Amount*
I–70 Improvement Project, Maryland	5,000,000
I–70 Tunnel Improvements, C–470 to Glenwood Springs, Colorado	2,000,000
I–75 in Rockcastle County, Kentucky	1,000,000
I–75 Interchanges Preliminary Engineering and Environmental Impact Study Project, Ohio	1,000,000
I–75/I–475 North Interchange, Ohio	1,000,000
I–76 between Ft. Morgan and Brush, Colorado	1,000,000
I–76 Northeast Gateway, Colorado	1,500,000
I–79 Parkway West missing ramps and widening, Pennsylvania	2,000,000
I–80 Freight Corridor Improvements, Wyoming	500,000
I–93 Interchange, Massachusetts	2,000,000
I–94 Safety near Benton Harbor and St. Joseph, Michigan	100,000
I–95 and Route 20 Interchange modification, Waltham, Massachussets	2,000,000
I–96 Beck and Wixom Road Interchange, Michigan	1,000,000
IH 30–IH 635 Interchange, Texas	1,000,000
Interchange on I–35 at Lone Elm Road, Olathe, Kansas	1,000,000
Interstate 10—Cypress Avenue Overcrossing, California	500,000
Interstate 280 Interchange Improvements, New Jersey	1,000,000
Interstate 430/630: Interchange Modification, Arkansas	1,000,000
Interstate 5 and Interstate 8 Connector, California	1,200,000
Interstate 80 at Fernley, Nevada	500,000
Interstate 94/43/794 Marquette Interchange, Milwaukee, Wisconsin	5,000,000
LA37/US 190 Connector (Central Thruway), Louisiana	1,250,000
Laval Road Interchange at Interstate 5, California	1,000,000
Manslick Road feasibility study, Kentucky	300,000
Pennsylvania Turnpike/I–95 Interchange Project, Pennsylvania	500,000
Phase 2 of I–520, Palmetto Parkway in Aiken County, South Carolina	1,000,000
Pineda Causeway Interchange at I–95, Florida	1,200,000
Port of Houston Barbours Cut Boulevard, Texas	1,500,000
Rehabilitiation of Interstate I–195, Rhode Island	1,000,000
Replacement of Washington Bridge, Rhode Island	1,000,000
Routes I–295/42/I–76 Direct Connection, New Jersey	1,250,000
SR 54/I–75 Interchange in Pasco County	1,500,000
Turnpike Improvements, Delaware	5,000,000
Valleydale Road Widening, Alabama	4,000,000
Widening of exit ramp I–265 and I–65, Kentucky	750,000

BUREAU OF TRANSPORTATION STATISTICS

The conferees provide $31,000,000 for the Bureau of Transportation Statistics under the FHWA appropriation. Consistent with both House and Senate language, the conference agreement limits BTS full time positions to 136. Within the funds provided, the conferees direct $400,000 for BTS to administer section 5402 of title 39, United States Code.

FEDERAL-AID HIGHWAYS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(HIGHWAY TRUST FUND)

The conference agreement provides liquidating cash appropriation of $35,000,000,000 for the federal-aid highways program as proposed by both the House and the Senate.

FEDERAL-AID HIGHWAYS

(HIGHWAY TRUST FUND)

RECISSION

The conference agreement includes a rescission of $520,277,000 of funds in unobligated contract authority balances from Federal-aid highway program funds.

FEDERAL-AID HIGHWAYS

EMERGENCY RELIEF PROGRAM

(INCLUDING RESCISSION)

(HIGHWAY TRUST FUND)

The conferees provide $741,000,000 to fund the backlog of requests for damage repairs necessary due to disasters. The current funding requirements far exceed the annual authorization of $100,000,000 for the emergency relief program, and this amount will fully fund the existing backlog of requests. This section also rescinds $741,000,000 in unobligated contract authority balances from Federal-aid highway funds.

APPALACHIAN DEVELOPMENT HIGHWAY SYSTEM

The conference agreement provides $80,000,000 for the Appalachian Development Highway System (ADHS), and shall be allocated as follows: $15,000,000 for Kentucky Corridors; $5,000,000 for Tennessee Corridor S; $5,000,000 for Mississippi Corridor V; $15,000,000 for West Virginia Corridor H; $25,000,000 for Alabama Corridor X and X–1, $7,000,000 for Tennessee Corridor J; $4,000,000 for Alabama Corridor V; and $4,000,000 for New York Corridor T.

GENERAL PROVISIONS—FEDERAL HIGHWAY ADMINISTRATION

The conference agreement includes a provision (Sec. 110) that modifies the distribution of Federal-aid highway obligation limitation proposed by the House and Senate.

The conference agreement includes a provision (Sec. 111) that allows funds received by the Bureau of Transportation Statistics from the sale of data products to be credited to the Federal-aid Highways account, as proposed by both the House and Senate.

The conference agreement includes a provision (Sec. 112) that clarifies that BTS is to administer activities under section 5402 of title 39, United States Code.

The conference agreement includes a provision (Sec. 113) that modifies a House provision amending public laws to allow changes to projects in Massachusetts, New Jersey, Michigan, Utah, and California.

The conference agreement includes a provision (Sec. 114) relating to highway signs, as proposed by the House.

The conference agreement includes a provision (Sec. 115) that amends section 115, division F, title 1 of P.L. 108–199, as proposed by the House and Senate.

The conference agreement includes a provision (Sec. 116) that modifies a provision in the House bill and provides $5,000,000 from balances made available under section 104(a)(1)(A) of title 23, U.S.C. to carry out environmental streamlining activities.

The conference agreement includes a provision (Sec. 117) that modifies a Senate provision relating to an administrative takedown, and set-aside funding for Delta Regional Authority and National Highway Traffic Safety activities. The Secretary of Transportation must submit a spend plan regarding Delta Regional Authority funding to both the House and Senate Committees on Appropriations before funds are distributed or obligated. The remaining amounts shall be distributed for the following purposes:

Project Name	*Amount*
101st Street Corridor Widening	$500,000
126th Street, Hamilton County, Town of Fishers, Indiana	3,000,000
12th Street Viaduct, Missouri	500,000
13th East in Sandy City, Utah	1,500,000
17 Mile Road on Wind River Indian Reservation, Wyoming	4,500,000
171st Street reconstruction, East Hazel Crest, Illinois	400,000
26th Street Extension—Philadelphia Naval Business Center, Pennsylvania	4,000,000
4 Lane U.S. 68, 31W to Transpark Entrance on U.S. 68, Kentucky	2,000,000
40th Street Revitalization Project, Florida	1,250,000
67th Street Pedestrian Underpass, Chicago Lakefront, Illinois	400,000
95th Street/Dan Ryan Intermodal Improvements	1,000,000
9th Street Bridge, NE over New York Ave.	500,000
A–B Street NW Corridor Connector, Auburn, Washington	1,000,000
Access to Ebenezer Swamp Wetlands Interpretative Center, Alabama	225,000
Addition of Eggerts Crossing storm drains, New Jersey	200,000
Adriaen's Landing, Hartford, Connecticut	9,000,000
Akutan Road, Alaska	1,500,000
Alabama State University, Alabama	250,000
Alaskan Way Viaduct and Seawall Replacement, Seattle, Washington	1,000,000
Alle-Kiski Connector Bridge, Pennsylvania	2,500,000
Almaden Express Pedestrian Overcrossing, San Jose, California	500,000
Altus Falcon Road Improvements, Oklahoma	500,000
Altus Falcon Road Improvements, Oklahoma	750,000
American Parkway Project, Pennsylvania	1,000,000
Anderson, IN Rail Study, Indiana	1,000,000
Angels Flight, Los Angeles, California	200,000
Ann-Arbor-Detroit Commuter Rail	1,500,000
Aroostook North-South Highway, Maine	1,000,000
Arthur Avenue Retail Market, New York	1,000,000
Asheville River Way Project, PE and Design, North Carolina	600,000
Asphalt Institute Research, University of Kentucky	500,000
Atlantic Avenue Design/Right of Way project, New York	600,000
Atlantic Avenue Extension, New York	1,250, 000
Aucilla River Bridge	1,000,000
Avalon Boulevard Expansion Project, Florida	1,000,000
Avenue T Restoration Project, Winter Haven, Florida	600,000
Avery Parkway Interchange at Interstate 5, California	1,000,000
Balch Road, Madison, Alabama	1,500,000
Barber Street, Wilsonville, Oregon	500,000
Battlefield Parkway expansion, Virginia	1,000,000
Beall Avenue Economic Redevelopment Project, Ohio	1,500,000
Bellevue Access Downtown Project, Washington	1,500,000
Bellevue Access Downtown, Phase Two, Washington	500,000
Bellingham San Juan Boulevard, Washington	1,000,000
Belmont Ave Gateway Community Enhancement Project	350,000
Belmont Infrastructure and Streetscape Improvement, North Carolina	1,250,000
Berkeley Springs Streetscape, West Virginia	200,000

Project Name	*Amount*
Bikeways and Walkways, Santa Fe, New Mexico	1,000,000
Billings North Bypass Project, Montana	5,000,000
Blackstone River Bicycle Facility—Segment 4A, Rhode Island	500,000
Blackstone River Valley National Heritage Corridor Roadway Improvement Program, Rhode Island	3,000,000
Boot Key Bridge Rehabilitation Project, Florida	500,000
Bouldercrest Road Improvements, Georgia	500,000
Braves Avenue, City of Gladstone, Michigan	370,000
Bridge Replacement on SR–54, Wisconsin	500,000
Briggs-DeLaine-Pearson Connector, South Carolina	2,500,000
Bring Back Broad Street Initiative, Alabama	1,000,000
Bristol Street Multi-Modal Corridor, California	750,000
Broadway Bridge, Colorado	1,200,000
Bronx Zoo Access Improvement, New York	750,000
Brooklyn Chamber of Commerce's Light-rail study, New York	300,000
Brooklyn Public Library/Grand Army Plaza, New York	700,000
Buffalo Bayou—San Jacinto Corridor Improvements	500,000
Building Access Improvements, University of Florida	1,000,000
Bullock County Industrial Park Access Road, Alabama	750,000
Byram-Clinton Norrell Corridor, Mississippi	3,800,000
C–470 and Santa Fe (US 85) Interchange, Colorado	1,000,000
California University Pennsylvania Urban MAGLEV	2,500,000
Camp Steet upgrades, East Peoria, Illinois	2,000,000
Campbell Avenue Gateway Corridor, Tucson, Arizona	500,000
Campbelltown Connector and US 322 Improvement Project, Pennsylvania	1,000,000
Canton Junction Commuter Rail Station, Massachusssets	50,00
Capacity Improvements on I–75 Corridor in SW Florida	1,000,000
Cape Cod Hyannis Gateway, Massachussets	382,000
Cape Girardeau I–55 Corridor, Missouri	100,000
Cape Girardeau/Fountain Street downtown revitalization, Missouri	500,000
Caraway Overpass Project, Jonesboro, Arkansas	1,000,000
Central Link Westchester Avenue to East Tremont, New York	750,000
Central Riverfront Street Grid: Theodore Berry Way, Cincinnati, Ohio	500,000
Central Susquehanna Valley Transportation Project, Pennsylvania	2,000,000
Cermak and Kenton Avenues, Illinois	1,000,000
CETAP Corridor, Riverside and Orange counties, California	2,000,000
Cherry Avenue Interchange and Bypass, Kearney, Nebraska	500,000
Cherry-Bancroft-Summit Corridor Neighborhood Business District Revitalization, Toledo, Ohio	250,000
Chesapeake Bypass, Lawrence, Ohio	1,250,000
Cheyenne Corridor Safety Improvement Project, Idaho	2,000,000
Chickasaw Museum and Cultural Center, Mississippi	1,150,000
Chippewa Falls, WI-Seymour Cray Sr. Blvd Extension	2,000,000
Chocorua Village Intersect Improvement Project, New Hampshire	200,000
Choctaw Roads, Mississippi	2,750,000
Choudrant I–20 Service road, Louisiana	1,000,000
Cicero Ave. Lighting in University Park, Illinois	200,000
City of Beloit Gateway Boulevard Project, Wisconsin	1,000,000
City of Brownsville West Rail Relocation Project, Texas	1,750,000
City of Clearwater Bike Path, Florida	500,000
City of Clearwater Safety and Access Program, Florida	3,000,000
City of Cohoes Transportation Enhancement Program, New York	500,000
City of Fort Worth Corridor Redevelopment, Texas	2,000,000
City of Lincoln Antelope Valley Project Transportation Improvements, Nebraska	2,000,000
City of Lincoln South Beltway, Nebraska	3,000,000
City of Nanticoke Parking and Economic Development Project, Pennsylvania	500,000
City of Omaha Widening/Improvements to Q Street from 157th Street to 204th Street, Nebraska	3,000,000
City of Poughkeepsie Waterfront Restoration, New York	750,000
City of Radcliff Public Walkway Improvements, Kentucky	475,000
City of Reading, Pennsylvania	500,000
City of Riverside, Grade Separations, California	1,000,000

Project Name	*Amount*
City of Somerville Urban Streetscape and Adaptive Reuse Plan, Massachusetts	1,000,000
City of St. Petersburg Bike Path, Florida	600,000
City of St. Petersburg, Gandy Boulevard Widening, Florida	4,000,000
City of Sweetwater Transportation Improvements, Florida	500,000
City of Tampa, 40th Street Revitalization Project, Florida	3,000,000
City of Wyandotte Eureka Street Lighting, Michigan	238,000
Clarke County Economic Development Initiative, Alabama	750,000
Classic Drive Access Road Hattiesburg, Mississippi	2,500,000
Clay Street Reconstruction, New Jersey	500,000
Clifton Corridor Urban Transit Link Study, Georgia	500,000
Clinton Township Hike/Bike Pathway, Michigan	500,000
Coalfields Expressway—McDowell and Wyoming Counties, West Virginia	12,000,000
Cobblestone Landing Restoration, Memphis, Tennessee	1,000,000
Cole Street Bridge Replacement, Rhode Island	300,000
College of Southern Idaho Student Safety Initiative, Idaho	530,000
Coltsville Corridor Development, Connecticut	3,000,000
Columbia Pike Improvements, Virginia	1,250,000
Columbia Point South Road Improvements, Richland, Washington	1,000,000
Connecting Road from the Higher Ed Center to I–64, West Virginia	750,000
Connector Road between the newly relocated State Route 1045 and Saint Vincent College, Latrobe, Pennsylvania	2,000,000
Construct noise walls along I–264 ad I–64 in the vicinity of the communities of Avondale and St. Regis Park.	200,000
Construction of a Rail Corridor in Wichita, Kansas	4,000,000
Construction of access roads at Skiatook Lake, Oklahoma	350,000
Convention Center Turnaround, Massachusssets	1,000,000
Cooley Road Interchange, Oregon	1,000,000
Council Bluffs East Beltway, Iowa	3,500,000
County Highway 81/200th St. Reconstruction, Minnesota	250,000
County Highway GG from Mellen south to English Lake Road, Wisconsin	700,000
County Road 17 Corridor, Indiana	750,000
Courthouse District Transportation Improvements, Oregon	5,000,000
Covina Station Undercrossing, California	500,000
Cox Road Bridge in Anderson County, South Carolina	300,000
CR 113—Big Ridge Road—Town of Ogden, New York	1,000,000
CR 251 Mill Road, NY Route 261 to North Avenue, New York	2,000,000
CR 486 Improvement Project	500,000
Crooks Road Widening and Resurfacing, Michigan	360,000
Cross Base Highway (Pierce County), Washington	1,500,000
Crystal Lake Mitigation Project, New Hampshire	1,000,000
CSAH 24 Interchange at US 52 in Cannon Falls, Minnesota	250,000
CSX Bridge Enhancement, Gadsden, Alabama	500,000
Cuming Street Improvement Project, Nebraska	1,000,000
Curry County Road Improvements, New Mexico	2,350,000
Dallas I–30 Replacement Bridge, Texas	8,000,000
Dekalb County School Bicycle and Pedestrian Safety, Georgia	500,000
Des Moines Beach Park and North Marina Entrances Improvements, Washington	230,000
Des Moines East West Connector, Iowa	5,000,000
Des Moines Riverwalk, Iowa	2,000,000
Des Plaines, Illinois alley, sidewalk improvements, Illinois	1,000,000
Detroit Center City Loop, Michigan	1,000,000
Diamond Exchange at Perry Road and I–540, Rogers, Arkansas	4,000,000
Dismal Swamp Trail—City of Chesapeake, Virginia	1,500,000
Dismal Swamp Trail, Virginia	250,000
Donald Lane/Industrial Park Road/Elton Road Improvement, Pennsylvania	2,000,000
Douglas County Highway 92 Relocation and Widening, Georgia	1,000,000
Downtown pedestrian infrastructure, Ashland, Wisconsin	2,000,000
Downtown Revitalization Pleasant Street, Malden, Massachussets	2,000,000
Downtown Revitalization, Town of Clarkstown, New York	250,000
Downtown Springfield Streetscape Improvements, Missouri	250,000
Downtown Streetscape Project, Russellville, Alabama	400,000
Downtown Transportation Improvements, Indiana	1,500,000

Project Name	*Amount*
Downtown Wilkes-Barre Revitalization Project, Pennsylvania	1,250,000
Draper's Corner Safety Improvements—Claremont, New Hampshire	750,000
Dudley Road (Route 101) Templeton, Massachussets	2,880,000
Durant US 69/75 Rodeo Road Bridge Improvements, Oklahoma	700,000
Durham and Chatham Counties Greenway Project, North Carolina	1,000,000
Duval Street and Truman Annex Improvements, Florida	500,000
Eagan Ring Road, Minnesota	1,000,000
Eason Bridge, Tupelo, Mississippi	1,000,000
East 7th St Corridor Improvements Austin, Texas	1,250,000
East Flagstaff Interchange, Arizona	300,000
East Milton Square Parking Deck, Massachusssets	1,000,000
East Orange County Trailway System, Florida	500,000
East Reed Road Conversion Project in Anderson, SC	1,000,000
East Washington Avenue Reconstruction, Wisconsin	1,000,000
East-West Corridor, Alabama	15,000,000
Edgewood Road SW Viaduct, Cedar Rapids, Iowa	250,000
Edgewood/Fairplains Street construction, Walnut Street Construction and Industrial Park Drive Resurfacing, Greenville, Michigan	1,000,000
Eleven Mile Road Reconstruction, Michigan	1,250,000
Elizabeth Avenue Redevelopment, Charlotte, North Carolina	500,000
Elliot Avenue and BNSF Crossing Path Improvements, Seattle, Washington	1,000,000
Emergency Safety Enhancements for Water Taxis, Maryland	250,000
Emergency Services Access, Texas	4,000,000
Enterprise South Industrial Park Connector Road, New York	2,500,000
Essex Junction, VT Redevelopment, Vermont	500,000
Expansion of the Interstate HWY 10, Crowley, Acadia Parish, Louisiana	600,000
Fairfax County Trail improvements in Great Falls, Virginia	1,000,000
Fairmont Gateway Connector System, West Virginia	6,000,000
Fayette County Business Park roads, Pennsylvania	1,000,000
Fegenbush Lane, Kentucky	1,000,000
Fiery Gizzard Trail, Tennessee	2,000,000
Fifth Street Connector Bridge Study, Georgia	2,000,000
Fire Station Road Bridge in Anderson County, South Carolina	184,000
Fix Townline Road, Town of Huntington, New York	300,000
Fix West Shore Road, Town of Huntington, New York	1,000,000
FLL Airport Terminal Roadways, Florida	500,000
FM 1431 East Improvement Project in Cedar Park, Texas	1,000,000
FM 60 University Drive Project, College Station, Texas	1,000,000
Fort Edward Industrial Park Entrance Design, New York	80,000
Fort Worth Peach Street Area Access Improvements, Texas	1,750,000
Four Lane Arterial Connector in Alachua County, Florida	3,000,000
Fox Ridge Road, Cheyenne River Indian Reservation, South Dakota	2,500,000
Friant Corridor Improvements, California	500,000
Fulton Avenue/Lloyd Expressway Project, Evansville, Indiana	4,000,000
Fulton County Highway 6, Illinois	1,000,000
Fulton Road Bridge Project, Ohio	2,000,000
Galena road resurfacing, Alaska	1,500,000
Garden Parkway in Gaston and Mecklenburg Counties, North Carolina	1,000,000
Gary Green Link Trail, Indiana	1,000,000
Georgetown Pass, Kentucky	1,000,000
Girl Scouts Golden Valley Council bridge project, California	150,000
Glacier National Park Going to the Sun Road, Montana	5,000,000
Gladding Road Overcross, California	350,000
Grade Crossing Improvements at Ramona Boulevard, California	700,000
Grade separation, Union Pacific Rail Bypass at Union Junction, Colorado	500,000
Grand Avenue Rehabilitation Project, California	1,000,000
Grand River Avenue, City of Novi, Michigan	500,000
Graycliff Public Access Enhancement, Erie County New York	400,000
Greenville County Bridges, South Carolina	1,750,000
Greenways Expansion and Improvements Project, North Carolina	1,500,000
Hagåtña River Flood Mitigation Bridge Improvement, Guam	500,000
Hancock Shaker Village Buffer and Trail System, Massachussets	215,000

Project Name	*Amount*
Hanover County Planning Study, Virginia	100,000
Harden Street, South Carolina	1,000,000
Harlingen/West Cameron County Rail Relocation, Texas	2,800,000
Harrison County Multi-Modal Freight Connector, Mississippi	250,000
Hartville Lake Township Traffic Congestion Study, Ohio	1,000,000
Haywood Road/ Ammunition Plant Access, Oklahoma	1,000,000
Healdsburg Pedestrian and Bicycle Path, California	1,250,000
Heartland Expressway, South Dakota	2,000,000
Henry County transportation enhancements, Alabama	200,000
Hidalgo County Loop, Texas	500,000
High Bridge Rehabilitation Project, New York	1,000,000
High Line Project, New York City, New York	1,000,000
Highway 101 Corridor Widening Project, California	1,000,000
Highway 149 Overpass and Upgrade, Richland, Mississippi	600,000
Highway 165 Rail Grade Separation Stuttgart, Arkansas	1,000,000
Highway 20 between Fort Dodge and Moorland, Iowa	2,000,000
Highway 21, Jefferson County, Missouri	500,000
Highway 22 from Vicksburg to Canton, Mississippi	1,000,000
Highway 25–US 84 Connector, Mississippi State	1,350,000
Highway 289 in Grayson County, Texas	750,000
Highway 36/McKnight Road Interchange, Minnesota	750,000
Highway 45 Bypass, Columbus, Mississippi	1,000,000
Highway 57, Jackson County, Mississippi	750,000
Highway 71: Louisiana State Line—Doddridge, Arkansas	750,000
Highway 92 Study in Warren County, Iowa	500,000
Hillsborough County: I–4 Crosstown Connector, Florida	2,500,000
Hively Avenue Underpass, City of Elkhart, Indiana	250,000
Hoboken Waterfront Walkway, New Jersey	1,000,000
Hoeven Corridor/Outer Drive Project, Sioux City, Iowa	2,000,000
Holly Springs Road, DeSoto County, Mississippi	1,650,000
Holmdel; road improvements to reduce flooding, New Jersey	100,000
Homer-Halibut Cove—Jakolof Bay—Seldovia Ferry, Alaska	6,000,000
Hooksett Highway Reconstruction and Upgrade, New Hampshire	4,000,000
Hoosier Heartland Corridor, Indiana	1,000,000
Hoosier Heartland Highway, Miami and Huntington Counties, Indiana	1,000,000
Hopwood Village Streetscape Project, Pennsylvania	600,000
Huntsville Five Points Improvement Project, Alabama	500,000
Huntsville Southern Bypass/BRAC Access, Alabama	2,000,000
I–10 from Interchange of SR 90 to Ocotillo TI, Arizona	1,500,000
I–12 at Essen Lane, Baton Rouge, Louisiana	1,500,000
I–15 Reconstruction, Salt Lake County, Utah	5,000,000
I–15 (Falchion Road)/State Route 18 Interchange, California	3,000,000
I–210 and Highway 14 Interchange, Lake Charles, Louisiana	800,000
I–225 Alameda Bridge, Colorado	1,000,000
I–225 Yale Overpass, Colorado	750,000
I–225/Colfax/17th Place Interchange, Colorado	2,000,000
I–235 Reconstruction, Iowa	5,000,000
I–25 Reconstruction through Colorado Springs	1,688,000
I–290 Cap, Oak Park, Illinois	1,000,000
I–295 Safety and Bridge Improvements, Rhode Island	5,000,000
I–30 Bridge, Texas	1,100,000
I–35 East/I–635 Interchange, Texas	1,500,000
I–39 (STH 29/USH 51 Corridor, Wausau), Wisconsin	4,000,000
I–40 Crosstown Project, Oklahoma	1,000,000
I–40 Double Eagle II Airport Access, Albuquerque, New Mexico	3,000,000
I–40 Oklahoma City Cross Town Expressway	35,000,000
I–40/I–240 Merge to Choctaw Road in Choctaw, Oklahoma	1,000,000
I–405 Widening, California	1,000,000
I–405 Widening, California	500,000
I–44 Widening from Yale to the Arkansas River and I–44 193rd Interchange, Oklahoma	4,000,000
I–44, Phelps County, Missouri	500,000
I–49 Extension South, Louisiana	1,000,000
I–5 Transportation and Trade Partnership Project, Southwest Washington	2,000,000
I–5, Salem, Oregon	2,000,000

Project Name	*Amount*
I–5, Sorrento Valley Road and Genesee Avenue Interchange, California	1,500,000
I–5/SR–432 Interchange Modernization, Longview, Washington	2,000,000
I–530 (AR) Extension to I–20 (LA), Arkansas	750,000
I–540 and Perry Road Interchange, Rogers, Arkansas	1,696,000
I–55 South Nissan Interchange, Mississippi	6,000,000
I–565 Extension, westward from I–65 to Decatur, Alabama	3,000,000
I–64 and Pocahontas Parkway Connector, Virginia	1,000,000
I–65 Interchange Near County Road 222, Cullman, Alabama	2,000,000
I–66 Northern Bypass of Somerset, Kentucky	4,000,000
I–66 Pike County, Kentucky	1,000,000
I–66 Somerset to London, Kentucky	2,000,000
I–675 Corridor Improvements, Ohio	2,000,000
I–69 Access Project, Hamilton County, IN	2,000,000
I–69 Evansville to Henderson, Indiana	500,000
I–69 Evansville to Indianapolis, Southwestern, Indiana	750,000
I–69, Louisiana Sections	5,000,000
I–69, Texas	7,000,000
I–69, Texas	1,000,000
I–69/SR 304, Mississippi	1,750,000
I–70/State Highway 58 Interchange Reconstruction, Colorado	250,000
I–710 Corridor/Gerald Desmond Bridge Gateway Program, California	1,250,000
I–73 Interstate, from the North Carolina state line to Myrtle Beach, South Carolina	1,000,000
I–73, South Carolina	3,000,000
I–75/ Austin Road Interchange, Ohio	1,000,000
I–75 at Austin Pike Interchange, Ohio	3,000,000
I–75 at Union Grove Rd/CR 65 in Gordon County, Georgia	1,000,000
I–75 Improvements in Pembroke Pines, Florida	3,000,000
I–75 London, Kentucky	1,000,000
I–75, Mt. Zion Road Interchange in Clayton County, Georgia	1,000,000
I–75/Austin Road Interchange, Ohio	1,000,000
I–75/Baldwin Road, Michigan	500,000
I–80 Colfax Narrows Project, Nevada	1,000,000
I–81 Improvements South of I–70 to North of Halfway Boulevard, Maryland	1,000,000
I–81 Rebuild/Expansion, Pennsylvania	5,000,000
I–84, US–93 IC Stage 2, Twin Falls, Idaho	1,000,000
I–84, US–93 IC Stage 2, Twin Falls, Idaho	1,000,000
I–85 Widening in Rowan County, North Carolina	2,000,000
I–85/Brockman-McClimon Interchange and connections, South Carolina	3,000,000
I–87, Exit 11 and 12 Interchange Improvements, New York	2,000,000
I–93 construction and mitigation, New Hampshire	750,000
I–95 Pearl Harbor Mem. Bridge Corridor, New Haven, Connecticut	2,000,000
I–95/SC–327 Interchange Improvements, South Carolina	1,500,000
I–95/West Virginia Drive Interchange	750,000
I–96/Latson Road, Michigan	1,000,000
IH–30 at Collins (FM 157) and Center Streets, Texas	500,000
Improve Montauk Highway from NY112 to CR101, New York	1,000,000
Improvements along U.S. 60 at Beargrass Creek, Kentucky	300,000
Indianapolis Downtown Transportation Improvements, Indiana	4,000,000
Industrial Access Road for Industrial Park, Oklahoma	200,000
Interchange and Freeway Improvements on US 65, Missouri	500,000
Interchange at I–65 and Limestone County Road, Alabama	1,000,000
Interchange Improvements on US 60, Missouri	3,000,000
Interchange/Overpass at K–10 and Lone Elm Road, Kansas	2,000,000
Intercounty Connector, Maryland	800,000
Intersection Reconstruction, Winter Park, Florida	500,000
Interstate 10/Tippecanoe Interchange, California	5,000,000
Interstate 35 East Expansion, Texas	1,000,000
Interstate 49 North, Louisiana	1,000,000
Interstate 5 Interchange at Coburg Environmental Study, Preliminary Engineering and Construction, Oregon	3,000,000
Interstate 5 State Route 78 Interchange Improvement	500,000
Interstate 69—State of Tennessee	4,000,000

Project Name	*Amount*
Interstate 69: SIU 15, Louisiana	1,000,000
Jamestown 2007—fed lands, Virginia	3,000,000
Jefferson Road in Monroe County, New York	500,000
Jenny Lind Road, Fort Smith, Arkansas	2,000,000
Johnson Ferry Road/Abernathy greenspace, Georgia	1,000,000
Johnson, VT/VT Route 15 Redevelopment, Vermont	2,000,000
K Street off-ramp, Tulare, California	1,000,000
K–68 Intersection Improvement Project, Kansas	400,000
Kansas-Garrett Connector, Louisiana	500,000
Kapolei City Congestion Mitigation, Hawaii	4,000,000
Kauai Multi-Modal Land Transportation System Study, Hawai	800,000
KBS Railroad Hazard Elimination, Kankakee County, Illinois	300,000
Kearney I–80/Cherry Avenue Interchange and East Bypass, Nebraska	1,120,000
Kenai Peninsula Borough roads, Alaska	5,000,000
Kendall Square Urban Streetscape & Pedestrian Improvements, Massachusetts	750,000
Keystone Drive (Soldotna), Alaska	500,000
King Coal Highway—Mingo County, West Virginia	15,000,000
King Street and Spring Cannon Corridor Redevelopment in Charleston, SC	1,000,000
King-Graves Road Improvements for YARS, Vienna, Ohio	1,000,000
Kirby Drive Project, City of Pearland, Texas	2,800,000
Kotzebue road improvements, Alaska	1,500,000
LA 28 Expansion, Rapides and Vernon Parishes, Louisiana	2,000,000
La Entrada al Pacifico Feasibility Study, Texas	500,000
La Entrada al Pacifico, Texas	2,000,000
La Entrada Southern Route Study, Texas	500,000
LA–1, Port Fourchon to Golden Meadow, Louisiana	5,000,000
Lahaina Town Drainage Improvements, Hawaii	4,000,000
Land acquisition for pedestrian trail over George Washington Memorial Bridge	1,000,000
LaPorte Highway Improvement Project, Indiana	250,000
Lee Highway Improvements, Fairfax City, Virginia	500,000
Lewis & Clark Expressway, Missouri	500,000
Lewis and Clark Expressway, Missouri	1,000,000
Lewis and Clark Legacy Trail, North Dakota	1,000,000
Lexington Connector Study, South Carolina	600,000
Lincoln Boulevard Improvement Project, California	600,000
Lincoln Bypass	1,000,000
Lincoln Park Street Improvements, Michigan	1,000,000
Little Eagle and Wakpala Streets on Standing Rock Indian Reservation, South Dakota	1,000,000
Livernois Road Widening and Improvement, Michigan	1,000,000
Lloyd Expressway Upgrade, Evansville, Indiana	2,000,000
Lone Elm/I–35 Interchange; Lone Elm Road, Kansas	4,750,000
Los Lunas Corridor/Location Study, New Mexico	500,000
Louisville Medical Center Development Corporation Project, Kentucky	500,000
Louisville Waterfront Park Path Improvements, Kentucky	3,500,000
Lowell, Massachusetts Canalway, Massachusetts	500,000
Lycoming Valley Bridge, Pennsylvania	1,000,000
Lyndale Avenue Bridge, Richfield, Minnesota	2,500,000
MacArthur Boulevard Extension, Springfield, Illinois	500,000
MacArthur Boulevard widening, drainage, and resurfacing improvements from NW 50th to NW 60th, Warr Acres, OK	1,000,000
Mack Hatcher Parkway, West, Tennessee	1,000,000
Main Street Corridor Intermodal Facility, Texas	500,000
Main Street Corridor Revitalization, Texas	750,000
Maple Avenue Improvement Project, Vienna, VA	250,000
Maple Road, City of Walled Lake, Michigan	500,000
Maritime Domain Awareness Pilot Project, Washington	1,100,000
Maritime Fire and Safety Association, Columbia River, Washington	500,000
Marquette Interchange, Milwaukee, Wisconsin	5,000,000
Maspeth Chamber of Commerce's Truck Traffic Impact, New York	250,000
Matanuska Susitna Borough Pt. McKenzie road improvements, Alaska	6,000,000

Project Name	*Amount*
McCaslin/U.S. 36 Interchange, Colorado	500,000
McClellan Road Bridge in Anderson County, South Carolina	248,000
McGregor Road Neighborhood Trails, Waco, Texas	2,000,000
McHenry County/Crystal Lake Road, Illinois	1,000,000
MD 404, Double Hills Road to Sennett Road, Maryland	2,000,000
MD 404, Maryland	1,000,000
Memorial Boulevard, Picayune, Mississippi	1,350,000
Memorial Bridge Plaza, North Dakota	1,000,000
Memorial Park II Development and Intersection Improvements, Massachusetts	500,000
Mesa del Sol, New Mexico	1,250,000
Midwest City Hudiburg Drive Improvements, Oklahoma	500,000
Mills Industrial Park, Ohio	4,000,000
Milwaukee Avenue, Grand to Gale, Chicago, Illinois	1,250,000
MLK Jr. Parkway, Des Moines, Iowa	2,000,000
Mohawk Trail East Corridor Management Plan, Massachusetts	125,000
Mohawk Trail Scenic Byway Historic Preservation, Massachusetts	140,000
Mon Wharf Landing reconstruction, Pennsylvania	500,000
Montana/Davis Road, Kansas	500,000
Monterey Bay Sanctuary Scenic Trail, California	400,000
Monticello/White County 6th Street West Shafer Drive, Indiana	1,000,000
Morrison Road Corridor, Delaware County, Indiana	500,000
Morton Business Development Park	1,200,000
Mount Lebanon Shaker Heritage Center Project, New York	600,000
MS 49–MS 7 Connector Road, Greenwood, Mississippi	1,500,000
MSU Research, Technology, and Economic Development Park, Mississippi	2,500,000
Mt. Sinai Queens, Patient Access Development Project, New York	750,000
Mt. Vernon Highway/Old Mill Road reconstruction, Virginia	1,000,000
Mt. Washington Road, Cedar Creek Road, and Beulah, Kentucky	1,000,000
Muhlneberg Township Route 222 Corridore Initiative, Pennsylvania	350,000
Multi Use Recreational Trail in Plantation, Florida	500,000
N. Indiana Commuter Transportation District, South Shore Commuter Rail	1,500,000
N. Memphis Street District Redevelopment and Revitalization, Mississippi	750,000
N.W. Lincoln County Regional P.D.A. Industrial Park Transportation Improvements, Washington	170,000
N5063 on the Navajo Nation, Utah	350,000
Nash Road Extension, Missouri	1,000,000
Nassau County, NY HUB	1,500,000
Native American Cultural Center	3,000,000
Neuse River Park Greenway Projects, North Carolina	400,000
New Bedford rail infrastructure improvements, New Bedford, Massachusetts	1,000,000
Newberg Dundee Transportation Improvements Project, Oregon	1,000,000
Newberg-Dundee Transportation Improvement Project, Oregon	1,250,000
Newtown Pike Extension, Kentucky	2,000,000
Niobrara Scenic River Corridor Roads, Nebraska	3,000,000
Noble Creek Bridge, Beaumont, California	3,000,000
Nome Roads, Alaska	1,000,000
Nonconnah, Tennessee	500,000
Norfolk West, Nebraska	2,000,000
North Augusta Riverfront Road Extensions, South Carolina	1,000,000
North B Street Intersection in Pickens County, South Carolina	250,000
North Coast Harbor Improvements Dock and Bridge, Ohio	500,000
North Conway Village Streetscape Project, New Hampshire	1,000,000
North Delaware River Road, Pennsylvania	1,250,000
North Main Street Improvement, Columbia, South Carolina	1,500,000
North Second Street Corridor Phase I Upgrade, Tennessee	3,000,000
North Sinatra Drive, New Jersey	700,000
North Sinatra Drive, New Jersey	1,500,000
Northeast 23rd Street between Lincoln and I–35, Oklahoma City, Oklahoma	250,000
Northeast Arkansas Connector: relocation of HWY 226	5,000,000
Northeast Parkway, El Paso, Texas	1,000,000

Project Name	*Amount*
Northern Corridor, St. George, Utah	1,000,000
Northside Drive Corridor, Clinton, Mississippi	2,000,000
North-South Highway, Alabama	1,000,000
Notasulga Bridge Replacement, Macon, Alabama	350,000
Noxubee National Wildlife Refuge, Mississippi	1,300,000
Oak Beach Park Transportation Improvements, New York	500,000
Oak Savannah Trail, Indiana	1,500,000
Oglala, SD, Pedestrian/Bicycle Trail	230,000
Ohio River Levee Trail—Phase II–B, Kentucky	60,000
Ohio River Levee Trail—Phase III, Kentucky	200,000
Oklahoma Medical Research Foundation	1,000,000
Oklahoma University Health Sciences Center	1,000,000
Olana State Historic Site, New York	2,000,000
Old Fannin Road Improvement Project, Completion of phase II	500,000
Old Highway 471 Improvements, Rankin County, Mississippi	2,750,000
Olmstead Trail, Phase I, Kentucky	200,000
Onondaga Creek Streetscape Improvement Project, New York	2,000,000
Orangeburg Railroad Realignment, South Carolina	750,000
Otay Mesa/SR 905 Improvements, California	2,000,000
Owensboro Riverfront Development Project, Kentucky	5,000,000
Oxford, Mississippi Toby Tubby Parkway	350,000
PA 706 Bradford County, Pennsylvania	1,000,000
Pacoima Wash Mountain Bikeway, California	1,000,000
Pearl-Richland Intermodal Connector, Mississippi	2,750,000
Pennsylvania Turnpike—I–95 Interchange, Pennsylvania	2,500,000
Phalen Boulevard, St. Paul, Minnesota	5,000,000
Pharr International Bridge Improvements, Texas	1,000,000
Pinellas County Mobility Initiative, Florida	3,000,000
Pinellas County Trail, Florida	5,000,000
Pinkham Notch Pedestrian Safety, New Hampshire	150,000
Pinkham's Notch Foot Bridge, New Hampshire	150,000
Planning, location, environmental work, PE for US Highway 20 Woodbury, Ida and Sac, Iowa	2,000,000
Platte County, Missouri Route 152, Missouri	2,000,000
Plough Boulevard Interchange at Winchester Boulevard, Tennessee	500,000
Pompton Lakes Downtown Streetscape	650,000
Port Huron Grade Separation, Michigan	500,000
Port of Brookings Harbor, Boardwalk Expansion, Oregon	225,000
Port of Oakland, California Inter-Regional Intermodal System	1,000,000
Port of Ridgefield Grade Crossing Project, Washington	1,000,000
Port of Vancouver Fruit Valley Bypass/26th Avenue Extension, Washington	1,000,000
Portage County/grade separation on City Highway J South of Highway 10	2,000,000
Ports-to-Plains Del Rio, Texas	1,000,000
Ports-to-Plains Eagle Pass, Texas	2,000,000
Ports-to-Plains, Texas	2,000,000
Prattville Park and Creek Walk, Alabama	300,000
Project Design for Improvements to Refugio Road, California	360,000
Prospect Bridge, Houma, Louisiana	500,000
Providence Infrastructure and Streetscape Improvements, Rhode Island	426,000
Pyramid Highway Corridor, Nevada	6,000,000
Queens Plaza Rebuilding Project, Queens, New York	1,000,000
Quinnipiac River Linear Trail, Connecticut	500,000
R Street Development Project, California	1,500,000
Rail Access Corridor Enhancements—Reno, Nevada	1,000,000
Railroad bridge project, Mannford, Oklahoma	750,000
Railroad Relocation Project, Colorado	2,000,000
Rails to Trails and Florida Street Revitalization Program, West Virginia	800,000
Re-align Day Street, Wisconsin	350,000
Rebuilding of I–25/Broadway and Alameda Interchanges, Colorado	3,300,000
Reconstruct West Main Street in Waterbury, Connecticut	250,000
Reconstruction and additional lanes to SH 9 from Tecumseh to Seminole, OK	1,000,000

Project Name	*Amount*
Reconstruction and Capacity Addition to US 270 from Seminole to Wewoka, Oklahoma	750,000
Reconstruction of 11th Avenue East, Ashland, Wisconsin	1,600,000
Reconstruction of Beaser Avenue, Ashland, Wisconsin	1,500,000
Reconstruction of Fulton Street in Cypress Hills, New York	1,000,000
Reconstruction of K–99 in Elk/Greenwood County, Kansas	1,000,000
Reconstruction of Kickapoo Road in Shawnee, OK from I–40 to Wolverine Road	750,000
Reconstruction of Kickapoo Road in Shawnee, OK from McArthur Road South to Farrell Street in Shawnee	1,000,000
Reconstruction of Old Nichols Road, Smithtown, New York	1,000,000
Reconstruction of the I–80 and Sierra College Boulevard, California	1,500,000
Reconstruction/widening of West Main St. Waterbury, Connecticut	500,000
Reconstruct Washington Street and Park Street and their pedestrian pathways and replace subsurface infrastructure, Tecumseh, OK	200,000
Reconstruction and lane extension of the 10th Street bridge over Interstate 40 in Yukon, OK	250,000
Regatta Park: Harlem River Access, Bronx County, New York	700,000
Rehabilitation and Reconstruction of AA, Wisconsin	340,000
Replacement of the Indian Meridian Bridge over Choctaw Creek in Choctaw, OK	100,000
Right-of-Way Purchase for Highway 289 between Highway 56 and FM 120	750,000
Rio Salado Parkway, Arizona	2,500,000
Rivanna Greenbelt Extension, Virginia	30,000
River Des Peres Greenway, Missouri	500,000
Riverside Avenue Extension, Spokane, Washington	3,000,000
Riverside Road Expansion to Highway 169, St. Josephs, Missouri	9,600,000
Riverwalk Bridge Spit Connection, Town of Jupiter, Florida	500,000
Roanoke River Greenway, Virginia	500,000
Roaring Springs Retaining Wall, Pennsylvania	200,000
Rolling Mill Hill Greenway Extension, Tennessee	1,500,000
Ronald Reagan Parkway, Indiana	850,000
Rose Crossing Enhancement in Roane County, TN	1,000,000
Route 8, Venango County, Pennsylvania	1,000,000
Route 10—Logan County, West Virginia	15,000,000
Route 104/Dominion Boulevard, Chesapeake, Virginia	1,000,000
Route 106 Underpass Rehabilitation, Massachussets	2,000,000
Route 112 Corridor Management Plan	175,000
Route 12 Upgrade, New York	7,000,000
Route 132 Connection Project Study Report, California	400,000
Route 15 Safety Improvements, Virginia	1,000,000
Route 152 Safety Improvements, Santa Clara County, California	1,000,000
Route 168, Southwick, Massachussets	960,000
Route 178 Relocation, Phase II Engineering, Illinois	1,000,000
Route 22 Sustainable Corridor, Somerset County, New Jersey	3,000,000
Route 24/Route 27 Reconfiguration Brockton, Massachusssets	1,000,000
Route 262—Warren Ave–1880 Grade Separation Phase 1B, California	1,250,000
Route 45 in Cumberland County, Virginia	1,000,000
Route 5, West Springfield, Massachussets	4,800,000
Route 50 traffic calming Loudoun and Fauquier, Virginia	3,000,000
Route 7 Widening, Reston Parkway to Dulles Toll Road, Virginia	1,000,000
Route 79 Relocation/Harbor Enhancement Fall River, Massachussets	1,500,000
Route 8 Improvements, State Project 36–17, Connecticut	1,500,000
Route 9 improvements, Virginia	1,000,000
Rt. 60, Howell County, Missouri	3,000,000
Rutherford Avenue, Boston, Massachusetts	1,500,000
S–236 Claggett Hill Road Construction/Lewis & Clark Ferry Boat Facilities, Montana	2,200,000
Saddle Road Realignment, Hawaii	5,000,000
Safe Sidewalk Route Project, Oregon	500,000
Salem City Rail Yard Re-Investment, New Jersey	500,000
Salishan Revitalization Project, Tacoma, Washington	1,800,000
San Juan County Bridge #5722 Redecking, New Mexico	1,000,000

Project Name	*Amount*
SCAG, California	1,000,000
Seaview Avenue Corridor, Connecticut	500,000
Second Avenue Subway, New York	2,500,000
Second Street Extension, Los Angeles, California	200,000
Second Street Transit Pedestrian Corridor, Ft. Lauderdale, FL	1,500,000
Seward highway recreational improvements, Alaska	2,000,000
SH412P Construction, Oklahoma	400,000
Sheldon Road SR 99 Interchange Project, California	1,000,000
Sheridan Road improvements, Evanston, Illinois	500,000
Ship Creek Improvements, Alaska	2,000,000
Shoreline Interurban Trail, Washington	500,000
Short Haul Intermodal Pilot Project, Quincy, Washington	1,000,000
Sidewalks near Ford Heights, Illinois	200,000
Skagit Valley Hospital Access Improvements, Washington	1,000,000
Skagit Valley Hospital Transportation Access, Mount Vernon, Washington	1,000,000
Smithfield Street Bridge ramp, Pennsylvania	1,000,000
Somerset Downtown Revitalization Project, Kentucky	1,000,000
South Lake Union Circulation System, Seattle, Washington	1,000,000
South Valley Connector Project, Idaho	3,000,000
Southcenter Parkway Extension, Tukwila, Washington	1,000,000
Southern Broadway Extension Improvements, Edmond and Oklahoma City, Oklahoma	2,000,000
Southern Kentucky Intermodal Park, Kentucky	1,000,000
Spaulding Turnpike/Little Bay Bridges, New Hampshire	5,500,000
Spring Street Industrial Access Road, Fulton, Mississippi	2,000,000
SR 167 HOV and SW 27th Strander Boulevard, Washington	750,000
SR 23 Extension, Florida	1,000,000
SR 543/I–5 to International Boundary, Washington	634,000
SR 601–Canal Road Connector in Gulfport, Mississippi	2,000,000
SR 67 and SR 605 from I–110 to US 49, Mississippi	2,000,000
SR 67 and SR 605 paving and interchange, Mississippi	1,250,000
SR–14 Pedestrian Bridge, Vancouver, Washington	1,500,000
SR–14, Wastewater Collector Main Truckline Project, White Salmon, Washington	750,000
SR–240 Sound Wall & Irrigation Main Relocation, Richland, Washington	1,000,000
SR240 Sound Wall, Richland, Washington	1,000,000
SR–509/SR–518 Interchange/Intersection Redevelopment, Burien, Washngton	1,500,000
SR–56/I–5 Northbound Widening, San Diego, California	3,000,000
St. Joseph Regional Port Authority, Missouri	1,000,000
St. Mary's College of Maryland Pedestrian Overpass, Maryland	1,000,000
Stafford County Airport Improvement, Virginia	500,000
State Highway 11 Burlington, Wisconsin	900,000
State Highway 176, New Mexico	1,500,000
State Highway 32 7th Ave–Sheridan Road, Kenosha, Wisconsin	800,000
State Hwy 6 expansion in Brazos Co., Texas	2,000,000
State Road 746/Southeast Rome Bypass, Georgia	1,000,000
State Road 92 Realignment, Georgia	2,000,000
State Route 101 Cumberland County, Tennessee	1,000,000
State Route 30/981 Upgrade Project, Pennsylvania	500,000
State Route 67, Mapleview to Dye Road SR52 E, California	500,000
State Route 71/Mission Boulevard Congestion Reduction, California	1,250,000
State Route 76, California	1,000,000
State Route 905, California	1,000,000
State Street Corridor Redevelopment Project, Massachussets	1,000,000
State University Transportation Center, South Carolina	3,000,000
STH 32, 7th Avenue, Sheridan Rd., Kenosha, Wisconsin	3,000,000
STH 77, West County Line–CTH I, Washburn County, Wisconsin	2,000,000
STH29 (CTH Y Interchange, Hatley), Wisconsin	2,000,000
Street improvements and streetlights, Lynwood, Illinois	150,000
Street Improvements, Bartonville, Illinois	500,000
Street Improvements, Gardena, California	500,000
Street Improvements, Village of Armington, Illinois	500,000
Street Repaving in Williston Park, New York	1,000,000

Project Name	*Amount*
Street Route 17 Congestion Engineering and Improvement, New Jersey	2,000,000
Street Surfacing in Town of Boley, Oklahoma	200,000
Streetlights and salt dome for Markham, Illinois	300,000
Streetscape and sidewalk improvements, Midfield, Alabama	300,000
Streetscape Improvements in Cherryland/Ashland, California	1,250,000
Tacoma Rail Train to the Mountain Project, Washington	2,500,000
Talladega County Scenic Forrest Road 600–2, Alabama	500,000
Tamarac Courtyard, Florida	300,000
Tarpon Springs Community Redevelopment, Florida	500,000
Tenth Street Menominee, Michigan	500,000
Terminal Access Road Right-of-Way Acquisition, Missouri	1,000,000
TH10, City of Anoka, Minnesota	500,000
TH23 bypass of Paynesville, Minnesota	3,000,000
The Hamilton Avenue/US 127 At I–275 Improvement, Ohio	500,000
The Maine Medical Center	1,000,000
Third Bridge, Salem, Oregon	750,000
Thomas Cole National Historic Site, New York	50,000
Thompson Road Widening, Pike County, Kentucky	1,000,000
Tienken Road Widening, Michigan	1,200,000
Tier One Environmental Impact Study—North Country Transportation Study, New York	1,000,000
Tillamook Railroad Tunnel #25, Oregon	500,000
Tiverton Stone Bridge Abutment Repairs, Rhode Island	375,000
Toledo Downtown Waterfront Redevelopment, Ohio	1,250,000
Town of Tribbey Road Improvements, Oklahoma	200,000
Town of Windermere, traffic calming, Florida	250,000
Traffic Calming in the City of Riviera Beach, Florida	500,000
Trailways Station Revitalization and Visitors Center, Georgia	1,000,000
Train-to-Mountain, WA	1,250,000
Transport 2020, Madison, WI	500,000
Transportation Project at the University of Arizona Science Center at Rio Nuevo, Arizona	500,000
Transportation Technology Center, Auburn University, Alabama	35,000,000
Trenton Channel Bridge, Michigan	1,200,000
Trinity River Vision Neighborhood Linkage, Texas	500,000
Trotwood Center City Roundabout, Ohio	1,000,000
Trunk Highway 241, St. Michael, Minnesota	2,000,000
Trunk Highway 610/10, Minnesota	1,000,000
Trunk Highway 610/10, Minnesota	2,000,000
Turquoise Trail Project (BIA 4), Arizona	1,000,000
Tuscaloosa Downtown Revitalization, Alabama	10,000,000
Twin Peaks Road Corridor, Arizona	4,500,000
US 19 Right Turn Lanes in Pasco County, Florida	1,000,000
US 41/I–176 Interchange Improvement Phase 1 study, Illinois	800,000
US 412 Mountain Home to Hwy. 101, Arkansas	2,000,000
US 412 Paragould to Big Slough Ditch, Arkansas	1,000,000
US 63 in Waterloo improvement, Iowa	2,500,000
US Highway 52/CSAH 42 Interchange, Minnesota	250,000
US Highway 101 Improvement Program, California	800,000
US Highway 12 Upgrade, Burbank to Walla Walla, Washington	1,000,000
US Highway 14 Corridor Expansion, Minnesota	500,000
US Highway 287, Wyoming	750,000
US Highway 287, Wyoming	4,000,000
US Highway 41A Hopkins County, Kentucky	1,000,000
US Highway 52 in Olmsted County, Minnesota	500,000
US Highway 54 Expressway Design Study, Missouri	400,000
US Highway 6 improvements Coralville, Iowa	1,000,000
US Highway 63 Bypass near Kirksville, Missouri	500,000
US Highway 87 Improvements—Value Added Commodity Processing Center, Montana	500,000
US Hwy 85 safety passing lanes, Wyoming	250,000
US Hwy 151 Dickeyville, Belmont, Wisconsin	2,000,000
US Route 13 Corridor Redevelopment, Pennsylvania	500,000
US Route 35 Improvements, Mason County, West Virginia	3,000,000
UCONN Hillside Road Extension, Connecticut	4,000,000

Project Name	*Amount*
Union Passenger Terminal Planning and Master Plan, New Orleans Regional Planning Commission, LA	500,000
University of Kentucky Academy for Community Transportation Innovation	1,000,000
University of Southern Indiana Perimeter Road Project	1,500,000
UP/Sunset Avenue Grade Separation, Banning, California	500,000
Upgrade MO Rte 94—Page Ave Extension/Phase II, Missouri	1,000,000
Urban Center Access Improvement Project, Tukwila, Washington	1,000,000
US 113 Upgrade, Maryland	2,000,000
US 113, Maryland	1,500,000
US 17 & Bowman Road Interchange, Mount Pleasant, South Carolina	750,000
US 17–92/Horatio Ave, Maitland, Florida	800,000
US 18 from west of Okreek to Carter in Todd County	1,500,000
US 18 from West of Okreek to Carter in Todd County, South Dakota	2,000,000
US 20 Expressway, Webster County, Iowa	250,000
US 224—Mahoning County/Canfield Improvements, Ohio	1,700,000
US 231/I–10 Freeway Connector, Alabama	10,000,000
US 278 Corridor, South Carolina	1,000,000
US 278, South Carolina	1,000,000
US 287 Ennis Bypass, Texas	1,000,000
US 287–SH 116, Colorado	500,000
US 290 Improvements, Texas	1,000,000
US 301 and University Parkway Intersection, Manatee City, Florida	500,000
US 321 in Burke, Caldwell and Catawba Counties, North Carolina	1,000,000
US 321/US 11 Overpass project, Tennessee	1,000,000
US 49 from Florence to I–20, Mississippi	1,000,000
US 51–SR 43 Connector Road in Canton, Mississippi	1,500,000
US 54, Kingman County, Kansas	2,000,000
US 59 2.3 mi NE of US 181 to US 181, Texas	500,000
US 74 Bypass Monroe, North Carolina	1,000,000
US 74 Future I–74 in Robeson County, North Carolina	2,000,000
US 82 from FM 1417 to US 69, Texas	750,000
US 82—Mississippi River Bridge and Bypass	2,500,000
US 87 Big Spring Bypass, Texas	500,000
US 97 Redmond, Oregon bypass, Oregon	1,000,000
US–12 Widening, Wallula Junction to Walla Walla, Washington	1,250, 000
US–231/I–10 Freeway Connector, Alabama	1,000,000
US27, Indiana	500,000
US–278 expansion, downtown Cullman to East Point, Alabama	500,000
US–6, MP 256 Junction of US-6 and SR-123, Emery County, Utah	3,000,000
US–81 & Highway 30 Arterial, Columbus, Nebraska	1,000,000
US–89, Railroad Bridge Replacement, Pleasant Grove, Utah	2,000,000
US90 Construction, Texas	1,000,000
US–95 from Worley to Mica, Idaho	3,000,000
USH 53 (Eau Claire Bypass), Wisconsin	2,000,000
USH2 West County Line Beaser Avenue, Ashland County, Wisconsin	2,000,000
UW-Superior Invasive Species Ballast Water Research	500,000
Van Ness Avenue Project, California	1,000,000
Vasco Road Safety Improvments, California	500,000
Ventura County Farm Crossings, California	500,000
Vermont Police and Fire Academy Training Skid Pad	500,000
Vestavia Hills Pedestrian Walkway, Alabama	200,000
Veterans Field pedestrian walkway/bike path, New Jersey	625,000
Veterans Park Infrastructure, Rockdale County, Georgia	1,000,000
Victory Extension Project, CSAH 82, Mankato, Minnesota	500,000
Village of Mineola Road Evaluation, New York	20,000
Village of Schuylerville, New York	1,500,000
Wachusett Park and Ride, Massachusetts	750,000
Wake Forest Department of Health Sciences and PTRP Research Program, North Carolina	2,500,000
Wakulla County: US 319 Improvements, Florida	3,000,000
Walden Point Road (Metlakatla), Alaska	2,000,000
Waldron Road Widening Near I–24, Tennessee	500,000

Project Name	*Amount*
Waldvogel Memorial Viaduct Improvement, Ohio	1,000,000
Walton Street Bridge, New York	800,000
Washington County Hardesty Road Bridge, Kentucky	525,000
Washington State Produce Rail Car Program, Washington	1,000,000
Water Street Bridge, Fitchburg, Massachussets	728,000
Waukee/West Des Moines I–80 Interchange, Iowa	1,500,000
Waverly, Ohio South Connector, Ohio	1,000,000
West Fork Road—Red Lodge, Montana	400,000
West Harlem Transportation and Revitalization Improvements, Manhattanville, NY	300,000
West Laredo Trade Corridor, Texas	3,000,000
West Philadelphia Streetscape/Gateway Improvements, Pennsylvania	1,500,000
Western Madison County Streetscape Development, Alabama	1,000,000
Western Placerville Interchanges, California	1,000,000
Western Route Project, Indiana	500,000
Westside Connector Project, Utah	1,000,000
WestStart Vehicular Flywheel Project, Washington	500,000
Whitefish Pedestrian and Bicycle Trails, Montana	191,000
Widen I–66 westbound inside the Capital Beltway, Virginia	1,000,000
Widening of SR 50 from US 27 to Orange County Line	1,000,000
Widening of Van Dyke Avenue, Michigan	1,000,000
Wilcox County Industrial Development Authority, Alabama	300,000
Wilmington-Newark Commuter Rail Improvements, Delaware	5,000,000
Winfield Pedestrian Tunnel, Illinois	1,000,000
Yakima Grade Separations, Washington	500,000
Yannuzi Drive/Bradford Street, Bradford County, Pennsylvania	100,000
Ygnacio Valley Road Pedestrian/Bike Improvements, California	800,000

Cook-DuPage, Multi-Modal Corridor.—The conferees understand that the Illinois Department of Transportation is considering reconstruction or expansion of the Eisenhower Expressway (I–290) that passes through Oak Park, Illinois. The conferees have provided $1,000,000 for further study of a cap over all or portions of I–290 as it passes through Oak Park. If such a cap is determined to be feasible, the conferees intend for the cap to be funded concurrently with any project to reconstruct or expand I–290 through Oak Park.

The conference agreement includes a provision (Sec. 118) that rescinds transportation infrastructure finance and innovation act funds.

The conference agreement includes a provision (Sec. 119) that makes the Port of Anchorage eligible for certain highway programs, as proposed by the Senate.

The conference agreement includes a provision (Sec. 120) that relates to RETRAC project contingency fund for payment of projects.

The conference agreement includes a provision (Sec. 121) that names the Hoover Dam Bypass Bridge, as proposed by the Senate.

The conference agreement includes a new provision (Sec. 122) allowing Nevada and Arizona to reimburse debt service payment on the Bypass Bridge at Hoover Dam project with future apportionments, in accordance with title 23 United States Code.

The conference agreement includes a provision (Sec. 123) that prohibits funding for the development or dissemination of any programmatic agreement making the Interstate eligible under the National Register of Historic Places, as proposed by the House.

The conference agreement includes a provision (Sec. 124) that rescinds unobligated balances associated with completed demonstration or high priority projects from previous laws.

The conference agreement includes a provision (Sec. 125) that makes certain projects and activities eligible to receive fiscal year 2005 grants.

The conference agreement includes a provision (Sec. 126) that provides an appropriation for the replacement of the Belleair Causeway Bridge in Pinellas County, Florida.

The conference agreement includes a provision (Sec. 127) regarding the I–10 Bridge spanning Escambia Bay in Escambia and Santa Rosa Counties, Florida.

The conference agreement includes a provision (Sec. 128) that amends section 14003 of Public Law 108–287.

FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION

MOTOR CARRIER SAFETY

LIMITATION ON ADMINISTRATIVE EXPENSES

(HIGHWAY TRUST FUND)

The conference agreement includes a limitation of $257,547,000 for the Federal Motor Carrier Safety Administration's administrative expenses and grant programs, instead of $248,480,000 as proposed by the House and $260,000,000 as proposed by the Senate. The conference agreement provides funding in the following manner:

	Conference level
General and border operating expenses	$125,229,000
New entrant program (Federal portion)	3,000 000
New entrant (state grants portion) [1]	13,200,000
Hazardous materials permitting program	2,000,000
Conditional carrier review program	2,000 000
Household goods enforcement	1,300,000
Administrative infrastructure	8,000,000
Regulatory development	11,143,000
HAZMAT sampling	200,000
HAZMAT routing	500,000
Non-entrant initiative	1,000,000
Information Management	18,500,000
Crash data collection	7,400,000
Outreach and education	2,200,000
Commercial driver's license improvement grants	20,000,000
Total Northern and Southern border grants	33,000 000
Hotline	375,000
Research and technology	8,500,000

[1] In addition to the $13,200,000 provided in this account, another $17,000,000 is provided under the National motor carrier safety program.

New entrant program.—The conference agreement provides a total of $30,200,000 for the new entrant program, of which $13,200,000 is provided under this limitation and an additional $17,000,000 is provided for state grants under the motor carrier safety assistance program. The conferees continue the program structure developed in fiscal year 2004 that provides the majority of funding for this program in the form of state grants, therefore, only $3,000,000 is for oversight and other Federal responsibilities. The conferees direct that FMCSA report to both the House and Senate Committees on Appropriations by March 1, 2005, regarding the use of this Federal portion of the program, and an explanation of the new entrant audit procedure improvements and plans to

maximize the program's safety benefits and to enhance carrier compliance.

Household goods enforcement.—The conference agreement provides $1,300,000 for household goods enforcement. This is an adequate level to maintain seven FTE provided in fiscal year 2004. The agreement does not provide for five new safety specialists proposed by the Senate. The conferees direct FMCSA to report to both the House and Senate Committees on Appropriations regarding the use of the household goods enforcement funds by March, 1, 2005.

Outreach and education.—The conferees provide a total of $2,200,000 for outreach and education. Of this amount, $1,500,000 is for household goods outreach, $150,000 is for motorcoach and school bus transportation service selection, $50,000 is for the safety is good business program, and $500,000 is to increase safety belt usage among commercial motor vehicle drivers. No funds are provided for the share the road safely program; however, the conferees direct FMCSA to detail one FTE to NHTSA for the share the road safely program for a period ending on the date of enactment of a fiscal year 2006 Transportation and Treasury and Independent Agencies appropriations Act, other than a continuing resolution. No funds are provided for the public outreach and evaluation program as proposed by the Senate.

The conference agreement retains language proposed by the House directing FMCSA to develop strategies that link outreach and education program initiatives to each goal with a reporting date of April 10, 2005.

Working capital fund (WCF) desktop services and electronic government (E-gov).—The conferees provide no separate funding for WCF desktop services or e-gov, but direct FMCSA to absorb costs associated with these activities within funds provided under this limitation, other than grant funds, and report back to the House and Senate Committees on Appropriations on the planned amounts for these activities and funding sources with the 2005 operations plan, and actual amounts and funding sources in future budget justifications.

Safety Status Measurement System (Safestat).—The conferees retain the House language directing FMCSA to implement the Inspector General's recommendation in its February 13, 2004 report Improvements Needed in the Motor Carrier's Safety Status Measurement System.

Form M.—The conferees retain House and Senate language denying the request to transfer responsibility and funding for Form M from BTS to FMCSA.

Compliance Reviews and Safety Audits.—The conferees reiterate the House and Senate reporting requirements regarding compliance reviews and safety audits with a reporting date of February 7, 2005.

Research and Technology.—Within amounts for research and technology, the conferees direct $500,000 for the testing and evaluation of both stationary and mobile radiation detection devices, and, as proposed by the Senate, $200,000 to study the correlation between driver history and future safety violations.

Commercial drivers license (CDL) program.—The conference agreement provides $21,000,000 for the commercial driver's license

improvement grants program, and retains the directive in both the House and Senate reports directing FMCSA to initiate a rule requiring all CDL applicants to provide proof of citizenship or legal presence in the U.S., consistent with the Inspector General recommendation. FMCSA shall initiate a rulemaking by May 30, 2005. The conference agreement retains the House language encouraging FMCSA to continue working to improve all aspects of the CDL program, including sponsoring pilot projects to ensure drivers who have been convicted of a disqualifying offense do not operate during the period of suspension or revocation.

NATIONAL MOTOR CARRIER SAFETY PROGRAM

(HIGHWAY TRUST FUND)

The conference agreement provides liquidating cash appropriation of $190,000,000 for the national motor carrier safety program as proposed by both the House and the Senate.

(LIMITATION ON OBLIGATIONS)

The conference agreement includes a limitation on obligations of $190,000,000 for motor carrier safety grants as proposed by both the House and the Senate.

The conference agreement provides funding for the national motor carrier safety program as follows:

	Amount
Motor carrier safety assistance program	$169,000,000
Basic motor carrier safety grants	(133,350,000)
Performance based incentive grant program	(7,100,000)
High-priority activities	(9,450,000)
New entrant grants	(17,000,000)
State training and administration	(2,100,000)
Crash causation (Sec. 224(f) MCSIA)	(1,000,000)
Information systems and strategic safety initiatives	20,000,000
Data analysis and information systems	(14,000,000)
Implementation of PRISM	(5,000,000)
Driver programs (CDL grants)	(1,000,000)

Within the funds provided for FMCSA's high priority initiative program, the conference agreement provides $250,000 to Auburn University for using a genetic algorithm with computational fluid dynamic codes, validated using wind tunnel and water tunnel testing, in developing a comprehensive method for optimizing the shape of tractor-trailer rigs; $250,000 to continue the Hazardous Material Transportation safety and security testing, including conducting research on cost and benefits of using industry-standard truck disabling technologies, establishing best practices for safety and security applications of remote vehicle disabling technologies in trucking operations, and conducting field operational testing of this technology; $150,000 to the Transportation Research Center at Georgia Tech University; and $150,000 for FMCSA to conduct a survey of the States' entry level CDL programs to determine the adequacy of each State's CDL entry-level driving test. The conferees direct that FMCSA provide the findings of such a survey with recommendations to ensure each State administers a sufficiently demanding entry-level CDL driving test to the House and Senate Committees on Appropriations no later than June 1, 2005.

GENERAL PROVISIONS—FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION

The conference agreement includes a provision (Sec. 130) that subjects funds appropriated in this Act to the terms and conditions of section 350 of Public Law 107–87, including that the Secretary submit a report on Mexico-domiciled motor carriers. This provision was proposed by both the House and Senate.

The conference agreement includes a provision (Sec. 131) that prohibits the use of funds in this Act to implement or enforce any provision of the Final Rule issued on April 16, 2003 as it applies to operators of utility service vehicles and motion picture and television production drivers working at a site within 100 air mile radius of the reporting location for the period ending December 31, 2005.

The conference agreement includes a provision (Sec. 132) that prohibits the use of funds in this Act to issue or implement a specific proposed regulation as it relates to a phase in period to bring vehicles into compliance. The conferees direct FMCSA to coordinate and communicate with trucking firms and manufacturers affected by this provision to ensure that they understand their responsibilities, potential deadlines, and consequences. The conferees direct FMCSA to notify the House and Senate Committees on Appropriations regarding the steps that will take place to meet this coordination requirement.

NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION

OPERATIONS AND RESEARCH

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

The conference agreement provides a total program level of $232,986,000 for highway and traffic safety activities, instead of $223,114,000 as proposed by the House and $228,300,000 as proposed by the Senate. The limited amounts for obligation include $157,386,000 for operations and research, $72,000,000 for operations and research, and $3,600,000 for the national driver register.

The following table summarizes the conference agreement for operations and research by budget activity:

Salaries and benefits	$71,700,000
Travel	1,347,000
Operating expenses	23,801,000
Contract programs:	
Safety performance (rulemaking)	11,383,000
Safety assurance (enforcement)	18,277,000
Highway safety programs	51,493,000
Research and analysis	70,521,000
General administration	779,000
Grant administration reimbursements	– 16,306,000
Total	232,986,000

OPERATING EXPENSES

The conference agreement provides no more than $2,900,000 for NHTSA computer support, $100,000 for harmonization efforts, and no funding for workforce development or e-gov initiatives from OST.

SAFETY ASSURANCE

The conference agreement provides an additional $250,000 for 2 additional full-time staff years for enforcement actions against non-compliant vehicles, as proposed by the House.

SAFETY PERFORMANCE

The conference agreement provides an additional $200,000 to accelerate the purchase schedules for NCAP vehicle testing, as proposed by the Senate.

HIGHWAY SAFETY PROGRAMS

The conference agreement provides the following funding levels for highway safety programs:

Impaired Driving	$13,145,000
Judicial and prosecutorial awareness	(1,500,000)
Target popluations	(500,000)
Drug Evaluation and Classification	0
Pedestrian/Bicycle safety	2,450,000
Pedestrian accident study	(50,000)
South Carolina DOT's Older Drivers & Pedestrian Signage Demonstration Project	(800,000)
WPI Center for Human Impact Protection Systems	(400,000)
Motorcycle safety	744,000
National Occupant Protection	11,600,000
Enforcement and Justice Services	2,217,000
Emergency Medical Services	3,520,000
NEMSIS implementation	(250,000)
TraumaLink, Philadelphia PA	(500,000)
USA Center for Rural Vehicle Research	(500,000)
Records and Licensing	4,900,000
Interstate digital image exchange project	(2,300,000)
Highway Safety Research	8,050,000
Driver's Edge Safety Program, Nevada	(400,000)
FAMU—FSU Transportation Safety Research Center	(800,000)
Emerging Traffic Safety Issues	1,187,000
Share the Road Safely	100,000
NAS Tire Study	250,000
NOPUS	1,600,000
National Driver Register	2,000,000

Share the road safely program.—The conference agreement directs NHTSA to lead the implementation of the share the road safely program for fiscal year 2005, as proposed by the House and the Senate. In addition, FMCSA is directed to work cooperatively with NHTSA and to provide one full-time detailee to work with NHTSA staff, as proposed by the Senate.

NAS tire efficiency study.—The conferees direct NHTSA to provide an update to the House and Senate Committees on Appropriations on the status of the NAS tire efficiency study by December 31, 2004, as proposed by the House.

Plastic and composite vehicles.—The conferees recognize the development of plastics and polymer-based composites in the auto-

motive industry and the important role these technologies play in improving and enabling automobile performance. The conferees encourage NHTSA to develop a program to examine possible safety benefits of Lightweight Plastic and Composite Intensive Vehicles (PCIV). The program will help facilitate a foundation between DOT, the Department of Energy and industry stakeholders for the development of safety-centered approaches for future light-weight automotive design.

RESEARCH AND ANALYSIS

The conference agreement provides the following funding levels for research and analysis:

Crashworthiness	$25,675,000
Southern Consortium for Injury Biomechanics	(2,000,000)
University of Vermont & Fletcher Allen Healthcare	(1,000,000)
Crash Avoidance	10,198,000
Fatigue eye-tracking & monitoring research	(300,000)
Visual loss research	(100,000)
National Center for Statistics & Analysis	25,119,000
Additional FARS funding	(850,000)
Vehicle Research & Test Center	1,020,000
Crash Causation Study	7,000,000
Crash Avoidance Initiative	500,000
Early Fatality Notification System	1,000,000

OPERATIONS AND RESEARCH

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

The conference agreement limits obligations for operations and research to $72,000,000, as proposed by the Senate.

NATIONAL DRIVER REGISTER

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

The conference agreement limits obligations for the national driver register to $3,600,000, as proposed by the House.

HIGHWAY TRAFFIC SAFETY GRANTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

The conference agreement limits obligations for highway traffic safety grants to $225,000,000, as proposed by both the House and the Senate.

Highway safety oversight.—The conference agreement does not agree to include language pertaining to highway safety grant oversight, as proposed by the Senate. This exclusion is based upon assurances that NHTSA will actively pursue their oversight respon-

sibilities relating to state obligation of grant monies. Furthermore, NHTSA shall ensure that the House and Senate Committees on Appropriations are kept apprised of NHTSA's progress.

GENERAL PROVISIONS—NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION

The conference agreement includes a provision (Section 140) allowing States to use highway traffic safety grant funds for highway safety public service messages, as proposed by the House and Senate. No more than 30% of funds for impaired driving media support may go to the 13 strategic states, instead of 60%, as proposed by the House.

The conference agreement includes a provision (Section 141) directing NHTSA to administer the share the road safely program and prohibiting funds from being transferred to any other Federal agency, as proposed by the Senate.

The conference agreement includes a provision (Section 142) allowing NHTSA to use the funds necessary to carry out provisions of section 157, as proposed by the Senate.

FEDERAL RAILROAD ADMINISTRATION

SAFETY AND OPERATIONS

The conference agreement provides $139,769,000 for Safety and Operations, instead of $137,738,000 as proposed by the House and $139,849,000 as proposed by the Senate. The conferees approve 17 new positions for FRA: 8 inspectors, 8 inspector trainees, and 1 passenger rail staff. The agreement provides $275,000 for a central training facility and $1,500,000 for a track geometry vehicle. The agreement denies $193,000 for e-gov initiatives requested by OST, $500,000 for a fatigue study, and $300,000 for workforce planning efforts.

RAILROAD RESEARCH AND DEVELOPMENT

The conference agreement provides $36,025,000 for Railroad Research and Development, instead of $33,289,000 as proposed by the House and $35,225,000 as proposed by the Senate. Within the amount provided, the conferees have provided $250,000 for the WVU constructed facility center, $2,000,000 for Marshall University and the University of Nebraska for safety and research programs in rail equipment, human factors, and track and rail safety related issues, and $6,800,000 for NDGPS.

RAILROAD REHABILITATION AND IMPROVEMENT PROGRAM

RRIF loan repayment.—The conferees include bill language directing Amtrak to repay the 2002 RRIF loan in five equal annual installments over a five-year period. The conferees are concerned that, in annually seeking deferral of its obligations to repay the Federal Government, Amtrak jeopardizes the future of the Railroad Rehabilitation and Improvement Financing Program. This program was established to meet the essential infrastructure investment needs of the rail industry, in particular the small and regional freight railroads that are essential to the economic competitiveness

of many parts of rural and small town America. Continuation of such deferrals could set a dangerous precedent for Federal credit programs. The conferees believe that no one, including a quasi-governmental entity such as Amtrak, should be exempt from meeting its financial obligations to the Federal Government in a timely manner. Clearly, Amtrak agreed to a repayment schedule that it knew, or at least should have known, would jeopardize its ability to undertake infrastructure repairs critical to safe and reliable intercity and commuter passenger transportation, particularly in the Northeast Corridor. This is a lesson that should not be lost on Amtrak if it should again contemplate funding capital improvements with debt. The conferees direct Amtrak and the FRA to enter into a realistic repayment schedule that will permit repayment of the principal and interest of the RRIF loan owed to the Federal Government by Amtrak, while mitigating the impact of this debt obligation on Amtrak's capital program.

NEXT GENERATION HIGH-SPEED RAIL

The conference agreement provides $19,650,000 for Next Generation High-Speed Rail, instead of $11,000,000 as proposed by the House and $20,000,000 as proposed by the Senate. The agreement provides the following funding allocations:

Train Control Systems	$7,500,000
North American joint PTC project	(6,500,000)
Train Control—TTC	(1,000,000)
High-Speed Non-Electric Locomotives	1,700,000
DMU compliance and demonstration, Florida	(400,000)
DMU compliance and demonstration, New Jersey	(400,000)
Grade Crossing & Innovative Technologies	4,350,000
Alaska RR luminescent grade crossings	(1,000,000)
Vicksburg, MS Fairgrounds St grade crossing	(1,000,000)
Assembly Street, South Carolina	(600,000)
High-speed rail improvements between NYC and Albany, NY	(350,000)
Track/Structures Technology	1,000,000
Corridor Planning	3,100,000
Gulf Coast High Speed Rail Corridor Study	(1,000,000)
Memphis Region High Speed Rail Study	(400,000)
Spokane Region High Speed Rail Corridor Study	(1,000,000)
New England High Speed Rail Boston-Springfield-New Haven Corridor Study	(700,000)
Maglev	2,000,000
California-Nevada Interstate Maglev Project	(1,000,000)
Pennsylvania Maglev Deployment Project	(1,000,000)

Magnetic levitation.—Section 1218 of TEA–21 established a magnetic levitation deployment program to be administered by the FRA. Last year, the conferees requested that FRA perform a cost-benefit comparison report of magnetic levitation to other modes of travel. Although FRA has not completed the report, the conferees are awaiting the receipt of the final draft.

Rail-highway crossing hazard eliminations.—The conference agreement also provides the following funding allocations for rail-highway grade crossing mitigation:

Hamilton Boulevard, Mobile, Alabama	$1,000,000
City of Spartanburg rail crossing mitigation, South Carolina	1,075,000
Safety and Mitigation Rail Relocation in Auburn, Maine	500,000
Harrisburg CorridorOne Track Safety, Pennsylvania	550,000
McCord Road, Lucas County, Ohio, grade separation	1,000,000
Illinois statewide highway-rail crossing safety program	400,000

Vermont statewide highway-rail crossing safety	325,000
Wisconsin railway-highway crossing elimination	400,000

Rock Island rail line, Oklahoma.—The conferees are aware of an unused rail line, which runs from McAlester to Oklahoma City, Oklahoma, that has been the subject of acquisition negotiations for a number of years. The conferees encourage all parties involved to reach a reasonable settlement expeditiously, so that this important rail link can be rehabilitated and reopened as soon as possible.

ALASKA RAILROAD REHABILITATION

The conference agreement provides $25,000,000 for the rehabilitation expenses of the Alaska Railroad, as proposed by the Senate.

GRANTS TO THE NATIONAL RAILROAD PASSENGER CORPORATION

The conference agreement provides $1,217,000,000 for quarterly grants to Amtrak, as proposed by the Senate. Of this amount, no less than $500,000,000 is provided for capital grants, as proposed by the House. The conference agreement retains report language proposed by the House regarding operating and capital plans, Amtrak financial information, monthly reporting requirements, state-assisted intercity rail service, and capital asset valuation.

Amtrak common stock redemption.—The Amtrak Reform and Accountability Act of 1997 (AARA) directed Amtrak to redeem all common stock at fair market value by October 1, 2002 in order to rid Amtrak of certain of its financial encumbrances so that Amtrak could position itself to seek and receive investor funds and other private financing. The date of the mandated redemption has passed, the redemption has not occurred, and the parties are not engaged in resolving the matter of evaluation of such stock at Fair Market Value, thwarting clear Congressional intent. The conferees urge these parties to resolve this matter expeditiously.

GENERAL PROVISIONS—FEDERAL RAILROAD ADMINISTRATION

The conference agreement includes a provision (Section 150) that requires the Secretary of Transportation to continue development and implementation of a fair competitive bid procedure, as proposed by both the House and the Senate.

The conference agreement includes a provision (Section 151) that allows FRA to provide reimbursement to employees for home internet connections, as proposed by the House.

The conference agreement includes a provision (Section 152) that clarifies the intent of Federal funds provided to the Alaska Railroad, as proposed by the Senate.

The conference agreement includes a provision (Section 153) that directs DOT to award a grant included in P.L. 108–199 for KBS Railroad in Illinois, as proposed by the Senate.

The conference agreement includes a provision (Section 154) that expands the Northern New England High Speed Rail Corridor.

The conference agreement includes a provision (Section 155) that directs Amtrak to submit to the House and Senate Commit-

tees on Appropriations in fiscal year 2005 a report detailing Amtrak's obligations pursuant to 49 U.S.C. 24306(a).

FEDERAL TRANSIT ADMINISTRATION

ADMINISTRATIVE EXPENSES

The conference agreement provides $78,000,000 for administrative expenses, as proposed by the Senate. Within this total, the conference agreement provides the following funding levels for FTA offices:

Office of the Administrator	$900,000
Office of Administration	6,520,000
Office of Chief Counsel	4,100,000
Office of Communications & Congressional Affairs	1,243,000
Office of Program Management	7,396,000
Office of Budget and Policy	6,929,000
Office of Research, Demonstration and Innovation	4,645,000
Office of Civil Rights	3,013,000
Office of Planning and Environment	4,171,000
Regional Offices	20,150,000
Central Account	16,433,000
National Transit Database	2,500,000

Transfer authority.—The conference agreement provides transfer authority of 5% among administrative offices. The conferees direct FTA to provide quarterly updates to the House and Senate Committees on Appropriations on all transfers of funding within the administrative office structure.

FY06 budget request.—Within the FY06 budget request, the conferees direct FTA to submit an office-by-office breakdown, as proposed by both the House and Senate and an analysis of new start project technical assistance, as proposed by the House.

Full funding grant agreements (FFGAs).—The conference agreement retains language proposed by the House detailing notification of Congress of procedures prior to the execution of a FFGA. In addition, the conference agreement retains language proposed by the House regarding notification of advancement of projects into preliminary engineering or final design.

Revisions of Congressional intent.—The conference agreement retains language proposed by the House directing FTA to seek approval of the House and Senate Committees on Appropriations prior to revising Congressional intent.

FORMULA GRANTS

(INCLUDING TRANSFER OF FUNDS)

The conference agreement provides $4,032,175,000 for formula grants, as proposed by the Senate. The conference agreement transfers language regarding an intercity bus reporting requirement, as proposed by the House, to the Office of the Secretary.

UNIVERSITY TRANSPORTATION RESEARCH

The conference agreement provides $6,000,000 for university transportation research, as proposed by the House and Senate.

TRANSIT PLANNING AND RESEARCH

The conference agreement provides $128,000,000 for transit planning and research, as proposed by the Senate. From funds provided for national planning and research, the conference agreement provides the following funding levels:

Advanced Transportation Technology Institute	$125,000
Automation Alley BuSolutions	550,000
CALSTART/WestStart Advanced Transit Technology	2,000,000
Center for composite manufacturing, AL	950,000
Southern Fuel Cell Coalition—Center for Transportation and the Environment	450,000
Chester County transit security training facility, PA	125,000
Community Transportation Association of America Nationwide Joblinks	500,000
Fischer-Tropsch clean diesel technology demonstration, OK	875,000
Hennepin County Community Works	1,200,000
hOurCar, MN	75,000
Lehigh Carbon Community College transit first responder training facility	75,000
Low cost carbon fiber production technology, University of Tennessee	450,000
Nanostructured catalysts for hydrogen fuel cells (CATV UA)	950,000
National Bio-Terrorism Civilian Medical Response Center, PA	725,000
National Technical Assistance Center for Senior Transportation	2,000,000
NDSU Transit Center for Small Urban Areas, ND	400,000
Northern Wisconsin Rural Transportation Study	60,000
Oklahoma Transportation Center	2,000,000
Pawtucket train depot rehabilitation initiative, RI	235,000
Phillipsburg to Northeastern NJ/NYC commuter rail study, NJ	400,000
Project ACTION (TEA–21)	3,000,000
PVTA Electric Bus	640,000
Sitting Bull College bus facility planning, SD	65,000
Transit access CUMTD initiative, IL	500,000
Transit technology career ladder partnership training program	500,000
Transportation Research Program, Wichita State University	1,000,000
WVU exhaust emissions testing initiative, WV	1,400,000

TRUST FUND SHARE OF EXPENSES

The conference agreement provides $6,744,500,000 for the trust fund share of expenses, instead of $6,047,200,000 as proposed by the House and $6,764,976,000 as proposed by the Senate.

CAPITAL INVESTMENT GRANTS

(INCLUDING TRANSFER OF FUNDS)

The conference agreement provides $3,338,825,000 for capital investment grants, instead of $2,852,647,000 as proposed by the House and $3,413,825,000 as proposed by the Senate.

Three year availability of section 5309 discretionary funds.—The conferees direct FTA to not reallocate funds provided in the fiscal year 2002 Department of Transportation and Related Agencies Appropriations Act or previous Acts for the following bus and bus facilities projects:

Alabama State Dock in intermodal passenger and freight terminal bus and bus related facilities
Binghamton Intermodal Transportation Center/terminal
Blue Water Area Transportation Commission bus facilities
Bronx Zoo Intermodal Transportation Facility
Cab Care paratransit facility
City of Monrovia natural gas vehicle fueling facility

Costa Mesa CNG facility
County of Calaveras bus fleet replacement
East Haddam transportation vehicles and transit facilities
Greater Minnesota Transit Authority bus, paratransit and transit hub (MNDOT)
Greater New Haven Transit District CNG vehicle project (ConnDOT)
Homer Alaska Maritime Wildlife Intermodal and welcome center
Indiana bus consortium buses and bus facilities
Indianapolis downtown transit facility
Las Cruces intermodal transit facility
Livermore Amador Valley Transit Authority buses and facility
Macon terminal intermodal station
Missouri Pacific Depot
Morgantown Parking Facility
North County Transit District, initial design and planning for new intermodal center
Norwich bus terminal and pedestrian access
Oglala Sioux Tribe buses and bus facilities
San Bernardino CNG/LNG buses
Sierra Madre Villa & Chinatown intermodal transportation centers/LA MTA bus and bus related facilities
Southern Teton Area Rapid Transit bus facility
Springfield Union Station intermodal facility
Station Plaza (NY) commuter parking lot
Tompkins Consolidated Area transit center
Ravalli County Council on aging bus facility
Area VII agency on aging bus facility
Statewise bus and bus facilities, MT
Wilkes-Barre Intermodal Facility

The conferees direct FTA to not reallocate funds provided in the fiscal year 2002 Department of Transportation and Related Agencies Appropriations Act or previous Acts for the following new start projects:

Greater Albuquerque mass rail transit project
Birmingham, Alabama, Transit Corridor
Dulles Corridor Project
Honolulu, Hawaii, Bus Rapid Transit Project
Kenosha-Racine-Milwaukee Rail Extension Project
Maryland (MARC) Commuter Rail Improvements Projects
Northeast Indianapolis, Indiana, Downtown Corridor Project
Philadelphia SEPTA Cross County Metro Project
Philadelphia, Pennsylvania-Schuylkill Valley Metro Project

BUS AND BUS FACILITIES

The conference agreement provides $675,000,000 for buses and bus facilities programs, together with $50,000,000 transferred from "Federal Transit Administration, Formula grants". Funds provided for buses and bus facilities are distributed as follows:

Project Name	*Amount*
Abilene bus and bus facilities, Texas	$750,000
Acadia National Park intermodal facility, Maine	250,000
Addicks Park & Ride Ramp, Texas	4,500,000
Alabama State Docks intermodal facility, Alabama	10,000,000
Alaska Mental Health Trust bus program, Alaska	1,000,000
Alaska Native Medical Center intermodal bus/parking facility, Alaska	2,000,000
Allegan County Transportation, Michigan	1,500,000
Alma Transit facility and replacement buses, Michigan	500,000
Alternative fuel replacement buses, Tucson, Arizona	1,000,000
Ames transit/bus facility, Iowa	1,000,000
Amesbury bus facility, Massachusetts	1,000,000
Amtran Bus Replacement, Altoona, Pennsylvania	300,000
Anaheim Resort Transit, California	300,000
Anchorage Museum/Transit intermodal depot, Alaska	1,500,000

Project Name	*Amount*
Anchorage paratransit and disability improvements, Alaska	1,500,000,
Anchorage Ship Creek intermodal facility, Alaska	2,500,000
Ann Arbor Transit (AATA) transit center, Michigan	1,000,000
Ardmore transit center, Pennsylvania	6,000,000
Area Transit Authority, Pennsylvania	1,425,000
Area Transportation Authority of North Central Pennsylvania passenger terminal, Pennsylvania	1,250,000
Arkansas Statewide buses and bus facilities	8,000,000
Asheville City bus fleet replacement, North Carolina	300,000
Atlanta bus acquisition, Georgia	3,500,000
Atlanta clean fuel shuttle buses, Georgia	1,000,000
Atlantic Station, Georgia	1,100,000
Attleboro Intermodal Transportation Center, Massachusetts	2,000,000
Barry County buses and bus facilities, Michigan	40,000
Bay Area Transportation Authority, Traverse City, Michigan	4,000,000
Belding buses and bus facilities, Michigan	50,000
Bellflower Dial-a-Ride, California	120,000
Bellows Falls Transit Improvements, Vermont	2,000,000
Ben Franklin Transit Facility Improvements, Washington	1,050,000
Bergen Intermodal Stations and Park N'Rides, New Jersey	2,000,000
Berks Area Reading Transportation Authority (BARTA) facility, Pennsylvania	2,000,000
Berrien County transit, Michigan	100,000
Billings downtown bus facility, Montana	2,000,000
Billings public bus and medical transfer facility, Montana	2,500,000
Birmingham Intermodel Facility—Phase II, Alabama	3,500,000
Bloomington Public Transit Corporation, Indiana	750,000
Blue Water Area Transportation Commission Maintenance and Storage Facility, Michigan	3,000,000
BNMC replacement buses, New York	758,000
Boro Park JCC bus purchase, New York	200,000
Brazos Transit District passenger shelter program, Texas	500,000
Bridgeport Intermodal Transportation Center, Connecticut	7,000,000
Brockton Area Transit Bus Replacement, Brockton, Massachusetts	2,000,000
Brookhaven Town Senior Citizen Jitney Bus, New York	125,000
Broome County hybrid buses, New York	1,600,000
Broward/Palm Beach County buses, Florida	750,000
BRTA Bus Replacement Program, Massachusetts	1,080,000
BRTA Bus Shelters, Massachusetts	150,000
BRTA Storage Facility Upgrade, Massachusetts	244,000
Bryan Intermodel Transit Terminal with Parking, Texas	400,000
Bryan/College Station Bus Replacement Program, Texas	1,296,000
Bucks County Intermodal Facility Improvements, Pennsylvania	2,117.000
Buffalo Niagra Medical Campus, New York	2,000,000
Burke Centre VRE Station Parking Expansion	1,000,000
Bus Facility, 65th Street Intermodal Station, New York	7,500,000
Bus Rapid Transit, Virginia Street Phase 1, Nevada	1,000,000
Cadillac/Wexford Transit, Michigan	100,000
Calabasas Transit, California	500,000
Cambria County Transit accessible buses, Pennsylvania	1,080,000
Cambria County Transit Facility rehabilitation, Pennsylvania	1,300,000
Cape Cod Regional Transit Authority Center/Bus Facility, Massachusetts	3,000,000
Capital Area Transit (CAT), Pennsylvania	1,000,000
Capital Area Transportation Authority, Lansing, Michigan	4,250,000
Capital Metro North Operating Facility, Texas	1,200,000
Capitol Metro buses and bus facilities, Texas	2,000,000
Carolina Mini-Buses, Puerto Rico	1,900,000
Cass County transit, Michigan	40,000
CATA bus replacement, Arkansas	400,000
Catalina Transit Terminal, Redondo Beach, California	1,000,000
Central New York Regional Transportation Authority, New York	3,250,000
Central Ohio Transit Authority Paratransit Facility	550,000
Central Ohio Transity Authority ITS Phase III	200,000
Centre Area Transit Authority, Pennsylvania	850,000
Cerritos Clean Air Buses, California	850,000
Chapel Hill replacement buses, North Carolina	2,000,000

Project Name	*Amount*
Charlotte Multi-modal Transportation Center, North Carolina	2,500,000
Cherry Street Multi-Modal Facility, Indiana	1,000,000
Cincinnati Local Community bus enhancements, Ohio	800,000
Citibus vans and alternative fuel buses, Texas	1,800,000
Citilink, Indiana	600,000
City Bus, Williamsport Bureau of Transportation, Pennsylvania	1,500,000
City of Orange Beach senior activity bus, Alabama	100,000
City of Santa Fe, Bus and Bus Facility Grant, New Mexico	1,500,000
Clare County Transit Corporation, Michigan	100,000
Claremont Intermodal Transit Village Project, California	200,000
Cleveland Avenue YMCA bus, Alabama	200,000
Cleveland Clinic Pedestrian Access Tunnel, Ohio	1,000,000
Clinton Area transit system, Michigan	1,250,000
CNG bus replacement, Texas	400,000
Coconino County—Flagstaff bus system, Arizona	1,400,000
Coconino County—Sedona bus system, Arizona	2,600,000
Collegian Avenue Busway, California	400,000
Colorado Statewide buses and bus facilities	7,125,000
Columbia Transit, Missouri	850,000
Community Transit Bus and Van Replacement, Washington	1,000,000
Commuter maintenance facility, New Hampshire	700,000
Como Rider program, Minnesota	1,500,000
Copper River Transit program, Alaska	1,500,000
Corpus Christi buses and bus facilities, Texas	800,00
County of Lebanon Transit Authority (COLT), Pennsylvania	360,000
Cruise Terminal Intermodal Facility, Pennsylvania	500,000
Cuyahoga County Plan for Senior Transportation, Ohio	1,000,000
Dallas bus shelters, Texas	750,00
Danville buses and bus facilities, Virginia	450,000
DeBary Intermodal Transportation Facility, Florida	250,000
Delaware Statewide buses and bus facilities	2,000,000
Denton Downtown multimodal transit facility, Texas	3,200,000
Des Moines MTA bus replacement, Iowa	2,000,000
Detroit DOT bus replacement and facilities, Michigan	3,000,000
Dial-a-Ride facility, Phoenix, Arizona	350,000
Downtown Centralized Intermodal Transfer Center, Nashville, Tennessee	1,000,000
Downtown Tempe Transit Center, Arizona	800,000
Downtown transit center ITS, California	100,000
Duluth Transfer Facility, Minnesota	1,000,000
East Side Transit Center, Ohio	500,000
East Valley bus maintenance facility, Arizona	6,950,000
Ed Roberts Campus/City of Berkeley, California	500,000
Edmonds Crossing Mulitmodal Transportation Project, Washington	1,000,000
El Garces Intermodal Station, Needles, California	1,000,000
El Paso buses, Texas	3,000,000
Elk Grove Park and Ride Facilities California	1,000,000
Elmwood Facility Expansion, Rhode Island	2,000,000
Endless Mountain Transportation Authority, Pennsylvania	100,000
Englewood bus purchase, New Jersey	375,000
Essex County buses, Massachusetts	150,000
Fairfield/Vacaville Intermodal Transit Station, California	500,000
Farmville buses and bus facilities, Virginia	200,000
Fayette Area Coordinated Transportation (FACT) buses and bus facilities, Pennsylvania	900,000
Fixed Route Transportation System, Madison County, Kentucky	300,000
Flagler County buses and bus facilities, Florida	150,000
Flint MTA Intelligent Transportation System, Michigan	1,000,000
Fort Edward Intermodal Station, New York	300,000
Franklin County Transportation Council, Missouri	150,000
Fresno Area Express bus program, California	1,000,000
Ft. Worth Transportation Authority Fleet Modernization, Texas	2,400,000
Ft. Worth Transportation Authority Passenger Shelter Replacement, Texas	700,000
Fulton County Transit Authority, Kentucky	200,000
Gainesville Regional Airport multi-modal facility, Florida	300,000
Gainesville RTS buses and bus facilities, Florida	1,000,000

Project Name	*Amount*
Glenmont Metrorail parking garage expansion, Maryland	500,000
Golden Empire Transit traffic signal priority, California	300,000
Grant Transit Authority vehicle replacement, Washington	800,000
Greater Minnesota Transit	3,225,000
Greater Ouachita Port and Intermodal Facility, Louisiana	3,000,000
Greenville Transit System, Michigan	50,000
GRTC Bus Facility, Richmond, Virginia	6,000,000
Hamiton clean fuels bus facility, Georgia	1,500,000
Hampton Roads Transit New Maintenance Facilities, Virginia	2,250,000
Harbor Transit, Michigan	200,000
Harrisburg Transportation Center, Pennsylvania	1,000,000
Harrison County HOV/Bus rapid transit Canal Road intermodal connector, Mississippi	2,000,000
Hartford bus facility rehabilitation, Connecticut	500,000
Hartford/New Britain Busway, Connecticut	4,000,000
Hazleton intermodal facility, Pennsylvania	3,000,000
Hemet Transit Center bus facility, California	350,000
Henderson Area Rapid Transit Authority, Kentucky	80,000
High Point Project Terminals, North Carolina	2,000,000
Hillsborough Area Regional Transit (HART), Florida	500,000
Homestead East-West bus connector, Florida	250,000
Honolulu bus and paratransit replacement program, Hawaii	5,000,000
Honolulu Middle Street Intermodal Center, Hawaii	4,000,000
Houston METRO, Park and Rides, Texas	10,000,000
Howard Boulevard Intermodal Station, New Jersey	3,500,000
Howard County Transit repair facility, Maryland	500,000
Hunt County Committee on Aging Transit Terminal, Texas	1,200,000
Hunt County Committee on Aging Transit Vehicles, Texas	1,000,000
I–15 Managed Lanes/Bus Rapid Transit, San Diego, California	1,700,000
I–35 Fixed Guideway Project, Johnson County, Kansas	300,000
I–66/Vienna Metrorail Accessibility Improvements, Virginia	600,000
Idaho Transit Coalition Statewide buses and bus facilities	3,500,000
Illinois Statewide buses and bus facilities	7,000,000
Incline Plane Cable Replacement, Johnstown, Pennsylvania	120,000
IndyGo buses and bus facilities, Indiana	3,000,000
Intelligent Transportation System for The Rapid, Michigan	600,000
Intercity Transit Buses, Thurston County, Washington	1,000,000
Intermodal terminals in Downtown Reno and Sparks, Nevada	1,500,000
Ionia County Dial-A-Ride, Michigan	125,000
Iowa Statewide buses and bus facilities	5,000,000
Irvington Intermodal Upgrades, New York	250,000
Isabella County Transportation Commission, Michigan	300,000
Isanti Transit garage and operational facility, Minnesota	500,000
ITP/The Rapid replacement and expansion buses, Michigan	1,250,000
Ivy Tech State College multmodal facility, Indiana	500,000
Jackson State University busing project, Mississippi	300,000
Jacksonville JTA transit rolling stock, Florida	500,000
Jacksonville State University buses, Alabama	2,000,000
Jacobi Transportation Facility, New York	1,000,000
Jamaica Intermodal Facilities, New York	2,000,000
James City County natural as buses, Virginia	3,000,000
JATRAN fixed route vehicles, Mississippi	3,000,000
JCC of Coney Island Bus Purchase, New York	100,000
Jefferson County Transit Facility Improvements, Texas	700,000
Jefferson Transit operations/maintenance facility, Washington	600,000
Johnson County Transit System Buses, Kansas	500,000
Juneau bus replacement, Alaska	1,000,000
Kalamazoo County Care A Van, Michigan	80,000
Kalamazoo Metro Transit, Michigan	3,000,000
Kalkaska Public Transit Authority, Michigan	50,000
Kansas City/Unified Govt. of Wyandotte Co. buses, Kansas	1,000,000
Kansas statewide bus and bus facilities	3,000,000
KCATA bus rapid transit, Missouri	4,500,000
Kearney RYDE Transit, Nebraska	1,050,000
Kenai Central Area Rural Transit System bus replacement, Alaska	1,400,000
Key West bus and bus facilities, Florida	2,000,000
King County Metro Clean Air Buses, Washington	5,000,000

Project Name	*Amount*
King County Metro Park and Ride on First Hill, Seattle, Washington	2,000,000
King County Metro, King County Airfield Transfer Area, Washington	2,000,000
Kitsap Transit Bus Replacement, Washington	1,000,000
Knik Arm intermodal facility terminal, Alaska	1,500,000
Knoxville Electric Transit Intermodal Center, Tennessee	2,000,000
Lafayette City/Bus, Indiana	500,000
Lake Erie Transit maintenance prage expansion, Michigan	500,000
Lakeland Area Citrus Connection transit system, Florida	750,000
Lane County bus raid transit vehicles, Oregon	4,000,000
Laredo Bus Hub and Maintenance Facility, Texas	2,000,000
Las Vegas buses, Nevada	1,000,000
LAVTA buses and bus facilities, California	500,000
LAVTA satellite maintenance, operations and administrative facility, California	300,000
Lawrence Transit System maintenance facility, Kansas	400,000
Lawton buses and bus facilities, Oklahoma	207,000
Lechmere Station intermodal, Massachusetts	1,000,000
Lewis and Clark explorer shuttle parking, Oregon	500,000
Link Transit Low Floor Coach Purchases, Washington	800,000
Livingston Essential Transportation, Michigan	100,000
Long Beach Transit bus purchase, California	500,000
Los Angeles County MTA bus program, California	2,000,000
Los Angeles Trade Tech intermodal links with bus and Metro, California	500,000
Los Angeles Valley College bus station extension, California	500,000
Louisiana Statewide buses and bus facilities	5,000,000
Lowell Regional Transit Authority, Massachusetts	900,000
Macatawa Area Express Facility, Michigan	1,000,000
Macon Terminal Station, Georgia	750,000
Maine statewide bus program	2,500,000
Maintenance facility modernization project, Oregon	2,500,000
Mammoth Lakes Regional Transit operations facility, California	1,000,000
Manchester, Clay County Intermodal Facility, Kentucky	2,000,000
MART maintenance facility, Massachussets	2,400,000
MARTA Bus Acquisition Program, Georgia	1,500,000
MARTA clean fuel technology buses, Georgia	4,000,000
Maryland Statewide buses and bus facilities	4,000,000
Mass Transportation Authority, Flint, Michigan	3,000,000
Medical University of South Carolina	4,000,000
Memphis Airport Intermodal Facility, Tennessee	3,000,000
Metro Red Line Wilshire Vermont Station upgrade, California	750,000
Metro St. Louis, Missouri	1,250,000
Metro Transit buses and bus facilities, Minnesota	4,000,000
Miami Beach Intermodal Greenway Transit Facility, Florida	700,000
Miami Beach Intermodal Transit Facility, Florida	700,000
Miami Intermodal Center, Florida	6,000,000
Miami-Dade County bus procurement, Florida	500,000
Michigan Statewide buses and bus facilities	3,000,000
Mid Mon Valley Transit Authority, Charleroi, Pennsylvania	1,400,000
Mid-County Transit Authority Kittanning, Pennsylvania	220,000
Midland Dial-A-Ride, Michigan	125,000
Millinocket Airport transfer bus project, Maine	35,000
Miramar Parkway transit shelter enhancements, Florida	100,000
Mississippi Valley State University mass transit expansion, Mississippi	200,000
Missouri statewide bus and bus facilities	8,000,000
Modesto bus facility, California	1,000,000
Montgomery buses, Alabama	700,000
Montrey Salinas Transit buses, California	1,000,000
Moultrie Intermodal Facility, Georgia	500,000
Multi County Intermodal Park & Ride, New Jersey	3,000,000
Muncie Indiana transit system, Indiana	1,000,000
Municipal Transit Operators Coalition, California	1,000,000
Murray/Calloway County Transit Authority, Kentucky	1,800,000
Muskegon Area Transit System, Michigan	500,000

Project Name	*Amount*
Napa Transit Center construction, California	500,000
Nassau County Long Island Bus, New York	1,000,000
National Center for Transportation Needs, Florida	600,000
Nebraska Statewide bus and bus facilities	2,000,000
New Castle Area Transit, Pennsylvania	1,000,000
New Mexico Statewide bus and bus facilities	1,000,000
New York Central Train Station, Elyria, Ohio	1,000,000
Newark Penn Station Intermodal Improvements, New Jersey	5,000,000
Norman buses and bus facilities, Oklahoma	3,000,000
North Carolina Statewide buses and bus facilities	5,000,000
North Dakota Statewide buses and bus facilities	3,000,000
North Florida and West Coast Transit Coalition Bus Acquisition	4,000,000
North Oakland Transit Authority, Michigan	80,000
Northern Michigan bus and bus facilities	500,000
Northern Oklahoma regional multimodal facilities and transit system, Oklahoma	5,000,000
Northern Winnebago County, Illinois	250,000
Northumberland County Transportation, Pennsylvania	100,000
Northwest Busway and facilities, Hennepin County, Minnesota	3,000,000
NW 7th Avenue Transit Hub, Florida	1,000,000
Oakwood College shuttle bus project, Alabama	150,000
Oakwood Intermodal Facility, Somerset, Kentucky	2,000,000
Ohio statewide buses and bus facilities	6,000,000
Oklahoma DOT Transit Program, Oklahoma	5,500,000
Oklahoma Transportation Center, Oklahoma	2,000,000
Omaha Metro Area Transit Center Developments, Nebraska	4,000,000
Pacific Station Multimodal-Multiuse facility, California	1,500,000
Paducah Area Transit Authority, Kentucky	1,300,000
Pahoa/Hilo Bus routes, Hawaii	500,000
Palm Springs bus station relocation, California	30,000
Palo Alto Intermodal Transit Center, California	750,000
Paratransit District/Senior Call Center Brooklyn, Ohio	2,000,000
Park & Ride/Bus Facility Exit 2, Salem, New Hampshire	600,000
Park and Ride Bus Facility Exit 5, New Hamgshire	200,000
Park and Ride for the Edison Train Station, New Jersey	1,000,000
Pelham Intermodal Improvements, New York	500,000
Petersburg Multi-Modal Transportation Center, Virginia	500,000
Phoenix, Glendale, and Avondale bus replacement, Arizona	1,500,000
Phoenix/Glendale West Valley operating facility, Arizona	3,500,000
Pierce Transit Base expansion, Washington	1,000,000
Pinellas Suncoast Transit Authority, Florida	9,300,000
Port Angeles International Gateway Center, Washington	1,000,000
Port of Anchorage intermodal facility, Alaska	2,500,000
Potomac Yard Transit Way, Virginia	800,000
PRTC Bus Acquisitions, Virginia	800,000
Pulse Point Joint Development safety improvements, Connecticut	500,000
Putnam County RideSolutions buses and bus facilities, Florida	1,500,000
PVTA bus replacement program, Massachusetts	4,000,000
Regional maintenance/paratransit scheduling facility, Kansas	800,000
Renaissance Square, New York	6,500,000
Rhode Island Public Transit Authority Statewide buses and bus facilities	4,000,000
Richmond Highway Transit Improvements, Virginia	1,000,000
Rio Rancho Senior Transit Program, New Mexico	250,000
Riverbank vehicle garage renovation, California	125,000
Riverside Transit Authority, California	125,000
Rochester Central Bus Terminal, New York	5,600,000
Rockville Town Center transit project, Maryland	1,000,000
Roscommon County Transit System, Michigan	50,000
Roseville Multitransit Center, California	650,000
Rural Bus Program, Hawaii	5,000,000
Sacramento bus replacement/facility expansion, California	500,000
Salem Intermodal Center improvement project, Massachusetts	1,000,000
Salem-Keizer Transit, buses and bus facilities, Oregon	350,000
SamTrans Zero Emission bus project, California	750,000
San Antonio VIA Metropolitan Transit Bus Fleet Modernization, Texas	3,000,000

Project Name	*Amount*
San Francisco Muni buses and bus facilities, California	4,000,000
San Luis Rey Transit Center, California	400,000
Santa Clara VTA bus signal priority project, California	750,000
SCAT CNG Fueling Station, California	500,000
Senior Bus Service Bus Replacement, North Hempstead, New York	300,000
SEPTA, Trackless Trolley Acquisition, Pennsylvania	1,000,000
Shiawassee Area Transportation Authority, Michigan	45,000
Sierra Madre Villa Gold Line Light Rail Station, California	1,000,000
Sistrunk transit & pedestrian access improvement, Florida	1,000,000
Sitting Bull College facilities, South Dakota	1,250,000
Skagway bus terminal development, Alaska	2,000,000
SMART buses and bus facilities, Michigan	3,000,000
Solana Beach Intermodal Facility, Solana Beach, California	650,000
Sonoma County CNG buses, California	300,000
South Amboy Intermodal Station, New Jersey	1,250,000
South Carolina Statewide buses and bus facilities	4,000,000
South Dakota Statewide buses and bus facilities	1,000,000
South Gate Clean Air buses, California	250,000
South Metro Area Rapid Transit park-and-ride facility and transit center, Oregon	500,000
Southeast Tennessee Human Resource Agency	750,000
Southern and Eastern Kentucky buses and bus facilities	3,000,000
Southern Maryland commuter bus initiative, Maryland	5,000,000
Southern Missouri buses and bus facilities	2,300,000
Southside bus facility PE, Virginia	4,000,000
Southwest Broward bus facility, Florida	1,200,000
Spring Valley Multi-Modal Center, California	800,000
Springfield Union Station, Springfield, Massachusetts	6,694,000
St. Johns County Council on Aging buses and bus facilities, Florida	750,000
St. George's Ferry Intermodal Terminal, New York	2,300,000
St. Lucie County bus purchase, Florida	400,000
St. Petersburg intermodal facility, Florida	500,000
Stamford Urban Transitway Phase II, Connecticut	6,000,000
Suffolk County Transit buses and bus facilities, New York	1,000,000
Sullivan County buses and bus facilities, New York	500,000
Sun Tran CNG replacement buses, Tucson, Arizona	2,750,000
Sunline Transit Agency CNG buses, California	500,000
TalTran Bus replacement project, Florida	800,000
TARTA/TARPS Intermodal Facility, Ohio	1,500,000
Temecula Park and Ride Facility, California	50,000
Temecula Transit Center, California	400,000
Tennessee Statewide buses and bus facilities	9,500,000
The Woodlands Capital Cost of Contracting Program, Texas	450,000
Tombigbee Regional Commission vehicle facility, Alabama	250,000
Tompkins County Hybrid Buses, New York	250,000
Transit Authority of Northern Kentucky (TANK) bus and bus facilities, Kentucky	500,000
Transit Authority of River City, Louisville, Kentucky	601,500
Transit First Implementation, California	750,000
Transit ITS, Utah	250,000
Transit Oriented Neighborhood Program, California	200,000
TRANSPO Bus Operations Center South Bend, Indiana	2,000,000
Trenton Intermodal Center, New Jersey	2,000,000
Triangle Transit Authority replacement buses, North Carolina	1,000,000
TriMet buses, Portland, Oregon	1,000,000
Trolley System, Boynton Beach, Florida	250,000
Tuckahoe Intermodal Improvements, New York	40,000
Tulsa Transit Multi-use facility in Tulsa, Oklahoma	2,000,000
Twin Cities Area Transportation Authority, Benton Harbor, Michigan	30,000
ULM Intermodal Facility, Louisiana	750,000
Ulster County Hybrid Buses, New York	250,000
UMass Transit RTIC and training facility, Massachusetts	4,000,000
UNI multimodal project, Iowa	3,000,000
Union City Intermodal Station, Phase 1, California	500,000
Union Depot Transportation Hub, Minnesota	1,000,000

Project Name	*Amount*
Union Station Intermodal Trade and Transit Center, Schuylkill County, Pennsylvania	2,000,000
Union Station Intermodal Transportation Center, Washington, DC	750,000
Union/Snyder Transportation Alliance, Union County Pennsylvania	1,500,000
University of Alabama at Huntsville Intermodal Facility, Alabama	4,000,000
University of Louisville bus shuttle program, Kentucky	2,500,000
UTA intermodal facilities, Utah	2,000,000
UTA Statewide buses and bus facilities	5,800,000
Vallejo Baylink Ferry Intermodal Center, California	1,250,000
Van Buren Public Transit, Michigan	30,000
Vans, CASA of Marshall County, Alabama	100,000
Vehicles for Senior Citizen Transportation in Alabama	1,000,000
Vermont Statewide buses and bus facilities	2,000,000
Vicksburg public transportation, Mississippi	500,000
Visalia bus operations facility, California	250,000
Visalia bus replacement, California	250,000
Waco Transit Alternative Fueled Bus Purchase, Texas	4,000,000
Wahiawa Transit Center and Parking Facility, Hawaii	2,500,000
Washington Small Bus System Program of Projects, Washington	4,000,000
Waterbury bus maintenance facility, Connecticut	500,000
West Haven/Orange Intermodal Facility, Connecticut	1,000,000
West Side transit facility, New Mexico	1,000,000
West Valley City Intermodal Terminal, Utah	400,000
West Virginia Statewide	5,000,000
Westchester County Bee Line Bus Replacement, New York	4,000,000
Westmoreland County Transit Authority, Pennsylvania	500,000
Whatcom Transportation Authority, Lincoln Creek Transportation Center, Washington	2,000,000
White Earth Tribal Nation Transit Center, Minnesota	1,000,000
White Plains Downtown Circulator, New York	250,000
Whitehall Intermodal Ferry Terminal, New York	1,000,000
Whittier intermodal facility, Alaska	1,500,000
Wichita Transit Authority buses and bus facilities, Kansas	250,000
Winter Haven Transit Terminal, Florida	500,000
Wisconsin Statewide buses and bus facilities	15,000,000
WMATA bus purchase, Virginia	7,000,000
WMATA clean fleet buses, Maryland	1,500,000
Wonderland Station improvements, Revere, Massachusetts	2,000,000
Yamhill County Transit bus and bus facilities, Oregon	150,000
Yates Township Dial-A-Ride Transportation System, Michigan	200,000
York County Transportation Authority buses, Pennsylvania	1,500,000
Yosemite Area Regional Transportation System, California	400,000

Washington statewide small transit systems, bus and bus facilities.—The conference agreement provides $4,000,000 to the Washington State Department of Transportation (WSDOT) for bus and bus facilities grants. The conferees expect WSDOT to fund the following projects: (1) $400,000 Clallam Transit; (2) $50,000 Columbia County Public Transportation (CCPT); (3) $50,000 Garfield County; (4) $400,000 Grant Transit; (5) $600,000 Grays Harbor Transportation Authority; (6) $400,000 Island Transit; (7) $750,000 Jefferson Transit; (8) $400,000 Mason County Transportation Authority; (9) $50,000 Pacific Transit; (10) $400,000 Twin Transit; and (11) $500,000 Valley Transit.

Illinois Statewide Buses.—The conferees provide $7,000,000 to the Illinois Department of Transportation (IDOT) for Section 5309 Bus and Bus Facilities grants. The conferees expect IDOT to provide at least $3,000,000 for Downstate Illinois replacement buses in Bloomington, Champaign-Urbana, Danville, Decatur, Peoria, Quincy, RIDES MTD, River Valley, Rockford, Rock Island, Springfield, and for the Bi-State Development/Metro Agency. Further, the conferees expect IDOT to provide appropriate funds for bus facili-

ties in Bloomington, Galesburg, Macomb, Peoria, and Rock Island, including $750,000 for the Champaign Day Care Center/Park-n-Ride; $500,000 for the Richton Park Metra Intermodal Transit Park and Ride Facility; $750,000 for the City of Chicago's Free Trolley system; and $500,000 for the Downtown Normal Multimodal facility.

The conference agreement retains all language in the House and Senate reports allowing funds appropriated for a bus or bus facility project to be used for another eligible purpose, with the exception of Senate proposed language for South Bend Intermodal Facility, Indiana. Amounts previously obligated for the South Street Station Project in fiscal year 1996 and fiscal year 1997 shall be made available for the South Bend Bus Operations Center project in South Bend, Indiana. In addition, House retained language regarding Detroit bus and bus facilities should read "Public Law 106–69" instead of "Public Law 106–109".

Newton Rapid Transit Handicap Access Improvements, Massachusetts.—Amounts made available in fiscal year 2004 for Newton Rapid Transit Handicap Access Improvements, Massachusetts, shall be available for making handicap accessibility improvements to the Auburndale Station in Newton, MA.

Alameda Point Areil Transit Project, California.—Amounts made available in fiscal year 2004 for Alameda Point Areil Transit Project, California, shall be available for the Fairfield/Vacaville Intermodal Transit Station, California.

Utica Transit Authority Buses, New York.—Amounts made available in fiscal year 2003 for Utica Transit Buses, New York, shall be made available for Oneida County buses and transit items.

Statewide Bus and Bus Facilities, Montana.—Unobligated balances from amounts made available in fiscal year 2002 to Area VIII Agency on Aging Bus and Bus Facility and Ravalli County Council on Aging Bus and Bus Facility shall be combined with and made available for Statewide Buses and Bus Facilities.

New York City grant reprogramming.—The conference agreement includes a provision that allows urbanized area formula grant funds and capital investment or discretionary grant funds awarded to the New York City DOT to be made available to the New York Metropolitan Transportation Authority for eligible capital projects. The conferees are concerned that this provision in some way might facilitate the closure of current bus routes or the delaying of service improvements in certain New York City bus lines. This is not the intent of the conferees, and MTA should work to avoid any such harmful effects.

NEW STARTS

The conference agreement provides $1,449,425,000 for new starts programs, together with funds made available from reallocated new start projects from the fiscal year 2002 Act and previous Acts. Funds provided for new start projects are distributed as follows:

Atlanta, Georgia/North Springs (North Line Extension)	$265,410
Baltimore, Maryland, Central Light Rail Double Track	29,010,000
Birmingham—Transit Corridor, Alabama	1,000,000
Boston, Massachusetts, Silver Line III	3,000,000

Capital Metro—Bus Rapid Transit, Texas	1,000,000
CATRAIL RTC Rail Project, Nevada	1,000,000
Charlotte, North Carolina, South Corridor Light Rail Project	30,000,000
Chicago, Illinois, Douglas Branch Reconstruction	85,000,000
Chicago, Illinois, Ravenswood Line Extension	40,000,000
Cleveland, Ohio, Euclid Corridor Transportation Project	25,000,000
Dallas, Texas, NW/SE Extension	8,500,000
Denver, Colorado, Southeast Corridor LRT	80,000,000
Dulles Corridor Rapid Transit Project, Virginia	25,000,000
Fort Lauderdale, Florida, South Florida Commuter Rail Upgrades	11,409,506
Harrisburg, Pennsylvania, Corridor One Rail MOS	2,000,000
Hawaii and Alaska Ferry Boats	10,296,000
Houston Advanced Metro Transit Plan, Texas	8,500,000
I–5/I–205/SR50, Transit Loop, Washington and Oregon	1,500,000
Las Vegas, Nevada, Resort Corridor Fixed Guideway Project	30,000,000
Little Rock River Rail, Arkansas	3,500,000
Los Angeles, California/MOS3 Metro Rail (North Hollywood)	675,103
Los Angeles, California, Eastside Light Rail Transit Project	60,000,000
Los Angeles, California, Gold Line Foothill Extension	500,000
Metra Commuter Rail Expansions and Extensions, Illinois	52,000,000
Minneapolis, Minnesota, Hiawatha Light Rail Project	33,698,453
Minneapolis, Minnesota, Northstar Commuter Rail Project	5,000,000
Nashville, Tennessee, East Corridor Commuter Rail	2,000,000
New Jersey Trans-Hudson Midtown Corridor	1,200,000
New Orleans, Louisiana, Canal Street Corridor Project	16,747,023
New York, New York Long Island Rail Road East Side Access	100,000,000
Norfolk, Virginia, Light Rail Transit Project	2,000,000
Northern New Jersey Hudson-Bergen Light Rail MOS2	100,000,000
New Jersey Newark Rail Link MOS 1	319,463
Northern New Jersey Newark-Elizabeth Rail Line MOS1	1,365,876
Philadelphia, Pennsylvania, Schuylkill Valley MetroRail	10,000,000
Phoenix, Arizona, Central Phoenix/East Valley Light Rail	75,000,000
Pittsburgh, Pennsylvania, North Shore Light Rail Connector	55,000,000
Pittsburgh, Pennsylvania, Stage II Light Rail	1,140,792
Portland, Oregon, Interstate Max Light Rail Extension	23,480,000
Raleigh, North Carolina, Triangle Transit Authority Regional Rail Project	20,000,000
Rhode Island Integrated Commuter Rail Project	6,000,000
Regional Commuter Rail (Weber County to Salt Lake City), Utah	8,000,000
Salt Lake City, Utah/CBD to University LRT	1,147,398
Salt Lake City, Utah/Medical Center Extension	8,836,110
San Diego, California, Mid-Coast Light Rail Extension	1,000,000
San Diego, California, Mission Valley East Light Rail Extension	81,640,000
San Diego, California, Oceanside-Escondido Rail Corridor	55,000,000
San Francisco, California, BART Extension to San Fran International Airport	100,000,000
San Francisco, California, Muni Third Street Light Rail Project	10,000,000
San Juan, Puerto Rico, Tren Urbano Rapid Transit System	44,620,000
Santa Clara County, California, Silicon Valley Rapid Transit Corridor Project	2,500,000
Seattle, Washington, Central Link Initial Segment	80,000,000
Sound Transit Sounder Commuter Rail, Lakewood to Nisqually, Washington	4,000,000
South Shore Commuter Rail, Indiana	2,500,000
St. Louis, Missouri/Metrolink St. Clair Extension	60,436
Stamford, Connecticut Urban Transitway, Phase 2	3,000,000
Washington County, Oregon, Wilsonville to Beaverton Commuter Rail Project	9,000,000
Washington, DC/Largo Extension, Maryland	76,770,615

Resort corridor system extension, Las Vegas, NV.—The conferees expect the FTA to continue to set aside sufficient funds from the total amount of contingent commitment authority available for full funding grant agreements for fiscal year 2005 for the Resort Corridor System Extension project while the project works through a series of unanticipated technical problems. The conferees look for-

ward to receiving the anticipated Full Funding Grant Agreement for this project once those technical problems have been resolved.

JOB ACCESS AND REVERSE COMMUTE GRANTS

The conference agreement provides $125,000,000 for JARC programs. Funds provided for JARC projects are distributed as follows:

Cleveland JARC Ohio	$750,000
Abilene JARC, Texas	150,000
AC Transit—Calworks Job Center (Bay Area), California	5,000,000
Akron METRO Job Access and Reverse Commute, Ohio	300,000
ARC of Madison County, Alabama	350,000
Bedford Ride, Virginia	60,000
Brockton Area Transit Authority JARC, Massachusetts	600,000
Broome County Transit, Binghamton, New York	250,000
Central New York Job Access Reverse Commute, New York	500,000
Chatham JARC, Georgia	2,000,000
Children's Health Fund JARC, Tennessee	500,000
City of Santa Fe, New Mexico	400,000
Colorado Transit Coalition JARC	3,250,000
Community Transportation JOBLINKS Demonstration	3,300,000
Connecticut Statewide JARC	2,500,000
Craig Transit JARC, Alaska	50,000
DCC Community Health & Safety Transport Project, Michigan	300,000
Delaware Statewide Welfare to Work	750,000
Detroit JARC, Michigan	1,750,000
Dooly-Crisp Unified Transportation System, Georgia	200,000
Easter Seals Central Alabama JARC	500,000
El Paso JARC, Texas	500,000
Family Service Centers of Clearwater Ways to Work, FL	500,000
Flint MTA JARC, Michigan	2,000,000
Gees Bend Ferry, Alabama	2,000,000
Georgetown, Washington, D.C. Metro Connection	1,250,000
Guaranteed Ride Program, California	600,000
Hillsborough Area Regional Transit JARC, Florida	100,000
hOurCar Car-Sharing Program, Minnesota	200,000
Illinois Statewide JARC	500,000
IndyFlex, Indiana	1,250,000
Iowa Statewide JARC	2,000,000
Island Transit JARC, Texas	600,000
Jefferson County JARC, Alabama	3,000,000
Job Access Transit, Hayward, California	500,000
Jumpstart, Wisconsin	290,000
Kenai Peninsula JARC, Alaska	600,000
Knox County CAC Transportation Program, Tennessee	500,000
Knoxville Area Transit Job Access Service, Tennessee	750,000
Louisiana Statewide JARC	2,500,000
Louisville JARC, Kentucky	1,150,000
Lubbock, Citibus JARC, Texas	350,000
Maine Statewide JARC Program	1,500,000
MARC, Kansas	500,000
Maryland Statewide JARC	2,700,000
MASCOT Mat-su Valley, Alaska	200,000
Metro St. Louis Downtown Shuttle Trolley, Missouri	950,000
Metropolitan Access to Jobs Initiative, Fargo, North Dakota	100,000
Metropolitan Access to Jobs Initiative, North Dakota	100,000
Metropolitan Council Job Access, Minneapolis, Minnesota	1,000,000
Missouri Statewide JARC	5,500,000
Mobile Association for Retarded Citizens, Alabama	250,000
Mobility Coalition, Alaska	500,000
Muncie Indiana Transit System JobConnection, Indiana	140,000
New Jersey Statewide JARC	5,250,000
New Mexico Statewide JARC	2,150,000
North Central Puget Sound Vehicle Trip Reduction Incentives, Washington	1,000,000

North Oakland Transportation Authority, Michigan	150,000
North Star Borough Transit JARC, Alaska	75,000
Okanogan County Senior Citizens JARC, Washington	226,430
Oklahoma Statewide JARC	8,000,000
Operation Ride DuPage, DuPage County, Illinois	500,000
Patrick Henry Community College, Virginia	25,000
Philadelphia Unemployment Project (PUP), Pennsylvania	1,500,000
Pittsburgh JARC, Pennsylvania	2,800,000
Platform Additions and Extensions on San Bernardino Line, California	2,000,000
Port Authority of Allegheny County JARC, Pennsylvania	6,250,000
Portland Regional JARC, Oregon	2,300,000
Poughkeepsie JARC, New York	50,000
Ray Graham Association for People With Disabilities, Illinois	130,000
Red Rose Transit Authority, Lancaster, Pennsylvania	633,000
Rhode Island Statewide JARC	1,650,000
Rochester-Genesee Regional Transportation Authority, New York	750,000
Rogue Valley Transit District JARC, Oregon	200,000
Sacramento Region JARC, California	2,000,000
Salem Keizer Transit JARC, Oregon	200,000
SEPTA JARC, Pennsylvania	3,500,000
Seward Transit JARC, Alaska	200,000
SRTA Elderly Van Service, Massachusetts	400,000
Statewide Small Urban and Rural Public/Specialized Transportation Services (JARC), Nevada	2,000,000
Suffolk County United Veterans, New York	200,000
Tennessee Statewide JARC	6,000,000
Toledo JARC, Ohio	350,000
Tompkins Consolidated Area Transit JARC, New York	100,000
Vermont Statewide JARC	1,000,000
Veterans Wheelchair Olympic Games, Alaska	100,000
VIA Metropolitan JARC, Texas	750,000
Washington Metro Job Access Initiative	2,500,000
Washington State Transit Car Sharing Job Access, Washington	2,000,000
Ways to Work, Minnesota	1,975,000
Ways to Work, Wisconsin	1,000,000
West Virginia Statewide JARC	1,000,000
Western Reserve Transit Job Access Program, Ohio	750,000
Wichita Transit Authority JARC, Kansas	400,000
Wisconsin Statewide JARC	2,600,000
WorkFirst Transportation Initiative, Washington	1,598,570
Wyandotte Co/KCK JARC, Kansas	500,000

Washington Metropolitan Area Transit Authority JARC.—The conferees direct FTA to permit WMATA to reprogram funds currently and previously appropriated for WMATA's JARC program to be used to provide ADA paratransit service to persons who are eligible for such service under the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) and the guidelines for WMATA's MetroAccess program.

GENERAL PROVISIONS—FEDERAL TRANSIT ADMINISTRATION

The conference agreement includes a provision (Section 160) that exempts previously made transit obligations from limitations on obligations, as proposed by both the House and Senate.

The conference agreement includes a provision (Section 161) that allows funds for discretionary grants of the Federal Transit Administration for specific projects, except for fixed guideway modernization projects, not obligated by September 30, 2005, and other recoveries, to be used for other projects under 49 U.S.C. 5309, as proposed by both the House and Senate.

The conference agreement includes a provision (Section 162) that allows transit funds appropriated before October 2, 2003, that

remain available for expenditure to be transferred, as proposed by both the House and Senate.

The conference agreement includes a provision (Section 163) that prohibits Federal transit grantees from obligating or expending funds after February 1, 2004, that would otherwise be available in the Act, if the grantee is involved directly or indirectly with any activity, including displaying or permitting to be displayed advertisements on its land, equipment, or in its facilities, that promotes the legalization or medical use of substances listed in schedule I of section 202 of the Controlled Substances Act, as proposed by the House.

The conference agreement includes a provision (Section 164) that allows the restoration of obligation authority to formula grants funds that were reduced due to FTA violations of the Antideficiency Act, as proposed by the House.

The conference agreement includes a provision (Section 165) that allows funds made available for Alaska and Hawaii ferry boats or ferry terminal facilities to be used to construct new vessels and facilities or to improve existing vessels and facilities, as proposed by the Senate.

The conference agreement includes a provision (Section 166) that allows unobligated funds for new projects under Federal Transit Authority to be used during this fiscal year to satisfy expenses incurred for such projects, as proposed by the Senate.

The conference agreement includes a provision (Section 167) that expands authorization allowing cooperative procurement of major capital equipment to 5 pilot projects, as proposed by the Senate.

The conference agreement includes a provision (Section 168) that allows amounts previously made available to the Port Authority of Allegheny County to be used for bus purchases, as proposed by the Senate.

The conference agreement includes a provision (Section 169) that allows a transfer of Greater New Haven Transit District bus funding for transit research, as proposed by the Senate.

The conference agreement includes a provision (Section 170) that allows amounts previously made available to Matanuska Susitna Borough for ferry boats to be used for an intermodal facility, as proposed by the Senate.

The conference agreement includes a provision (Section 171) that relates to bus funds for Honolulu, Hawaii, as proposed by the Senate.

The conference agreement includes a provision (Section 172) that allows the Navy to receive funds from Hawaii for ferry boats for transportation services for the Arizona War Memorial, as proposed by the Senate.

The conference agreement includes a provision (Section 173) that directs FTA to comply with the coordinated development and governmental funding requirements of Section 3042 of the Federal Transit Act of 1998, as proposed by the Senate.

The conference agreement includes a provision (Section 174) that modifies the calculation of the non-New Starts share of funding for the San Francisco Muni Third Street Light Rail Project, as proposed by the House.

The conference agreement includes a provision (Section 175) that allows a transfer of funding for Vermont Commuter Rail to upgrade an existing rail project, as proposed by the Senate.

The conference agreement includes a provision (Section 176) that allows unobligated funds made available to the Oklahoma Transit Association in Public Law 108–7 to instead be made available to the Metropolitan Tulsa Transit Authority and the Central Oklahoma Transportation and Parking Authority for any project or activity authorized under the JARC program, as proposed by the House.

The conference agreement includes a provision (Section 177) that allows urbanized area formula grant funds and capital investment or discretionary grant funds awarded to the New York City Department of Transportation to be made available to the New York Metropolitan Transportation Authority for eligible capital projects.

The conference agreement includes a provision (Section 178) that allows small urbanized areas that became part of the metropolitan Houston, Texas urbanized area, but lie outside the service area of the principal public transportation agency that serves that urbanized area to use funds made available to carry out 49 U.S.C. 5307 in fiscal year 2005.

The conference agreement includes a provision (Section 179) that allows funds made available to the Hawthorne-Warwick Commuter Rail Project to be reallocated for other projects.

SAINT LAWRENCE SEAWAY DEVELOPMENT CORPORATION

OPERATIONS AND MAINTENANCE

(HARBOR MAINTENANCE TRUST FUND)

The conference agreement includes $15,900,000 for the Operations and Maintenance of the Saint Lawrence Seaway Development Corporation as proposed by both the House and Senate. The conferees designate that $1,500,000 of this total is for concrete replacement at Eisenhower and Snell Locks, as proposed by the House.

MARITIME ADMINISTRATION

MARITIME SECURITY PROGRAM

The conference agreement includes $98,700,000 for the maritime security program as proposed by the House and Senate.

OPERATIONS AND TRAINING

The conference agreement includes $109,478,000 for MARAD's operations and training account, instead of $106,400,000 as proposed by the House and $110,910,000 as proposed by the Senate. The conference agreement allocates the funds for operations and training as follows:

[In thousands of dollars]

Activity	*Conference level*
U.S. Merchant Marine Academy:	
Salary and benefits	$23,753
Midshipmen program	6,303

Activity	*Conference level*
Instructional program	3,448
Program direction and administration	2,945
Maintenance, repair & operating requirements	6,327
Capital improvements	13,138
Subtotal, USMMA	55,914
State Maritime Schools:	
Student incentive payments	1,200
Direct schoolship payments	1,200
Schoolship maintenance and repair	8,090
Subtotal, State Maritime Academies	10,490
MARAD Operations:	
Salaries and benefits	26,112
Non-salary base	10,448
Subtotal—Base operations	36,560
Enterprise architecture & IT security upgrades	150
DOT working capital fund (IT consolidation)	4,560
GSA space	94
DOT Electronic Government	100
Inland waterway conditions and performance report	1,000
Security Training Center	610
Subtotal, MARAD Operations	43,074
Subtotal, Operations and Training	109,478

The conferees provide $610,000 as a one-time appropriation for relocation and reconfiguration of the CAPE CHALMERS from the National Defense Reserve Fleet to the Federal Law Enforcement Training Center in Charleston, South Carolina to establish a maritime security professional training center. Funds shall not be used for training purposes or for administration purposes associated with the Federal Law Enforcement Training Center.

The conferees provide $1,000,000 to prepare a conditions and performance report and needs assessment for the inland waterways system. In developing the conditions and performance and needs assessment report, MARAD should consider and evaluate the potential for applying information technology and data management to the inland waterways infrastructure to address increased transportation demands.

Base Ops Breakout.—The conferees direct MARAD to comprehensively delineate the antecedent line item elements, along with their associated, requested funding levels, that encompass base operations within future, officially submitted budget justifications to the House and Senate Committees on Appropriations.

SHIP DISPOSAL

The conference agreement includes $21,616,000 for the disposal of obsolete vessels of the National Defense Reserve Fleet as proposed by the Senate, instead of $19,116,000 as proposed by the House.

MARITIME GUARANTEED LOAN (TITLE XI) PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

The conference agreement includes $4,764,000 for administration expenses of the maritime guaranteed loan program (Title XI) as proposed by the House and Senate. This level is adequate to fund the three requested full time equivalents to improve the administration and oversight of the Title XI loan process, as recommended by the DOT Inspector General. Further, MARAD is prohibited from detailing any personnel overseeing the Title XI program to any other modal administration, including the Office of the Secretary, without the advance consent of both the House and Senate Committees on Appropriations. In addition, the conferees direct MARAD to implement the additional three recommendations detailed in the Inspector General's follow-up audit of the Title XI program dated September 28, 2004, and make available up to $2,000,000 of the Title XI funds provided under Public Law 108–11 to be used to develop and acquire a comprehensive computer-based financial monitoring system.

NATIONAL DEFENSE TANK VESSEL CONSTRUCTION PROGRAM

The conference agreement amends a provision included in the Senate bill and includes $75,000,000 for the National Defense Tank Vessel Construction Program authorized under Public Law 108–136.

SHIP CONSTRUCTION

(RESCISSION)

The conference agreement includes a rescission of unobligated balances totaling $1,979,000 from the dormant ship construction account as proposed by the House, instead of $1,900,000 as proposed by the Senate.

GENERAL PROVISIONS—MARITIME ADMINISTRATION

The conference agreement includes a provision (Sec. 180) that authorizes MARAD to furnish utilities and services and make necessary repairs in connection with any lease, contract, or occupancy involving Government property under control of MARAD, and allow payments received to be credited to the Treasury, as proposed by both the House and Senate.

The conference agreement includes a provision (Sec. 181) that does not allow obligations to be incurred during the current fiscal year from the construction fund established by the Merchant Marine Act, 1936.

RESEARCH AND SPECIAL PROGRAMS ADMINISTRATION

RESEARCH AND SPECIAL PROGRAMS

The conference agreement provides $47,115,000 for Research and Special Programs, instead of $46,790,000 as proposed by the House and $49,000,000 as proposed by the Senate. Funding for the Office of Emergency Transportation has been transferred to the Of-

fice of the Secretary, as proposed by the House. The agreement approves a staffing level of 225 and includes the following funding allocations:

Hazardous Materials Safety	$25,159,000
Research and Technology	2,434,000
Program Support	19,572,000

PIPELINE SAFETY

The conference agreement provides $69,769,000 for the Office of Pipeline Safety, instead of $68,466,000 as proposed by the House and $71,073,000 as proposed by the Senate. The conferees approve 4 additional pipeline inspectors, instead of 2 as proposed by the House and 6 as proposed by the Senate.

Oil Spill Liability Trust Fund.—The conferees strongly agree with language contained in both the House and Senate reports regarding the oil spill liability trust fund. The fiscal year 2006 budget justification should adequately address the allocation of resources, containing an itemization of how these funds are being allocated within OPS, as proposed by the House.

Natural Gas Distribution Pipeline Safety.—In lieu of directives proposed by the Senate, the conferees direct the Office of Pipeline Safety to report to the House and Senate Committees on Appropriations by May 1, 2005, detailing the extent to which integrity management plan [IMP] elements may be applied to the natural gas distribution pipeline industry in order to enhance distribution system safety. This report should detail the IMP implementation approach for operators of natural gas distribution pipelines, including development of guidance for adoption by states, and publication and promotion of best practices and development of national consensus standards and/or federal or state regulation. In addition, the report should include specific milestones and performance measures on the actions that will be necessary to carry out the IMP initiative and should examine the financial implications of an IMP and impacts on natural gas consumers. The Administrator shall provide quarterly updates to the House and Senate Committees on Appropriations regarding the status of the implementation.

Public Safety and Education Programs.—The conferees include $750,000 for RSPA to create a clearinghouse to evaluate public safety and education efforts, as proposed by the Senate.

Small Gas Distribution Systems.—The conferees encourage the Office of Pipeline Safety to work closely with and assist existing organizations and foundations in efforts to develop and deliver educational tools and materials to small gas utilities. The conferees support those efforts focused on operating and maintenance procedures that will help prevent incidents, rapidly and safely control hazards and restore service in the event of accidental or intentional damage to pipelines.

EMERGENCY PREPAREDNESS GRANTS

The conference agreement provides a total of $14,500,000 for Emergency Preparedness Grants, as proposed by both the House and the Senate.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

The conference agreement includes $59,000,000 for the Office of Inspector General, as proposed by the Senate.

SURFACE TRANSPORTATION BOARD

SALARIES AND EXPENSES

The conference agreement provides a funding level of $21,250,000 for the Surface Transportation Board to fund salaries and expenses from a direct appropriation, as proposed by the Senate. The conference agreement includes language that allows the Board to offset $1,050,000 of this appropriation from fees collected during the fiscal year, as proposed by the Senate.

The conference agreement approves a level of 150 FTE for the Board, as proposed by the Senate.

GENERAL PROVISIONS—DEPARTMENT OF TRANSPORTATION

(INCLUDING TRANSFER OF FUNDS)

Section 185 permits appropriations to the Department of Transportation to be available for maintenance and operation of aircraft; hire of passenger motor vehicles and aircraft; purchase of liability insurance for motor vehicles operating in foreign countries on official department business; and uniforms or allowances by law, as proposed by the House and Senate.

Section 186 allows funds for the Department of Transportation to be available for services as authorized by 5 U.S.C. 3109, as proposed by the House and Senate.

Section 187 prohibits funds to be used for salaries and expenses of more than 106 political and Presidential appointees in the Department of Transportation, and requires that none of the personnel covered by this provision may be assigned on temporary detail outside DOT, as proposed by the House and Senate.

Section 188 prohibits funds from being used to implement section 404 of title 23, United States Code, as proposed by the House and Senate.

Section 189 prohibits the dissemination of personal information obtained by a State department of motor vehicles in connection with a motor vehicle record, as proposed by the House and Senate.

Section 190 permits funds received by specified DOT agencies from States or other private or public sources for expenses incurred for training to be credited to certain specified agency accounts, as proposed by the House and Senate.

Section 191 authorizes the Secretary of Transportation to allow the issuer of any preferred stock sold to the Department to redeem or repurchase such stock upon the payment to the Department of an amount determined by the Secretary, as proposed by the House and Senate.

Section 192 prohibits funds to be used to make a grant unless the Secretary of Transportation notifies the House and Senate Committees on Appropriations no less than 3 days in advance of any discretionary grant award, letter of intent, or full funding

grant agreement totaling $1,000,000, as proposed by the House and Senate.

Section 193 allows certain rebates, refunds, and related payments to be credited to appropriations of the Department of Transportation, as proposed by the House and Senate.

Section 194 requires that amounts determined to represent recoveries of improper payments should be available for certain specified expenses, as proposed by the House and Senate.

Section 195 authorizes the Secretary of Transportation to transfer the unexpended balances available for the bonding assistance program from "Office of the Secretary, Salary and Expenses" to "Minority Business Outreach", as proposed by the House and Senate.

Section 196 prohibits funds from being obligated to approve assessments or reimbursable agreements pertaining to funds appropriated to the modal administrations, as proposed by the House and Senate.

Section 197 limits working capital fund obligations to $130,210,000.

Section 198 specifies that the City of Norman, Oklahoma shall be considered to be part of the Oklahoma City urbanized area for fiscal years 2004 and 2005.

Section 199 amends 49 U.S.C. 41716(b) relating to exemptions for air service to small and nonhub airports. The conferees believe the DOT and FAA should take steps to encourage airline service to small hub airports. Air service plays a critical role in the economic development of communities serviced by small hub airports. Continued economic growth for these communities and their airports is dependent upon having access to large hub airports. Therefore, DOT and FAA are urged to make it their highest priority to allocate permanent slots at LaGuardia Airport to allow the communities of Akron-Canton, Ohio and Newport News-Williamsburg, Virginia to each have permanent third roundtrips to LaGuardia with stage III aircraft with no less than 110 and no more than 125 seats.

TITLE II—DEPARTMENT OF THE TREASURY

DEPARTMENTAL OFFICES

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

Appropriates $157,559,000 for departmental offices of the Treasury Department instead of $177,000,000 as proposed by the House and $161,313,000 as proposed by the Senate. The conferees direct the funds to be allocated as follows:

Executive Direction	$7,274,000
General Counsel	7,200,000
Economic Policies and Programs	31,657,000
Financial Policies and Programs	26,072,000
Terrorism and Financial Intelligence	10,633,000
Treasury Wide Management	16,760,000
Administration	57,963,000

Provides $100,000 for official representation and reception expenses instead of $75,000 as proposed by the House and $150,000 as proposed by the Senate. Fiscal year 2005 representation and reception expenses for the other bureaus and offices of the Department are provided under the specific appropriating paragraphs as proposed by the Senate.

Deletes the provision proposed by the House setting aside funds for the Office of Foreign Assets Control (OFAC). The conferees have provided resources for OFAC under a separate header as proposed by the Senate and retained the provision allowing for the transfer of funds to that account.

Deletes the provision proposed by the House limiting travel expenses to $2,750,000. The Senate did not include a similar provision. The conferees direct the Secretary to submit quarterly reports to the House and Senate Committees on Appropriations providing details, including expenses, for all Treasury employee foreign travel and the domestic travel for Treasury employees at the SES level and above.

Deletes the provision proposed by both the House and the Senate setting aside $2,900,000 for grants to state and local law enforcement to fight money laundering. While the conferees support the efforts of law enforcement, the Department has not obligated any of the funds provided in fiscal year 2004 for these activities. The conferees direct the Department to obligate the funds in a timely manner.

Modifies the provision proposed by the Senate allowing for the transfer of funds between Office activities through reprogramming actions. The conferees limit transfers to 2.5% instead of the Senate proposed 5%. The House did not include a similar provision.

As proposed by the Senate, the conferees deny the request to reimburse the Department of Homeland Security $2,400,000 for protective services.

Retains the Senate provisions specifying $1,900,000 and five FTE for the Office of Emergency Preparedness, $1,000,000 to promote basic financial literacy and education, and $1,000,000 for critical infrastructure protection research and development.

Modifies the direction proposed by the Senate under Financial Crimes Enforcement Network (FinCEN) regarding duplicative systems in FinCEN and the IRS. The conferees direct the Secretary to certify within 30 days of enactment of this Act that FinCEN's BSA information collection system is the only system of its sort under development. Further, none of the funds provided to the IRS for information technology projects may be obligated until the Secretary provides such certification.

OFFICE OF FOREIGN ASSETS CONTROL

SALARIES AND EXPENSES

Appropriates $22,291,000 for salaries and expenses as proposed by the Senate. The House proposed funding the office within the amounts provided for departmental offices. The conferees assume no less than 138 FTE will be funded under this resource level.

DEPARTMENT-WIDE SYSTEMS AND CAPITAL INVESTMENTS PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

Appropriates $32,260,000 for the Department's systems and capital investments. The conference agreement assumes $1,500,000 for appliance-based computer security technology as described in the House report, $400,000 for enterprise architecture, and $500,000 for certificate-based internet security as described under "Departmental Offices" in the House report. In addition, not to exceed $2,500,000 is available for e-gov activities.

The conferees direct the Department to better detail the e-gov activities in future budget justifications, including associated costs and Department-specific benefits. As proposed by the Senate, the conferees have not provided $275,000 as requested for information technology governance.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

Appropriates $16,500,000 for salaries and expenses of the Inspector General's office as proposed by the House, instead of $16,158,000 as proposed by the Senate. The conferees direct the Inspector General to allocate the amounts over the budget request evenly between audit and investigation activities.

Retains language allowing up to $2,500 to be used for official reception and representation expenses as proposed by the Senate. The House did not identify funds for such purposes.

The conferees direct the IG to complete the audit on the Treasury Building and Annex repair and restoration project, including building code compliance, and issue a final report by April 4, 2005. The conferees modify the direction of the House regarding employee-driven cost overruns and request that the IG identify costs associated with employee delays on planned moves into alternative space during restoration phases.

The conferees retain the directive in the House report regarding a status report on creation of the Financial Crimes Enforcement Network's Office of Compliance with a reporting date of March 11, 2005.

TREASURY INSPECTOR GENERAL FOR TAX ADMINISTRATION

SALARIES AND EXPENSES

Appropriates $129,126,000 for salaries and expenses of the Tax Inspector General's office as proposed by both the House and the Senate.

Retains language allowing up to $1,500 to be used for official reception and representation expenses as proposed by the Senate. The House did not identify funds for such purposes.

AIR TRANSPORTATION STABILIZATION PROGRAM ACCOUNT

Appropriates $2,000,000 for the air transportation stabilization program as proposed by both the House and the Senate.

TREASURY BUILDING AND ANNEX REPAIR AND RESTORATION

Appropriates $12,316,000 for the repair and restoration of the Treasury building and annex as proposed by the Senate instead of $20,316,000 as proposed by the House. The conference agreement does not include the House proposal to transfer funds to the Office of Inspector General.

EXPANDED ACCESS TO FINANCIAL SERVICES

(RESCISSION)

Rescinds $4,000,000 from unobligated balances as proposed by both the House and the Senate.

VIOLENT CRIME REDUCTION PROGRAM

(RESCISSION)

Rescinds $1,200,000 from the violent crime reduction program as proposed by the Senate. The House proposed rescinding $1,000,000.

FINANCIAL CRIMES ENFORCEMENT NETWORK

SALARIES AND EXPENSES

Appropriates $72,502,000 for the Financial Crimes Enforcement Network (FinCEN) as proposed by the Senate instead of $90,002,000 as proposed by the House. The conference agreement provides up to $14,000 for official representation and reception expenses and $7,500,000 for BSA Direct as proposed by the Senate, and a new provision allowing up to $350,000 from available funds to be used for costs associated with the 2005 Annual Plenary of the Egmont Group. The House did not include similar provisions. The conferees retain the requirement included in the Senate report directing the FinCEN Director to report to the Committees on Appropriations on any delay, deviation, or cost change to the BSA Direct program.

The conference agreement includes $3,000,000 over the budget request to hire no less than 18 full time equivalent positions for the Bank Secrecy Act (BSA) compliance program as proposed by the Senate. The conferees retain the directive proposed by the Senate that resources provided over the budget request may only be used by the Office of Compliance or the Office of Regulatory Support, and shall not be used for any other purpose without the written approval from the House and Senate Committees on Appropriations.

FINANCIAL MANAGEMENT SERVICE

SALARIES AND EXPENSES

Appropriates $230,930,000 for salaries and expenses as proposed by both the House and the Senate. In addition, the conference agreement allows for up to $2,500 to be used for official reception and representation expenses as proposed by the Senate. The House did not identify funds for such purpose.

ALCOHOL AND TOBACCO TAX AND TRADE BUREAU

SALARIES AND EXPENSES

Appropriates $83,000,000 for salaries and expenses of the alcohol and tobacco tax and trade bureau as proposed by the Senate, instead of $82,542,000 as proposed by the House. Funds over the budget request are to be used to establish an information technology infrastructure independent from the Bureau of Alcohol, Tobacco and Firearms. The Bureau is to report to the Committees by March 1, 2005 as directed by the Senate.

In addition, the bill allows for up to $6,000 to be used for official reception and representation expenses as proposed by the Senate. The House did not identify funds for such purpose.

UNITED STATES MINT

UNITED STATES MINT PUBLIC ENTERPRISE FUND

Limits expenditures from the Fund to $24,000,000 for operations, instead of $41,100,000 as proposed by both the House and the Senate.

BUREAU OF THE PUBLIC DEBT

ADMINISTERING THE PUBLIC DEBT

Appropriates $175,166,000 for the salaries and expenses of the bureau of public debt as proposed by both the House and the Senate. In addition, the bill allows for up to $2,500 to be used for official reception and representation expenses as proposed by the Senate. The House did not identify funds for such purpose.

INTERNAL REVENUE SERVICE

The conferees direct the Commissioner to include an IRS operating plan with the plan submitted by the Treasury 60 days after enactment of this Act as described in the House report.

Retains language regarding workforce alignment activities as proposed by Senate. The House included a similar provision with a difference in reporting dates.

PROCESSING, ASSISTANCE AND MANAGEMENT

Appropriates $4,089,574,000 for costs associated with processing, assistance and management of the Service instead of $4,071,824,000 as proposed by the House and $4,107,325,000 as proposed by the Senate. Of the funds provided, the conferees have set aside $4,100,000 for tax counseling for the elderly, $8,000,000 for low-income taxpayer clinics, and up to $25,000 for official representation and reception expenses. The conference agreement does not include provisions regarding postage as proposed by the Senate.

TAX LAW ENFORCEMENT

(INCLUDING TRANSFER OF FUNDS)

Appropriates $4,398,729,000 for enforcement instead of $4,278,107,000 as proposed by the House and $4,519,350,000 as

proposed by the Senate. Allows for the transfer of up to $10,000,000 from the Social Security Administration as proposed by the House.

The conferees direct the Commissioner to submit quarterly reports regarding IRS's progress on compliance activities as proposed by the Senate.

The conferees direct GAO to review IRS and FinCEN compliance with the requirements of the Bank Secrecy Act as proposed by the Senate.

INFORMATION SYSTEMS

Appropriates $1,590,492,000 for information systems instead of $1,622,093,000 as proposed by the House and $1,606,768,000 as proposed by the Senate.

BUSINESS SYSTEMS MODERNIZATION

Appropriates $205,000,000 for business system modernization instead of $285,000,000 as proposed by the House and $125,000,000 as proposed by the Senate. The conferees retain the requirement directed by both the House and the Senate regarding GAO review and Committee approval of the annual spend plan.

The conference agreement does not include a rescission of fiscal year 2004 funds proposed by the Senate.

HEALTH INSURANCE TAX CREDIT ADMINISTRATION

Appropriates $34,841,000 for administration of the health insurance tax credit program as proposed by both the House and the Senate.

GENERAL PROVISIONS—INTERNAL REVENUE SERVICE

Retains four general provisions proposed by the Senate. The House included similar provisions under the Department-wide general provision section.

GENERAL PROVISIONS—DEPARTMENT OF THE TREASURY

Retains nine general provisions proposed by the House. The Senate included similar provisions with minor grammatical differences.

Retains the provision proposed by the Senate extending authority for the Franchise Fund indefinitely. The House proposed extending the Fund for one year.

Retains the provision proposed by the Senate regarding the Check Forgery Insurance Fund. The House included a similar provision with a minor grammatical difference.

Retains the provision proposed by the Senate directing the Secretary to provide a report on currency manipulation to the Committees on Appropriations. The conferees direct the Secretary to also address the reporting requirements directed in the House and Senate reports, and include trade data of China's other trade partners in his analysis.

Includes a provision streamlining the process for official oversight of IRS field office operations by designated individuals.

Modifies the provision proposed by the Senate regarding the creation of the Office of Terrorism and Financial Intelligence in regard to reporting authority. The House did not include a similar provision.

Deletes the provision proposed by the Senate regarding Cuba travel.

TITLE III

EXECUTIVE OFFICE OF THE PRESIDENT AND FUNDS APPROPRIATED TO THE PRESIDENT

COMPENSATION OF THE PRESIDENT

The conference agreement provides $450,000 for compensation of the President as proposed by both the House and Senate.

WHITE HOUSE OFFICE

SALARIES AND EXPENSES

The conference agreement provides $62,000,000 instead of $59,525,000 as proposed by the House and $63,698,000 as proposed by the Senate. The conference agreement allows up to $9,975,000 in reimbursements to the White House Communications Agency as proposed by the Senate instead of $8,345,395 as proposed by the House. The bill specifies that, of the total funding provided, $2,475,000 is for the Homeland Security Council. The House had proposed a similar funding level in a separate appropriation. The Senate bill assumed $4,173,000 under this appropriation. The conferees agree to technical wording differences as proposed by the House.

EXECUTIVE RESIDENCE AT THE WHITE HOUSE

OPERATING EXPENSES

The conference agreement provides $12,760,000 as proposed by both the House and the Senate.

REIMBURSABLE EXPENSES

The conference agreement includes bill language on reimbursements as proposed by both the House and the Senate and identical to language carried in fiscal year 2004.

WHITE HOUSE REPAIR AND RESTORATION

The conference agreement provides $1,900,000 as proposed by both the House and the Senate.

COUNCIL OF ECONOMIC ADVISERS

SALARIES AND EXPENSES

The conference agreement provides $4,040,000 as proposed by both the House and the Senate.

OFFICE OF POLICY DEVELOPMENT

SALARIES AND EXPENSES

The conference agreement provides $2,300,000 instead of $2,267,000 as proposed by the House and $2,392,000 as proposed by the Senate.

NATIONAL SECURITY COUNCIL

SALARIES AND EXPENSES

The conference agreement provides $8,932,000 as proposed by both the House and the Senate.

HOMELAND SECURITY COUNCIL

SALARIES AND EXPENSES

The conference agreement deletes the appropriation of $2,475,000 proposed by the House. Funding is provided under "White House office, salaries and expenses".

OFFICE OF ADMINISTRATION

SALARIES AND EXPENSES

The conference agreement provides $92,269,000 instead of $92,696,000 as proposed by the House and $92,869,000 as proposed by the Senate. The agreement withholds the obligation of $4,000,000 in capital investment plan funds until submission, review, and approval of a report on enterprise architecture, as proposed by the House. Adjustments to the budget estimate are as follows:

Adjustment	*Conference agreement*
Enterprise services program savings	−$400,00
Business process analysis and consulting	−200,000
Restoration of OMB to enterprise services program	+7,193,000

OFFICE OF MANAGEMENT AND BUDGET

SALARIES AND EXPENSES

The conference agreement provides $68,411,000 as proposed by the Senate instead of $67,759,000 as proposed by the House. The bill limits reception and representation expenses to $1,500 as proposed by the House instead of $3,000 as proposed by the Senate, and incorporates changes to the limitation on transcript alteration proposed by the House. Further, the agreement modifies the proposal of the Senate concerning OMB's review of water resource project proposals of the Army Corps of Engineers by specifying that the limitations are applicable for fiscal year 2005 only.

Adjustments to the budget estimate are as follows:

Adjustment	*Conference agreement*
Staffing adjustment	−$1,600,000
Restoration of FASAB and JFMIP transfer	+639,000
Restoration of OMB to enterprise services program	−7,193,000

OFFICE OF NATIONAL DRUG CONTROL POLICY

SALARIES AND EXPENSES

The conferees agree to provide $27,000,000 for salaries and expenses, as proposed by the Senate. Within this total, the conference agreement retains specific funding and staffing levels for ONDCP administrative offices as proposed in the Senate report. In addition, 2.5 new FTE are approved to be allocated to administrative offices at the Director's discretion.

The conference agreement provides the following funding levels for ONDCP offices:

Operations	$25,650,000
Office of the Director	(3,315,500)
Office of the Deputy Director	(1,125,500)
Office Management and Administration	(5,840,000)
Office of General Counsel	(1,065,000)
Office of Public Affairs	(2,130,000)
Office of Legislative Affairs	(700,000)
Counterdrug Tech. Assessment Center	(760,000)
Office of Planning and Budget	(2,700,000)
Office of Demand Reduction	(1,550,000)
Office of Media Campaign	(935,000)
Office of State and Local Affairs	(2,554,000)
Office of Supply Reduction	(2,310,000)
Office of Intelligence	(665,000)
Policy Research	1,350,000

COUNTERDRUG TECHNOLOGY ASSESSMENT CENTER

(INCLUDING TRANSFER OF FUNDS)

The conferees agree to provide $42,000,000 for the counterdrug technology center, as proposed by the Senate. Of this amount, the conferees agree to provide $24,000,000 for the operation of the technology transfer program and $18,000,000 for counternarcotics research and development, as proposed by the Senate.

The conference agreement retains language proposed by the Senate directing the CTAC chief scientist to submit an expenditures report prior to the obligation of funds. The agreement also retains language directing CTAC to complete all on-going technology acquisition projects and adhere to its research and development spending plan, as proposed by the Senate. The conferees agree with language proposed by the Senate directing CTAC to expeditiously obligate all of its research funding in pursuit of functions for which it was appropriated.

FEDERAL DRUG CONTROL PROGRAMS

HIGH INTENSITY DRUG TRAFFICKING AREAS PROGRAM

(INCLUDING TRANSFER OF FUNDS)

The conferees agree to provide $228,350,000 for the HIDTA program, as proposed by the Senate. Of the funds provided, no more than $2,000,000 shall be for the CPOT program and no less than $2,000,000 shall be for new counties. The conferees agree that HIDTAs designated as of September 30, 2004 shall be funded at no less than the fiscal year 2004 initial allocations, as proposed by the House.

The conferees encourage ONDCP to refocus the distribution of excess funding on enhancing the domestic interdiction of illegal drugs by launching additional investigations, by disrupting and dismantling local mid-level drug trafficking organizations and by supporting the HIDTA Intelligence Support Centers.

OTHER FEDERAL DRUG CONTROL PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

The conferees agree to provide $213,700,000 for Other Federal Drug Control Programs, instead of $195,000,000 as proposed by the House and Senate. Within the amount provided, the agreement provides the following allocations:

National Youth Anti-Drug Media Campaign	$120,000,000
Drug Free Communities Support Program	80,000,000
Community Anti-Drug Coalitions	(2,000,000)
Counterdrug Intelligence Executive Secretariat	2,000,000
National Drug Court Institute	750,000
National Alliance for Model State Drug Laws	1,000,000
U.S. Anti-Doping Agency	7,500,000
World Anti-Doping Agency Membership Dues	1,450,000
Performance Measures Development	1,000,000

The conference agreement directs ONDCP to maintain funding for nonadvertising services for the Media Campaign at no less than the FY03 ratio of service funding to total funds and to re-institute the corporate outreach program as it operated prior to its cancellation. The conferees direct ONDCP to obligate the appropriation for NAMSDL expeditiously, although not outside normal grant procedures. In addition, the conferees retain language as proposed by the Senate directing ONDCP to submit the planned performance measures development plan.

UNANTICIPATED NEEDS

The conference agreement provides $1,000,000 as proposed by both the House and the Senate.

SPECIAL ASSISTANCE TO THE PRESIDENT

SALARIES AND EXPENSES

The conference agreement provides $4,571,000 as proposed by both the House and the Senate, and adopts the header as proposed by the Senate.

OFFICIAL RESIDENCE OF THE VICE PRESIDENT

OPERATING EXPENSES

(INCLUDING TRANSFER OF FUNDS)

The conference agreement provides $333,000 as proposed by both the House and the Senate, and adopts the header as proposed by the Senate.

TITLE IV—INDEPENDENT AGENCIES

ARCHITECTURAL AND TRANSPORTATION BARRIERS COMPLIANCE BOARD

SALARIES AND EXPENSES

The conference agreement includes $5,686,000 as proposed by the House and Senate.

ELECTION ASSISTANCE COMMISSION

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

Appropriates $14,000,000 for salaries and expenses of the Commission instead of $15,000,000 as proposed by the House and $10,000,000 as proposed by the Senate. The conferees direct the Commission to cap employment at 22 full time equivalent positions and that of the funds provided, no more than $2,515,000 shall be for personnel compensation and benefits.

Transfers $2,800,000 to the National Institute of Standards and Technology (NIST) as proposed by the Senate, instead of up to $2,500,000 as proposed by the House. The conferees direct the Commission to report by March 2, 2005 on the activities and resources planned in fiscal year 2005 on research and standards, including those at NIST. In addition, the conferees provide $200,000 for the national student parent mock election and $200,000 for the Help America Vote College Program.

The conferees did not retain the provision proposed by the House prohibiting funds from being used to lobby for an election date change. However, the conferees agree that the Commission should focus its efforts and resources on the priorities outlined in the Help America Vote Act of 2002 such as making grants and setting standards.

FEDERAL ELECTION COMMISSION

SALARIES AND EXPENSES

Appropriates $52,159,000 for salaries and expenses of the Commission as proposed by both the House and the Senate.

FEDERAL LABOR RELATIONS AUTHORITY

SALARIES AND EXPENSES

Appropriates $25,673,000 for salaries and expenses as proposed by the Senate, instead of $29,673,000 as proposed by the House.

RESCISSION

Rescinds $3,000,000 from unobligated balances of the Authority as proposed by the Senate. The House did not include a similar provision.

FEDERAL MARITIME COMMISSION

SALARIES AND EXPENSES

The conference agreement includes $19,496,000 as proposed by the Senate, instead of $19,362,000 as proposed by the House.

GENERAL SERVICES ADMINISTRATION

REAL PROPERTY ACTIVITIES

FEDERAL BUILDINGS FUND

LIMITATIONS ON AVAILABILITY OF REVENUE

(INCLUDING TRANSFER OF FUNDS)

Provides resources from the Federal Buildings Fund in the aggregate amount of $7,217,043,000 instead of $6,996,741,000 as proposed by the House and $7,159,324,000 as proposed by the Senate. Modifies the provision proposed by the Senate regarding a Federal building in Tuscaloosa, Alabama to include authorization for construction and management. The House did not have a similar provision.

CONSTRUCTION

Limits funds for construction to $708,542,000 instead of $522,251,000 as proposed by the House and $710,823,000 as proposed by the Senate. The conference agreement provides funds for the following projects:

Courthouses:	
Los Angeles, CA	$314,385,000
San Diego, CA	3,068,000
El Paso, TX	63,462,000
Las Cruces, NM	60,600,000
Border Stations:	
Calais, ME	3,269,000
Madawaska, ME	1,760,000
Warroad, MN	1,837,000
Alexandria Bay, NY	8,884,000
Massena, NY	15,000,000
Dunseith, ND	2,301,000
Portal, ND	22,351,000
Del Norte, El Paso, TX	26,191,000
Ysleta, El Paso, TX	2,491,000
Derby Line, VT	3,190,000
Norton, VT	580,000
Richford, VT	589,000
Other:	
FBI Building, Los Angeles, CA	14,054,000
Southeast Federal Center Site Remediation, DC	2,650,000
10 West Jackson Place, Chicago, IL	53,170,000
FDA Consolidation, Montgomery County, MD	88,710,000
Nonprospectus Construction	10,000,000
Judgment Fund repayment	10,000,000

REPAIRS AND ALTERATIONS

Limits resources for repairs and alterations to $980,222,000 as proposed by the Senate instead of $931,211,000 as proposed by the House. The bill specifies funding levels for certain projects and various programs which were proposed in the House and Senate bills.

The conferees have provided $2,000,000 for the steam distribution project in the District of Columbia as proposed by the House and modified the amount provided for design to $48,699,000 and the amount provided for basic repairs and alterations to $393,500,000.

INSTALLMENT ACQUISITION PAYMENTS

Limits $161,442,000 for installment acquisition payments as proposed by both the House and the Senate.

RENTAL OF SPACE

Limits $3,657,315,000 for rental of space instead of $3,672,315,000 as proposed by the House and $3,597,315,000 as proposed by the Senate.

BUILDING OPERATIONS

Limits $1,709,522,000 for building operations as proposed by both the House and the Senate.

GENERAL ACTIVITIES

GOVERNMENT-WIDE POLICY

Appropriates $62,100,000 for government-wide policy activities as proposed by both the House and the Senate.

OPERATING EXPENSES

Appropriates $92,175,000 for operating expenses instead of $82,175,000 as proposed by the House and $85,175,000 as proposed by the Senate. Of the funds provided, the conferees direct GSA to make the following distributions:

Ruffner Mountain Educational Facility, AL	$500,000
Center for the Living Arts, AL	500,000
Alaska statehood celebration, University of Alaska	250,000
Way of a Champion, VA	200,000
Washington State Border Communities Prosecution Initiative	1,000,000
University of North Dakota Government Services Rural Outreach	300,000
Walla Walla, WA surplus Federal property study	250,000
City of Maryville, MO for airport improvements	450,000
Web Wise Kids	200,000
American Revolution Historical Literacy Project	700,000
City of Desert Hot Springs Civic Center, CA	425,000
Oklahoma City National Memorial Foundation	3,000,000
Public Service Recognition Week	150,000
B&O Railroad Museum Restoration, MD	500,000
Center for Jewish History digitization project, NY	500,000
San Francisco, CA Muni Radio Replacement System	750,000
Kings County Hospital Redevelopment, NY	500,000
Aviation Education, NH Community Technical College, Nashua, NH	500,000

OFFICE OF INSPECTOR GENERAL

Appropriates $42,351,000 for the Inspector General as proposed by both the House and the Senate.

ELECTRONIC GOVERNMENT FUND

(INCLUDING TRANSFER OF FUNDS)

Appropriates $3,000,000 for e-gov activities as proposed by the Senate instead of $5,000,000 as proposed by the House.

ALLOWANCES AND OFFICE STAFF FOR FORMER PRESIDENTS

(INCLUDING TRANSFER OF FUNDS)

Appropriates $3,106,000 for former presidents as proposed by the Senate instead of $3,449,000 as proposed by the House.

EXPENSES, PRESIDENTIAL TRANSITION

Due to the outcome of the 2004 Presidential election, no funds are needed for these purposes in fiscal year 2005. The conferees have not provided additional funds proposed by the House for activities associated with the President's second term. The resources for these activities should be funded out of the agencies and departments as necessary.

GENERAL PROVISIONS—GENERAL SERVICES ADMINISTRATION

(INCLUDING RESCISSION OF FUNDS)

Continues six general provisions proposed by both the House and the Senate and carried in prior Acts.

Retains the provision regarding the sale of the Middle River Depot at Middle River, Maryland in consultation with Baltimore County, Maryland officials as proposed by the Senate. The House contained a similar provision without the Baltimore County provision.

Retains the provision regarding contracts for property studies, deed inspection, and relocation expenses as proposed by both the House and the Senate.

Retains the provision rescinding $106,000,000 from the Federal Buildings Fund as proposed by the Senate. The House did not include a similar provision.

Retains the provision regarding changes to the Moss United States Courthouse Annex Project in Salt Lake City, Utah as proposed by the Senate. The House did not include a similar provision.

Deletes the provision proposed by the Senate regarding transfer of the Panama Canal Commission and associated revolving fund to GSA. The House did not include a similar provision and transfer was legislated in a prior Act.

Retains the provision regarding the conveyance of land to Baton Rouge, Louisiana as proposed by the Senate. The House did not include a similar provision.

Retains the provision allowing GSA to convey property and retain the proceeds in the Federal Buildings Fund as proposed by the House. The Senate did not include a similar provision.

Retains the provision regarding the conveyance of land in Nahant, Massachusetts as proposed by the House. The Senate did not include a similar provision.

Retains the provision regarding telecommunications services in Federal buildings as proposed by the Senate. The House did not include a similar provision.

MERIT SYSTEMS PROTECTION BOARD

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

Appropriates $34,677,000, plus $2,626,000 from appropriate trust funds, for salaries and expenses of the Board as proposed by the Senate. The House proposed a funding level of $34,683,000, and a transfer of $2,620,000 from the trust funds.

MORRIS K. UDALL SCHOLARSHIP AND EXCELLENCE IN NATIONAL ENVIRONMENTAL POLICY FOUNDATION

MORRIS K. UDALL SCHOLARSHIP AND EXCELLENCE IN NATIONAL ENVIRONMENTAL POLICY TRUST FUND

(INCLUDING TRANSFER OF FUNDS)

The conference agreement provides $1,996,000 for the Morris K. Udall Trust Fund, as proposed by the Senate.

ENVIRONMENTAL DISPUTE RESOLUTION FUND

The conference agreement provides $1,309,000 for the Environmental Dispute Resolution Fund, as proposed by the Senate.

NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

OPERATING EXPENSES

Appropriates $266,945,000 for operating expenses of the Administration as proposed by the Senate instead of $264,185,000 as proposed by the House.

ELECTRONIC RECORDS ARCHIVES

Appropriates $35,914,000 for the electronic records archives as proposed by both the House and the Senate. Retains the directive to GAO to report on program costs, schedule, and performance by May 25, 2005.

REPAIRS AND RESTORATION

Appropriates $13,432,000 for repairs and restoration instead of $7,182,000 as proposed by the House and $12,182,000 as proposed by the Senate. Retains bill language providing $3,000,000 for site preparation and construction management for the Pacific Alaska Regional Archives facility in Anchorage, Alaska and $2,000,000 for repair and restoration of the plaza of the Lyndon Baines Johnson Presidential Library in Austin, Texas.

The conferees reiterate the concern about the delay in repairing the plaza as stated in the Senate report. The conferees direct the Archivist to require the President of the University of Texas in Austin to submit a plan, including project milestones, for plaza repair prior to any transfer of funds to the University of Texas.

ln addition, the conferees direct $500,000 for technical assistance to the Nixon Library in California, $750,000 for technical assistance to the Roosevelt Library in New York, and $1,000,000 for design and renovations to the Kennedy Library in Massachusetts.

NATIONAL HISTORICAL PUBLICATIONS AND RECORDS COMMISSION—GRANTS PROGRAM

Appropriates $5,000,000 for the grant program as proposed by the Senate instead of $3,000,000 as proposed by the House.

NATIONAL TRANSPORTATION SAFETY BOARD

SALARIES AND EXPENSES

The conferees agree to provide $76,700,000 instead of $76,925,000 as proposed by the House and $76,425,000 as proposed by the Senate. Consistent with both the House and Senate, the conferees direct NTSB to use funds over the requested level to hire accident investigators. None of these additional funds shall be used to enhance staffing at the Academy. The conferees direct NTSB to report to both the House and Senate Committees on Appropriations by April 4, 2005 regarding specific improvements to the budget justification materials the Board has made and will make in compliance with the directive contained in the statement of managers associated with the fiscal year 2004 Transportation and Treasury and Independent Agencies Appropriations Act.

(RESCISSION)

The conferees agree to rescind $8,000,000 in unobligated balances associated with Public Law 106–246 as proposed by both the House and Senate.

OFFICE OF GOVERNMENT ETHICS

SALARIES AND EXPENSES

Appropriates $11,238,000 for salaries and expenses of the Office as proposed by both the House and the Senate.

OFFICE OF PERSONNEL MANAGEMENT

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF TRUST FUNDS)

Appropriates $125,500,000 for salaries and expenses instead of $120,444,000 as proposed by the House and $130,600,000 as proposed by the Senate. Transfers a total of $128,462,000 from appropriate trust funds for administrative expenses, of which $27,640,000 is for automated record keeping, as proposed by both the House and the Senate.

The conferees have not included bill language identifying specific resource levels for various e-gov projects as proposed by both the House and the Senate, but direct the Office not to exceed the funding levels for the following projects: $1,870,000 for the enterprise human resources integration project, $6,219,000 for the federal payroll project, $748,000 for the e-human resources informa-

tion system project, and $1,887,000 for the e-clearance project. To accommodate the obligation rate of these projects, the conference agreement provides that $12,000,000 of the funds are made available until September 30, 2007. No funds are provided for the recruitment one stop project or the program evaluation and performance assessment project.

In addition, the conference agreement provides $250,000 to complete the retirement readiness project. The conferees urge the Office to expand the retirement readiness project to non-federal employees.

Of the funds provided, the conference agreement allows the Director the flexibility to allocate the budget resources consistent with the direction provided in this statement of the managers and the budget justifications. The conferees reiterate the direction in the House report to submit an operating plan within 60 days of enactment of this Act to the House and Senate Committees on Appropriations detailing program funding levels for fiscal year 2005.

Reiterates the House direction to the Director to respond to the Butner Low Security Correctional Institution petition within 30 days of enactment of this Act.

Modifies the House direction regarding pay and non-pay compensation of the Federal workforce. The conferees direct the Director to submit a report by March 4, 2005 comparing the pay and non-pay compensation packages of the Federal workforce and the private sector.

The conferees share the concerns expressed by the Senate regarding child care and expect OPM and GSA, with technical assistance from GAO, to work collaboratively to collect data on child care needs, analyze options to meet the identified needs, and provide the data and analysis to GAO. The conferees direct GAO to review the data and analyses and provide an evaluation of the results to the Committees on Appropriations. The conferees expect an update on the status of these efforts 90 days after enactment of this Act. In addition, the conferees reiterate the Senate direction to the Office to re-evaluate efforts to inform low-income employees of programs to assist with child care expenses.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF TRUST FUNDS)

Appropriates $1,627,000, plus a transfer of $16,461,000 from appropriate trust funds for the Inspector General as proposed by both the House and the Senate.

GOVERNMENT PAYMENT FOR ANNUITANTS, EMPLOYEES HEALTH BENEFITS

Appropriates such sums as may be necessary for health benefit payments, estimated to be $8,135,000,000, as proposed by both the House and the Senate.

GOVERNMENT PAYMENT FOR ANNUITANTS, EMPLOYEES LIFE INSURANCE

Appropriates such sums as may be necessary for life insurance payments, estimated to be $35,000,000 as proposed by both the House and the Senate.

PAYMENT TO CIVIL SERVICE RETIREMENT AND DISABILITY FUND

Appropriates such sums as may be necessary for the fund, estimated to be $9,772,000,000, as proposed by both the House and the Senate.

HUMAN CAPITAL PERFORMANCE FUND

No funds are provided for the performance fund as proposed by the Senate, instead of $12,514,000 as proposed by the House.

GENERAL PROVISION—OFFICE OF PERSONNEL MANAGEMENT

Retains the provision regarding the detail of executive branch employees to the legislative branch as a general provision under title VI as proposed by the House, instead of under OPM as proposed by the Senate.

OFFICE OF SPECIAL COUNSEL

SALARIES AND EXPENSES

Appropriates $15,449,000 for salaries and expenses of the Counsel as proposed by both the House and the Senate.

UNITED STATES POSTAL SERVICE

PAYMENT TO THE POSTAL SERVICE FUND

The conference agreement provides $90,709,000 for the payment to the Postal Service Fund, as proposed by the Senate. Of this amount, $61,709,000 is provided as an advance appropriation for free mail for the blind and overseas voters to be available on October 1, 2005. The agreement also includes $29,000,000 for repayment for revenue forgone.

EMERGENCY PREPAREDNESS

The conference agreement provides $507,000,000 for emergency expenses to enable the Postal Service to protect postal employees and postal customers from exposure to hazardous materials in the mail, as proposed by the Senate. Of this amount, $7,000,000 is specified as an emergency requirement for the mail irradiation facility in Washington, DC.

UNITED STATES TAX COURT

SALARIES AND EXPENSES

The conference agreement includes $41,180,000 as proposed by the House and Senate.

TITLE V—GENERAL PROVISIONS

THIS ACT

(INCLUDING TRANSFERS OF FUNDS)

Section 501 permits funds for pay raises for programs funded in this Act, with a technical change as proposed by the Senate. The House bill contained a similar provision.

Section 502 prohibits funds to be used for the planning or execution of any program to pay the expenses of non-Federal parties, as proposed by the House and Senate.

Section 503 prohibits funds from remaining available for obligation beyond the current fiscal year unless expressly provided in this Act, as proposed by the House and Senate.

Section 504 limits consulting service expenditures in procurement contracts to those of public record, as proposed by the House and Senate.

Section 505 prohibits funds from being transferred to any department, agency, or instrumentality of the United States Government unless approved in an appropriations Act, as proposed by the House and Senate.

Section 506 prohibits funds for paying the salary of any government employee that would prohibit the enforcement of section 307 of the Tariff Act of 1930, as proposed by the House and Senate.

Section 507 protects the employment rights of Federal employees who return to their civilian jobs after assignment with the Armed Forces, as proposed by the House and Senate.

Section 508 prohibits funds from being provided to entities that fail to comply with sections 2 through 4 of the Buy America Act, as proposed by the House and Senate.

Section 509 prohibits the use of funds by any person or entity that has been convicted of violating the Buy America Act, as proposed by the House and Senate.

Section 510 modifies provisions proposed by the House and Senate related to the reprogramming process for agencies funded in this Act.

Section 511 provides that fifty percent of unobligated balances of funds provided in this Act remain available through fiscal year 2006, as proposed by the House and Senate.

Section 512 prohibits funds to be used by the Executive Office of the President to request official background investigation reports from the Federal Bureau of Investigations, as proposed by the House and Senate.

Section 513 exempts contracts under the Federal Employees Health Benefits Program from certain cost accounting standards, as proposed by the House and Senate.

Section 514 permits OPM to accept funds regarding the non-foreign area cost of living allowance program, as proposed by the House and Senate.

Section 515 prohibits Federal Employee Health Benefit Program funds from being used to cover an abortion, as proposed by the House.

Section 516 states that section 515 shall not apply when the life of the mother is endangered, or the pregnancy is the result of rape or incest, as proposed by the House.

Section 517 waives the Buy America Act provision for Federal information technology purchases, as proposed by the Senate.

Section 518 requires all Federal agencies to consult with Alaska Native corporations pursuant to Executive Order 13175, as proposed by the Senate.

Section 519 prohibits the use of funds for a proposed rule relating to the determination of real estate brokerage as a financial activity.

Section 520 amends the Securities Exchange Act of 1934 in regard to the Tennessee Valley Authority. The Senate included a similar provision.

Section 521 amends section 307 of the Denali Commission Act of 1998, as proposed by the Senate.

Section 522 requires each agency to establish a Chief Privacy Officer, to assume primary responsibility for privacy and data protection policy, as proposed by the Senate.

Section 523 prohibits funds for the essential air service local participation program, as proposed by the House and Senate.

Section 524 prohibits funds to produce an economic report including retail fast food employment under the definition of manufacturing employment, as proposed by the House.

Section 525 amends section 302 of the Federal Election Campaign Act of 1971, as proposed by the Senate.

Section 526 amends the Former Presidents Act to allow amounts provided for "Allowances and office staff for former Presidents" to be used for the review of Presidential records in connection with the transfer of such records to the National Archives and Records Administration, as proposed by the Senate.

Section 527 allows funds made available for various Buffalo, New York transit projects to be made available for the Buffalo Inner Harbor Redevelopment Project.

Section 528 allows funds made available for the Charleston Area Regional Transportation Authority to be made available for other transit purposes.

Section 529 allows funds made available for Tri-Met Interstate light rail extension to allow acquisition of up to a total of twenty-four light rail vehicles.

Section 530 extends an expiring statute exempting transit vehicle axle weight.

Section 531 allows amounts made available to North Country County Consortium JARC, New York, in fiscal year 2004 to be made available for North Country Bus and Bus Related Equipment.

Section 532 amends section 312 of the Federal Election Campaign Act of 1971, as proposed by the Senate.

Section 533 allows for 10% transfer authority among certain offices of the Executive Office of the President.

TITLE VI—GENERAL PROVISIONS

DEPARTMENTS, AGENCIES, AND CORPORATIONS

Section 601 authorizes funds to be used for travel to the United States for the immediate families of Federal employees assigned to foreign duty in the event of a death or a life threatening illness of the employee, as proposed by the House and Senate.

Section 602 requires agencies to administer a written policy designed to ensure that all of its workplaces are free from the illegal use of controlled substances, as proposed by the House and Senate.

Section 603 limits the amount allowed per fiscal year for the purchase of any passenger motor vehicle to be purchased by the Federal Government, as proposed by the House and Senate.

Section 604 allows funds to be used for expenses of travel for quarters allowances and cost-of-living allowances, as proposed by the House and Senate.

Section 605 prohibits the government, with certain exceptions, from employing non-U.S. citizens whose posts of duty would be in the continental U.S., as proposed by the House and Senate.

Section 606 ensures that agencies will have authority to pay GSA bills for space renovation and other services, as proposed by the House and Senate.

Section 607 authorizes agencies to receive and use funds resulting from the sale of materials, and Federal records disposed of pursuant to a records schedule recovered through recycling or waste prevention programs, as proposed by the House and Senate.

Section 608 permits funds to be used for administrative expenses of the corporations and agencies subject to chapter 91 of title 31, U.S.C. shall be available for rent in the District of Columbia, as proposed by the House and Senate.

Section 609 prohibits funds to be used to pay any person filling a position which he or she has been nominated after the Senate has voted not to approve the nomination, as proposed by the House and Senate.

Section 610 prohibits funds to be used for interagency financing of boards (except Federal Executive Boards) that do not have prior statutory approval, as proposed by the House and Senate.

Section 611 allows funds to be available to the Postal Service Fund for employment of guards for all buildings and areas owned or occupied by the Postal Service, as proposed by the House and Senate.

Section 612 prohibits funds from being used for any regulation that has been disapproved pursuant to a resolution, as proposed by the House and Senate.

Section 613 limits the pay increases of certain prevailing rate employees described in section 5342(a)(2)(A) of title 5, United States Code, as proposed by the House and Senate.

Section 614 prohibits funds from being obligated or expended in excess of $5,000 to furnish or redecorate the office of the head of any department or agency, as proposed by the House and Senate.

Section 615 permits funds to be used for interagency funding of national security and emergency preparedness telecommuni-

cations initiatives benefiting Federal agencies, as proposed by the House and Senate.

Section 616 prohibits funds to be used for the salaries and expenses of any employee appointed to a position without a certification to the Office of Personnel Management from an agency employing a Schedule C appointee that was created solely to detail the employee to the White House, as proposed by the House and Senate.

Section 617 requires agencies to administer a written policy designed to ensure that the workplace is free from discrimination and sexual harassment, as proposed by the House and Senate.

Section 618 prohibits the payment of any employee who prohibits, threatens or prevents another employee from communicating with Congress, as proposed by the House and Senate.

Section 619 prohibits Federal training not directly related to the performance of official duties, as proposed by the House and Senate.

Section 620 prohibits the expenditure of funds for implementation of agreements in nondisclosure policies unless certain provisions are included, as proposed by the House and Senate.

Section 621 prohibits propaganda, publicity and lobbying by executive agency personnel in support or defeat of legislative initiatives, as proposed by the House and Senate.

Section 622 prohibits any Federal agency from disclosing any employee's home address to any labor organization, absent employee authorization or court order, as proposed by the House and Senate.

Section 623 prohibits funds from being used to provide nonpublic information such as mailing or telephone lists to any person or organization outside the government, as proposed by the House and Senate.

Section 624 prohibits the use of funds for propaganda or publicity purposes not authorized by Congress, as proposed by the House and Senate.

Section 625 directs agency employees to use official time in an honest effort to perform official duties, as proposed by the House and Senate.

Section 626 authorizes that funds be available to finance an appropriate share of the Joint Financial Management Improvement Program administrative costs, as proposed by the House and Senate.

Section 627 authorizes agencies to transfer funds to GSA to finance an appropriate share of the Joint Financial Management Improvement Program, as proposed by the House and Senate.

Section 628 prohibits Federal funds from being used to prohibit any agency from independently contracting with private companies to provide online applications and processing services.

Section 629 permits breast-feeding in a Federal building or on Federal property if the woman and child are authorized to be there, as proposed by the House and Senate.

Section 630 permits interagency funding of specific projects of the National Science and Technology Council, as proposed by the House and Senate.

Section 631 requires documents involving the distribution of Federal funds to indicate the agency providing the funds and the amount provided, as proposed by the House and Senate.

Section 632 amends subsection (f) of section 403 of Public Law 103–356 by striking "October 1, 2004" and inserting "October 1, 2005", as proposed by the House and Senate.

Section 633 prohibits the use of funds to monitor personal information relating to the use of Federal internet sites, or to collect, review, or create any aggregate list that includes personally identifiable information relating to access to or use of any Federal Internet site, as proposed by the House and Senate.

Section 634 requires health plans participating in the FEHBP to provide contraceptive coverage and provides exemption for certain religious plans, as proposed by the House and Senate.

Section 635 recognizes the U.S. Anti-Doping Agency as the official anti-doping agency of the Olympic, Pan American, and Paralympic sport in the U.S, as proposed by the House and Senate.

Section 636 allows funds appropriated for official travel, if consistent with OMB Circular A–126, to participate in the fractional aircraft ownership pilot program, as proposed by the House and Senate.

Section 637 restricts Federal purchases from Federal Prison Industries, Inc. unless the agency determines such purchase provides the best value to the agency.

Section 638 prohibits funds to be used to implement or enforce restriction on the Coast Guard Congressional Fellowship Program or relating to the detail of Executive Branch employees to the Legislative Branch, as proposed by the House and Senate.

Section 639 relates to the agency management of government charge cards, as proposed by the House and Senate.

Section 640 states that the pay rate adjustment that takes effect in fiscal year 2005 should be a rate increase of 3.5% beginning the pay period on or after January 1, 2005, as proposed by the House and Senate.

Section 641 requires a report on articles purchased by agencies that were manufactured outside of the United States, as proposed by the Senate.

Section 642 restricts the use of funds for federal law enforcement training facilities, as proposed by the Senate.

Section 643 amends 26 U.S.C. 6402 regarding offset procedures for the collection of past due, legally enforceable state unemployment compensation debts, as proposed by the Senate.

Section 644 modifies a provision as proposed by the Senate to ensure the continued operation of the Midway Atoll Airfield. The conference agreement authorizes necessary intergovernmental funding transfers for the continued operation of the airfield and requires the Director of OMB to initiate such transfers so as to ensure the continuous, uninterrupted operation of the airfield. The conferees would welcome the receipt of any information from the Director as to whether certain capital investments on Midway Island might serve to lower the annual operating costs of the airfield.

Section 645 designates the courthouse at 95 Seventh Street in San Francisco, California as the "James R. Browning United States Courthouse".

CONFERENCE TOTAL—WITH COMPARISONS

The total new budget (obligational) authority for the fiscal year 2005 recommended by the Committee of Conference, with comparisons to the fiscal year 2004 amount, the 2005 budget estimates, and the House and Senate bills for 2005 follow:

[In thousands of dollars]

New budget (obligational) authority, fiscal year 2004	$46,141,907
Budget estimates of new (obligational) authority, fiscal year 2005	43,748,430
House bill, fiscal year 2005	43,540,159
Senate bill, fiscal year 2005	44,052,003
Conference agreement, fiscal year 2005	43,993,116
Conference agreement compared with:	
New budget (obligational) authority, fiscal year 2004	−2,148,791
Budget estimates of new (obligational) authority, fiscal year 2005	+244,686
House bill, fiscal year 2005	+452,957
Senate bill, fiscal year 2005	−58,887

DIVISION I—DEPARTMENTS OF VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT, AND INDEPENDENT AGENCIES APPROPRIATIONS ACT, 2005

The language and allocations set forth in House Report 108–674 and Senate Report 108–353 should be complied with unless specifically addressed to the contrary in the conference report and statement of the managers. Report language included by the House which is not changed by the report of the Senate or the conference and Senate report language which is not changed by the conference is approved by the committee of the conference. The statement of the managers, while repeating some report language for emphasis, does not intend to negate the language referred to above unless expressly provided herein. In cases where the House or Senate have directed the submission of a report, such report is to be submitted to both House and Senate Committees on Appropriations.

OPERATING PLAN REPROGRAMMING PROCEDURES

The conferees continue to have a particular interest in being informed of reprogrammings which, although they may not change either the total amount available in an account or any of the purposes for which the appropriation is legally available, represent a significant departure from budget plans presented to the Committees in an agency's budget justifications, the basis of this appropriations Act.

Consequently, the conferees direct the departments, agencies, boards, commissions, corporations and offices funded at or in excess of $100,000,000 in this Act, to consult with the Committee on Appropriations in both the House and Senate prior to each change from the approved budget levels in excess of $500,000 between programs, activities, object classifications or elements unless otherwise provided for in the statement of the managers accompanying this Act. For agencies, boards, commissions, corporations and offices funded at less than $100,000,000 in this Act, the reprogramming threshold shall be $250,000 between programs, activities, object classifications or elements unless otherwise provided for in the statement of the managers accompanying this Act. Additionally,

the conferees expect the Committees on Appropriations to be promptly notified of all reprogramming actions which involve less than the above-mentioned amounts. If such actions would have the effect of significantly changing an agency's funding requirements in future years, or if programs or projects specifically cited in the statement of the managers or accompanying reports of the House and Senate are affected by the reprogramming, the reprogramming must be approved by the Committees on Appropriations regardless of the amount proposed to be moved. Furthermore, the conferees direct that the Committees on Appropriations be consulted regarding reorganizations of offices, programs, and activities prior to the planned implementation of such reorganizations.

The conferees also direct that the Departments of Veterans Affairs and Housing and Urban Development, as well as the Corporation for National and Community Service, the Environmental Protection Agency, the National Aeronautics and Space Administration, the National Science Foundation, the Consumer Product Safety Commission, and the Chemical Safety and Hazard Investigation Board shall submit operating plans, signed by the respective secretary, administrator, or agency head, for review by the Committees on Appropriations of both the House and Senate within 60 days of enactment of this Act. Other agencies within this Act should continue to submit operating plans consistent with prior year policy, or as directed in this statement of the managers.

The conferees reiterate the Committees' longstanding position that while the Committees reserve the right to call upon all offices in the departments, agencies, boards, and commissions, access to the budget offices is essential and shall in no way be hindered.

TITLE I—DEPARTMENT OF VETERANS AFFAIRS

In addition to the directives above, the conferees direct that no changes may be made to any account or objective, except as approved by the Committees, if it is construed to be policy or change in policy. It is the intent of the conferees that all carryover funds in the various appropriations accounts are subject to the normal reprogramming requirements outlined above. The Department is directed to notify the Committees on Appropriations should the loan limitation of any program administered by the Department be met or exceeded.

VETERANS BENEFITS ADMINISTRATION

COMPENSATION AND PENSIONS

(INCLUDING TRANSFER OF FUNDS)

Appropriates $32,607,688,000 for compensation and pensions as proposed by both the House and the Senate, of which not more than $20,703,000 is to be transferred to general operating expenses and medical services for reimbursement of necessary expenses in implementing the Omnibus Budget Reconciliation Act of 1990 and the Veterans' Benefits Act of 1992.

READJUSTMENT BENEFITS

Appropriates $2,556,232,000 for readjustment benefits as proposed by both the House and the Senate.

VETERANS INSURANCE AND INDEMNITIES

Appropriates $44,380,000 for veterans insurance and indemnities as proposed by both the House and the Senate.

VETERANS HOUSING BENEFIT PROGRAM FUND PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

Appropriates such sums as may be necessary for costs associated with direct and guaranteed loans from the veterans housing benefit program fund program account as proposed by both the House and the Senate, limits obligations for direct loans to not more than $500,000 and provides that $154,075,000 is to be transferred to and merged with general operating expenses.

VOCATIONAL REHABILITATION LOANS PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

Appropriates $47,000 for the costs of direct loans from the vocational rehabilitation loans program account as proposed by both the House and the Senate, plus $311,000 to be transferred to and merged with general operating expenses. Provides for a direct loan limitation of $4,108,000.

The conferees direct the Department to monitor carefully the program's loan activity and notify the Committees on Appropriations of the House and Senate during the year if it determines that it may exceed the loan level amount.

NATIVE AMERICAN VETERAN HOUSING LOAN PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

Appropriates $571,000 for administrative expenses of the Native American veteran housing loan program account to be transferred to and merged with general operating expenses as proposed by both the House and the Senate. Provides a loan limitation of $50,000,000 for the program as proposed by both the House and the Senate.

GUARANTEED TRANSITIONAL HOUSING LOANS FOR HOMELESS VETERANS PROGRAM ACCOUNT

Provides up to $750,000 of the funds available in medical administration and general operating expenses to carry out the guaranteed transitional housing loans for homeless veterans program as proposed by the House instead of $600,000 as proposed by the Senate.

VETERANS HEALTH ADMINISTRATION

The conferees have agreed to provide total resources of $30,330,370,000 to fund the various operating programs of the Veterans Health Administration (VHA), an increase of $1,195,000,000

over the appropriation request level. None of the funds are contingent upon an emergency declaration as proposed by the Senate. Further, the conferees have agreed to fund VHA through the new account structure started in fiscal year 2004, comprised of four accounts: medical services, medical administration, medical facilities, and medical and prosthetic research. The conferees continue to believe this account structure will provide better oversight and achieve a more accurate accounting of funds.

MEDICAL SERVICES

(INCLUDING TRANSFERS OF FUNDS)

Provides $19,472,777,000 to finance medical services for all veterans and beneficiaries in VA, State, and contract medical facilities.

Retains bill language making $1,100,000,000 available until September 30, 2006, as proposed by both the House and the Senate.

Retains bill language providing the Secretary with the authority to establish a priority system for veterans seeking medical care as proposed by both the House and the Senate.

Retains bill language allowing the Secretary to give priority to medical services for priority 1–6 veterans, as proposed by both the House and the Senate.

Retains bill language allowing the transfer of up to $400,000,000 to the construction, major projects account for the purposes of implementing Capital Asset Realignment for Enhanced Services (CARES) recommendations. The conferees direct the VA to notify the Committees on Appropriations prior to the transfer of funds for this purpose as stated in Senate Report 108–353.

Modifies bill language proposed by the House, allowing the transfer of up to $125,000,000 to general operating expenses for Veterans Benefits Administration claims processing. The conferees direct the Secretary to notify the Committees on Appropriations of the House and Senate prior to any transfer.

Retains bill language proposed by both the House and the Senate, allowing the Secretary to fill privately written prescriptions from VA facilities for designated veterans. The conferees agree that such benefit should not result in additional cost to the VA.

Retains bill language proposed by both the House and Senate, providing $15,000,000 for the DoD/VA Health Care Sharing Incentive Fund.

The conferees are in agreement that the Department shall submit a report on the steps, funds, and staff assigned to improving the transition from DoD to VA for service members returning from conflicts in the Middle East and other areas. The report is to be submitted no later than March 15, 2005.

The conferees direct the continuation of the Joslin Vision Network at no less than the current level and encourage the VA to establish new pilot sites for the Network.

The conferees agree with the Senate direction that the Department shall report on the number and location of training slots for psychologists for post-doctoral training. The report is to be sub-

mitted to the House and Senate Committees on Appropriations by no later than February 4, 2005.

Retains the Senate provision providing $20,000,000 for a new Prosthetics and Integrative Health Care Initiative. This new initiative will ensure that returning war veterans with loss of limbs and other very severe and lasting injuries have access to the best of both modern medicine and integrative holistic therapies for rehabilitation, and will ensure continuity of care for veterans who transition from the DOD health system, including the Amputee Center at Walter Reed Army Medical Center. The Department is directed to report to the Committees on Appropriations of the House and Senate on the status of this new initiative by February 4, 2005.

Retains the Senate provision directing the VA to: (1) establish an advisory committee on complementary medicine; and (2) implement the recommendations of the White House Commission on Complementary and Alternative Medicine. The VA should report to the Committees on Appropriations of the House and Senate on the status of these issues by February 4, 2005.

The conferees direct the VA to comply with all recommendations of the August 11, 2004, report by the Inspector General regarding issues at the Bay Pines VA Medical Center in Florida, and to report to the Committees on Appropriations of the House and Senate detailing progress in this matter by February 4, 2005.

MEDICAL ADMINISTRATION

Appropriates $4,705,000,000, as proposed by both the House and Senate, for the expenses of the headquarters offices of the Veterans Health Administration as well as the costs of Veterans Integrated Service Network (VISN) offices and facility directors, all information technology hardware and software, legal services, billing and coding activities, procurement, and related activities.

Includes language allowing $250,000,000 of the funds to be available until September 30, 2006.

The conferees direct the Secretary to look at integrated medical asset tracking programs and conduct a pilot program to test the feasibility of the implementation of such programs.

The conferees direct the Secretary to review the need for the development of a web portal and implement a pilot program of the system, consistent with existing emergency response systems.

MEDICAL FACILITIES

Appropriates $3,745,000,000 for the operation, maintenance and security of VHA's capital infrastructure as proposed by both the House and Senate. Included under this heading are provisions for the costs associated with utilities, engineering, capital planning, leases, laundry and food services, grounds-keeping, garbage, housekeeping, facility repair, and property disposition and acquisition.

Retains language allowing $250,000,000 of the funds to be available until September 30, 2006 as proposed by the Senate.

The conferees reiterate the directive contained in the fiscal year 2004 Consolidated Appropriations Act that the Department of Veterans Affairs offer to transfer to the U.S. Army Corps of Engineers one residential property in Fort Thomas, Kentucky, to be used as the residence for the Commander of the Great Lakes and

Ohio River Division, and appreciate the progress that has been made so far.

MEDICAL AND PROSTHETIC RESEARCH

Appropriates $405,593,000 for medical and prosthetic research as proposed by the Senate instead of $384,770,000 as proposed by the House. The conferees direct the Department to continue its technology transfer activities at the current level of effort through the West Virginia High Technology Consortium Foundation.

The conferees direct the Department to prioritize prosthetics in its research agenda and report to the Committee on Appropriations of the House and Senate by March 15, 2005 on its efforts.

DEPARTMENTAL ADMINISTRATION

GENERAL OPERATING EXPENSES

Appropriates $1,324,753,000 for general operating expenses instead of $1,319,753,000 as proposed by the House and $1,399,753,000 as proposed by the Senate.

Provides not less than $1,027,193,000 for the Veterans Benefits Administration (VBA) as proposed by the House instead of $1,102,193,000 as proposed by the Senate.

Provides two-year availability for $66,000,000 as proposed by both the House and Senate.

The conferees direct VA to proceed with information technology initiatives supporting the Department's enterprise architecture and continuity of operations capabilities and direct that not less than $25,000,000 be allocated for these activities Department-wide. Additionally, the conferees direct that all cyber-security and enterprise architecture activities continue to be centrally managed by the Chief Information Officer. Finally, the conferees reiterate the House position that the Department report quarterly on key information technology objectives and efforts to meet these objectives.

NATIONAL CEMETERY ADMINISTRATION

Appropriates $148,925,000 for the National Cemetery Administration as proposed by both the House and Senate. Provides two-year obligation authority for $7,400,000 of the appropriated funds.

OFFICE OF INSPECTOR GENERAL

Appropriates $69,711,000 for the Office of Inspector General as proposed by the House instead of $64,711,000 as proposed by the Senate.

CONSTRUCTION, MAJOR PROJECTS

Appropriates $458,800,000 for construction, major projects as proposed by both the House and Senate. The conferees have included bill language proposed by both the House and Senate which defines a major construction project as one where the estimated cost is more than the amount set forth in 38 U.S.C. 8104(a)(3)(A).

The conference agreement includes $370,709,000 for construction projects supporting the fiscal year 2005 recommendations of the Secretary's National CARES plan as identified in the May 20,

2004 report entitled "CARES Major Construction Projects, Fiscal Year 2004–2010." The specific projects are also identified in both the House and Senate reports.

Additional recommendations of the conferees are as follows:

Description	House Report 108–674	Senate Report 108–353	Conference agreement
CARES	$370,709,000	$370,709,000	$370,709,000
VHA Advance Planning Fund	14,000,000	14,000,000	14,000,000
VHA Asbestos	3,000,000	3,000,000	3,000,000
VHA Claims	1,000,000	1,000,000	1,000,000
VHA Judgment	8,091,000	8,091,000	8,091,000
VHA Hazardous Waste	2,000,000	2,000,000	2,000,000
Emergency Response Security Study	2,000,000	2,000,000	2,000,000
NCA Phase I Development: Sacramento, CA	21,600,000	21,600,000	21,600,000
NCA Expansion: Barrancas, FL	20,000,000	20,000,000	20,000,000
NCA Expansion: Rock Island, IL	10,200,000	10,200,000	10,200,000
NCA Design Funds	3,200,000	3,200,000	3,200,000
NCA Advance Planning Fund	1,000,000	1,000,000	1,000,000
Staff Offices	2,000,000	2,000,000	2,000,000

The conferees agree with the Senate direction that the Department update its 5-year strategic plan for capital asset management on a periodic basis.

The conferees direct the Department to review the financial status of all existing major construction projects and the major working reserve account. The Department shall provide information on any unobligated and unexpended funds that may be recaptured and spent on other CARES projects.

The conferees agree with the direction contained in the Senate report regarding the establishment of an independent CARES advisory body.

As part of the CARES initiative, the Department will, in some cases, depend on contracting with local providers to deliver health care services. The Department is to provide a business plan to the Committees on Appropriations of the House and Senate that will address the issues raised in the Senate report. This plan should be submitted no later than March 15, 2005.

Finally, the conferees agree with the Senate direction that the Department submit a business plan for excess infrastructure that details disposition strategy and budgetary impacts.

CONSTRUCTION, MINOR PROJECTS

Appropriates $230,779,000 for construction, minor projects as proposed by the Senate instead of $230,799,000 as proposed by the House. The conferees have included bill language proposed by both the House and Senate which defines a minor construction project as one where the estimated cost is equal to or less than the amount set forth in 38 U.S.C. 8104(a)(3)(A).

The conference agreement provides $182,100,000 for construction projects implementing CARES recommendations, as proposed by the Senate instead of $162,100,000 as proposed by the House. Additional amounts may be used for CARES activities upon notification of and approval by the Committees on Appropriations of the House and Senate.

GRANTS FOR CONSTRUCTION OF STATE EXTENDED CARE FACILITIES

Appropriates $105,163,000 for grants for construction of state extended care facilities as proposed by both the House and the Senate.

GRANTS FOR THE CONSTRUCTION OF STATE VETERANS CEMETERIES

Appropriates $32,000,000 for grants for construction of state veterans cemeteries as proposed by both the House and the Senate.

ADMINISTRATIVE PROVISIONS

(INCLUDING TRANSFERS OF FUNDS)

Retains the first eleven administrative provisions which were carried in both the House and Senate bills, and which have been carried in previous years.

Retains section 112 as proposed by the House allowing the Secretary to manage effectively the billing and collection process to third party insurers. The Senate had proposed similar language.

Retains section 113 as proposed by the House providing $25,000,000 of VA's total information technology budget for enterprise architecture activities under the Office of the Chief Information Officer. The Senate did not include this provision.

Retains section 114 as proposed by the House regarding implementation of Public Law 107–287 by prohibiting funds for implementation of section 2 and section 5. The Senate had proposed similar language.

Retains the provision proposed by the Senate regarding the Secretary's authority in depositing receipts from various funds into the Medical Care Collections Fund. The House had proposed similar language.

Retains the provision proposed by both the House and Senate directing the Secretary to conduct a recovery audit program.

Retains the provision proposed by both the House and Senate allowing the Secretary to transfer enhanced-use lease revenue from the Medical Care Collections Fund to the construction accounts.

Retains the provision proposed by both the House and Senate allowing the Secretary to furnish recreation services and pay funeral expenses.

Retains the provision proposed by both the House and Senate transferring all balances in the Medical Care Collections Fund to medical services.

Retains the provision proposed by both the House and Senate allowing the transfer of funds among Veterans Health Administration accounts.

Retains the provision proposed by the House providing for the transfer of funds from general operating expenses to Veterans Housing Benefit Program Fund Program Account for a nationwide property management contract. The Senate had proposed a similar provision.

Retains the provision proposed by the House authorizing the Department to expend such sums as are available in the unobligated balances of the funds originally appropriated to medical care for emergency expenses resulting from the January 1994 earth-

quake in Southern California, for the same purposes of the medical services account until expended. The Senate had proposed a similar provision.

Deletes the provision proposed by the Senate which would have made funds transferred pursuant to Public Law 108–199 from medical services to construction, major projects, available until expended.

Modifies the provision proposed by the Senate which allows eligible veterans who reside in Alaska to obtain medical services from medical facilities supported by the Indian Health Service.

Adds a new administrative provision which allows the Secretary to transfer up to $19,800,000 appropriated in Public Law 108–324 from construction, minor projects to medical facilities for non-recurring maintenance expenses related to hurricane and tropical storm damage. Neither House nor Senate bills had included this language.

TITLE II—DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

The conferees restate the reprogramming requirements with respect to amounts approved for each appropriations account within this title. The Department must limit the reprogramming of funds between the programs, projects, and activities within each account to not more than $500,000 without prior approval of the Committees on Appropriations. Unless otherwise identified in this statement of managers or committee reports, the most detailed allocation of funds presented in the budget justifications shall be considered to be approved, with any deviation from such approved allocation subject to the normal reprogramming requirements outlined above. Further, it is the intent of the conferees that all carryover funds in the various accounts, including recaptures and deobligations, are subject to the normal reprogramming requirements outlined above. Further, no changes may be made to any program, project, or activity if it is construed to be policy or a change in policy, without prior approval of the Committees. Finally, the conferees expect to be notified regarding reorganizations of offices, programs or activities prior to the planned implementation of such reorganizations, as well as be notified, on a monthly basis, of all ongoing litigation, including any negotiations or discussions, planned or ongoing, regarding a consent decree between the Department and any other entity.

PUBLIC AND INDIAN HOUSING

TENANT-BASED RENTAL ASSISTANCE

(INCLUDING TRANSFER OF FUNDS)

The conference agreement adopts the account structure proposed by the House to fund tenant-based section 8 activities and project-based section 8 activities in two separate accounts to provide better transparency and oversight of expenditures in these programs that now represent over fifty percent of the Department's budget. The Senate proposed to continue to fund both tenant-based

and project-based Section 8 activities in the Housing Certificate Fund.

The joint explanatory statement of the managers herein reflects the agreement of the conferees on tenant-based and project-based section 8 programs and activities. The language and direction included in this joint explanatory statement of the managers replaces any language included in the Senate report regarding these programs, including Senate language under the Housing Certificate Fund account, and replaces any language included in the House report regarding these programs, including House language under the Tenant-Based Rental Assistance, Project-Based Rental Assistance, and Housing Certificate Fund accounts.

The conference agreement appropriates $14,885,000,000 for tenant-based section 8 (voucher) activities under the Tenant-Based Rental Assistance account instead of $14,677,019,000 as proposed by the House. The Senate proposed $15,359,019,000 for these activities within the Housing Certificate Fund account. Language is included designating funds provided as follows:

Activity	*Conference agreement*
Voucher Renewals	$13,462,989,000
Tenant Protection Vouchers	163,000,000
Administrative Costs	1,259,011,000
(Administrative Fees)	(1,210,107,000)
(Family Self-Sufficiency Coordinators)	(46,000,000)
(Working Capital Fund)	(2,904,000)
Total, Tenant Based Rental Assistance	14,885,000,000

Section 8 Voucher Renewals.—The conference agreement includes $13,462,989,000 to fund tenant-based section 8 vouchers in calendar year 2005, instead of $13,303,177,000 as proposed by the House. The Senate proposed $13,787,115,000 within the Housing Certificate Fund. New language is included setting forth the distribution of renewal funds as described herein.

The Department is provided $13,462,989,000 to fund tenant-based vouchers in calendar year 2005. HUD shall not use recaptures from any source or any project-based carryover to augment total 2005 funding for this account. HUD shall provide all public housing agencies (PHAs) with a fixed, annual budget that each agency must manage their voucher programs within for 2005. HUD shall determine such annual budgets for public housing agencies using the average of the May, June and July 2004 Voucher Management System (VMS) data (for leasing and costs) as reported to, verified, and determined to be complete by HUD. Moving To Work (MTW) agencies shall be funded based on their agreements and are subject to the same adjustments made to all other PHA annual budgets based on funding availability. If an agency failed to report verifiable data into VMS during the May–July time period, HUD shall use the complete three-month submission of VMS data averaged for the period of February, March and April 2004. If an agency has not submitted VMS data for the previously referenced periods, HUD shall use the agency's year-end financial statement for fiscal years ending no later than March 31, 2004. HUD shall then adjust the VMS costs for each agency by applying HUD-published 2005 annual adjustment factors (AAFs) to determine an annual funding eligibility for each agency. HUD may make any necessary adjustments for the costs associated with the first-time renewals of

tenant protection and HOPE VI vouchers in 2005. The Department is to obligate the entire amount of funds provided for voucher renewals to the public housing authorities at the time annual budgets of the public housing authorities are established pursuant to the formula prescribed herein and in the Act. Finally, HUD will, to the extent necessary, pro rate each public housing agency's budget to stay within the amount appropriated.

The voucher program is strictly a dollar-based, or budget-based program in 2005. This new structure is designed to provide flexibility for PHAs to manage their voucher programs, so long as such flexibility meets current legal requirements and PHAs manage within their annual budgets. This could include lowering eligible rents in order to expand utilization to no greater than their authorized levels. PHAs are expected to manage utility costs, decreased tenant contributions and protect the most at-risk families within these budgets. HUD is not provided a central fund or any other funds to address increased leasing or costs in 2005. Furthermore, HUD is not provided any funding to replenish program reserves in 2005, nor can carryover or recaptures be used for this purpose. Agencies must manage within their annual budget as determined by HUD, pursuant to the formula prescribed herein and in this Act. HUD must issue a notice implementing the tenant-based provisions of this Act, including details on the eligibility for the $25,000,000 in administrative fees set aside under this Act, within 30 days of enactment of this Act. HUD will also communicate all agencies' annual budget amounts directly to each agency within 45 days of enactment of this Act. This is intended to provide agencies with as much advanced notice as possible in order to manage their budgets successfully in 2005. HUD shall also provide agencies with flexibility to adjust payment standards and portability policies as necessary to manage within their 2005 budgets. Agencies shall ensure that current elderly and disabled voucher families be protected against significant impacts resulting from adjustments made by agencies to maintain their voucher programs within their 2005 budgets.

The conference agreement does not include language proposed by the Senate to allow recaptures to be used to augment funds appropriated for section 8 vouchers. Instead the conference agreement includes language elsewhere in this title that prohibits the use of recaptures for this purpose, similar to language proposed by the House.

The conference agreement does not include language proposed by the Senate to allow funds to be used to amend a public housing agency's voucher renewal amount. The House did not include similar language.

The conference agreement does not include language proposed by the Senate to allow the Secretary to transfer funds among various activities. The House did not include similar language.

The conference agreement does not include language proposed by the Senate to allocate renewal funds based upon information submitted to the public housing agency as of October 1, 2004, adjusted by an inflation factor established by the Secretary, and further adjusted based on certain other factors. The House did not include similar language.

The conference agreement does not include language proposed by the Senate requiring that all units be subject to a rent reasonableness test. The House did not include similar language. The conferees note that public housing agencies are statutorily required to determine and ensure rent reasonableness and expect this requirement to be followed.

The conference agreement does not include $100,000,000 for a Central Fund as proposed by the Senate. The House did not include similar language or funding.

Language is included, as proposed by the House, prohibiting funds from being used to fund a public housing agency for vouchers in excess of their authorized level. The Senate bill included similar language.

Tenant Protection.—The conference agreement includes $163,000,000 for rental subsidies for tenant protection activities to replace project-based section 8 assistance with section 8 vouchers, for conversion of section 202 and section 23 projects to section 8 assistance, for the family reunification program and for the witness protection program, as proposed by the House and the Senate.

The conference agreement assumes that new vouchers under the Revitalization of Severely Distressed Housing Program (HOPE VI) will continue to be provided within that account as proposed by the House. The Senate did not address this matter.

Administrative Fees.—The conference agreement includes $1,210,107,000 for public housing agencies' administrative costs and other expenses, instead of $1,161,938,000 as proposed by the House and $1,256,000,000 as proposed by the Senate.

Modified language is included, similar to language proposed by the House, designating $1,185,107,000 to be allocated to public housing agencies for the calendar year 2005 funding cycle on a pro rata basis based on the amount the public housing agencies were eligible to receive in calendar year 2004. In addition, new language is included making up to $25,000,000 available to the Secretary to allocate to public housing agencies that need additional funds to administer their programs. The conferees direct the Department to specify the activities eligible for this funding in the notice to be issued within thirty days of enactment of this Act. The Senate did not include similar language.

Language is included as proposed by the Senate to allow section 8 administrative fees to be used for section 8 rental assistance activities, including related development activities. The House limited the use to section 8 rental assistance activities.

Family Self Sufficiency Coordinators.—The conference agreement includes $46,000,000 for public housing agencies family self-sufficiency coordinator staff as proposed by the House instead of $48,000,000 as proposed by the Senate.

Working Capital Fund.—The conference agreement includes $2,904,000 for transfer to the Working Capital Fund, instead of no less than $2,904,000 as proposed by the House. Modified language is included to broaden the uses of these funds to include other departmental information technology needs.

Language proposed by the Senate is not included to require all public housing agencies to submit accounting data for funds provided under this account in this Act or any other Act by source of

funds and purpose of such funds. This requirement was made permanent in the fiscal year 2004 Act. The House did not include similar language.

Language is also included elsewhere in this Act rescinding funds provided in previous years under the Housing Certificate Fund, including funds previously made available for certain tenant-based rental assistance activities.

PROJECT-BASED RENTAL ASSISTANCE

(INCLUDING TRANSFER OF FUNDS)

The conference agreement appropriates $5,341,000,000 for project-based rental assistance activities instead of $5,340,745,000 as proposed by the House. The Senate proposed $5,348,785,000 for these activities within the Housing Certificate Fund account.

The conference agreement provides funds as follows:

Activity	*Conference agreement*
Project-Based Contract Renewals	$4,990,100,000
Moderate Rehabilitation Renewals and Administrative Costs	227,000,000
Section 441 Renewals and Administrative Costs	20,000,000
Contract Administrators	101,900,000
Working Capital Fund	2,000,000
Total, Project-Based Rental Assistance	5,341,000,000

Language is included, similar to language proposed by the House, designating $5,237,100,000 for renewals and amendment of section 8 project-based contracts, section 8 moderate rehabilitation contracts (including associated PHA administrative expenses), Emergency Low-Income Housing Preservation Reform Act (ELIHPRA) and Low-Income Housing Preservation Reform Act (LIHPRA) contracts, and section 441 single room occupancy contracts (including associated PHA administrative expenses). The Senate included similar language under the Housing Certificate Fund.

Language is included, as proposed by the House, designating $101,900,000 for performance-based contract administrators. The Senate included a similar provision under the Housing Certificate Fund.

Language is included designating $2,000,000 for transfer to the Working Capital Fund. Modified language is included to broaden the uses of these funds to include other departmental information technology needs.

The conference agreement assumes that project-based section 8 contract amendment funding requirements for fiscal year 2005 will be met through the use of recaptures available in the Housing Certificate Fund as proposed in the budget request. Language is included elsewhere in this title making funds available for such purpose.

PUBLIC HOUSING CAPITAL FUND

(INCLUDING TRANSFER OF FUNDS)

Appropriates $2,600,000,000 for the public housing capital fund, instead of $2,580,000,000 as proposed by the House and $2,700,000,000 as proposed by the Senate.

Includes $38,700,000 for technical assistance including up to $12,500,000 for remediation services to certain troubled PHAs and for rent surveys. The House proposed $37,850,000, including $12,440,000 for remediation services and rent surveys and the Senate proposed $50,000,000, including up to $15,000,000 for such activities. The Department is directed to use no less than $4,750,000 of these funds for activities related to fair market rent surveys as proposed by the House.

Does not include language proposed by the Senate making such funds available for lease adjustments to section 23 projects. The House did not include a similar provision.

Includes $10,150,000 for information technology systems needs instead of not less than $10,150,000 as proposed by the House and $4,500,000 as proposed by the Senate. Modified language is included to broaden the uses of these funds to include other departmental information technology needs.

Includes up to $30,000,000 for emergency capital needs resulting from unforeseen emergencies or natural disasters in fiscal year 2005, instead of $38,000,000 as proposed by the House and $50,000,000 as proposed by the Senate. Language is included as proposed by the House to allow funds to be awarded non-competitively and only for unforeseen activities. The Senate proposed similar language.

Includes $53,500,000 for the Resident Opportunity Self-Sufficiency (ROSS) program, instead of $52,300,000 as proposed by the House and $55,000,000 as proposed by the Senate.

Includes modified language to allow up to $3,000,000 to support the costs of existing administrative and judicial receiverships in effect as of the date of enactment of this Act. The House proposed language allowing such funds to be used for current and future receiverships while the Senate did not include funds for such purpose. The Department is directed to submit a proposed spending plan for the use of these funds prior to expenditure.

Includes modified language designating $15,000,000 for Neighborhood Networks grants similar to language proposed by the Senate. Language is also included allowing up to $1,000,000 to be made available for technical assistance and to allow centers established under these grants to serve individuals receiving housing assistance under other programs funded in this Act. Language is included as proposed by the Senate, requiring such funds to be competitively awarded. The conferees remind HUD that these funds, and all other funds provided in this Act, are to be awarded on a competitive basis in accordance with the requirements set forth in section 205 under administrative provisions in this title, except where explicitly authorized. The House did not include similar language.

The conference agreement does not designate $30,000,000 for demolition, relocation and site remediation for obsolete and distressed public housing units as proposed by the Senate. The House did not address this matter.

PUBLIC HOUSING OPERATING FUND

Appropriates $2,458,000,000 for the public housing operating fund, instead of $3,425,000,000 as proposed by the House and $2,610,000,000 as proposed by the Senate.

Modified language is included, similar to language proposed by the Senate, to synchronize the funding cycles for all public housing authorities' operating subsidy payments to the same calendar year. The conferees believe that this conversion will simplify and improve administration and oversight of the program. This change results in a one-time savings to this account. The House did not include similar language.

Includes modified language designating $8,000,000 for programs to assist in the investigation, prosecution and prevention of criminal activities in public housing to be administered through a cooperative agreement with the Department of Justice (DOJ) similar to language proposed by the House. The Senate did not propose a similar provision.

Includes language designating $10,000,000 for a program to provide bonus funding for PHAs that assist families in moving away from dependency on housing assistance programs, instead of $15,000,000 as proposed by the Senate. The House did not propose a similar provision. The conferees expect the Department to allocate these funds through a Notice of Funding Availability that provides clear eligibility criteria for this program.

Language proposed by the Senate to designate $30,000,000 for transition costs associated with synchronization to a calendar year funding basis is not included. The House did not address this matter.

REVITALIZATION OF SEVERELY DISTRESSED PUBLIC HOUSING (HOPE VI)

Appropriates $144,000,000 for the revitalization of severely distressed public housing program (HOPE VI), instead of $150,000,000 as proposed by the Senate and $143,000,000 as proposed by the House.

Language is included making funds available for obligation until September 30, 2006 as proposed by the House, instead of making funds available for one year as proposed by the Senate.

NATIVE AMERICAN HOUSING BLOCK GRANTS

(INCLUDING TRANSFERS OF FUNDS)

Appropriates $627,000,000 instead of $622,000,000 as proposed by the House and $650,241,000 as proposed by the Senate.

Includes $4,500,000 for inspections, training, and technical assistance and $2,200,000 for the National American Indian Housing Council for technical assistance and capacity building as proposed by the Senate. The House proposed $4,300,000 and $2,100,000 respectively for these activities.

Includes $2,000,000 for guaranteed loans to subsidize a total guaranteed loan principal of up to $17,926,000 as proposed by the Senate instead of $1,914,000 to subsidize a total loan volume of up to $17,155,000 as proposed by the House.

Includes $2,600,000 for information technology systems instead of no less than $2,600,000 as proposed by the House and $500,000 as proposed by the Senate. Modified language is included to broaden the uses of these funds to include other departmental information technology needs.

The conference agreement also includes language elsewhere in this title rescinding $21,000,000 from prior year unobligated balances remaining for title VI loan guarantees. Both the House and Senate proposed this rescission.

INDIAN HOUSING LOAN GUARANTEE FUND PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

Appropriates $5,000,000 to subsidize a total loan principal of up to $145,345,000 as proposed by the House instead of $1,000,000 to subsidize a total loan principal of $29,069,767 as proposed by the Senate.

The conference agreement also includes language elsewhere in this title rescinding $33,000,000 from prior year unobligated balances remaining from this program. Both the House and Senate proposed this rescission.

NATIVE HAWAIIAN HOUSING LOAN GUARANTEE FUND PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

Appropriates $1,000,000 for guaranteed loans for Native Hawaiian housing to subsidize a total guaranteed loan principal of up to $37,403,000 as proposed by the House and Senate.

COMMUNITY PLANNING AND DEVELOPMENT

HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS

Appropriates $284,000,000 for housing opportunities for persons with AIDS (HOPWA) instead of $282,000,000 as proposed by the House and $294,800,000 as proposed by the Senate.

RURAL HOUSING AND ECONOMIC DEVELOPMENT

Appropriates $24,000,000 for rural housing and economic development as proposed by the House instead of $25,000,000 as proposed by the Senate. Language is included requiring funds to be awarded competitively by September 1, 2005. The Senate had proposed that funds be awarded by June 1, 2005.

EMPOWERMENT ZONES/ENTERPRISE COMMUNITIES

Appropriates $10,000,000 for grants to the second round of empowerment zones. The House had proposed $14,250,000 for this account and the Senate did not include funding for this activity. The Conferees direct that funding in this account be distributed equally among the 15 Enterprise Zones and Enterprise Communities (EZ/ECs) designated in Round II.

COMMUNITY DEVELOPMENT FUND

(INCLUDING TRANSFERS OF FUNDS)

Appropriates $4,709,000,000 for various activities funded in this account as proposed by the House instead of $4,950,000,000 as proposed by the Senate. The conferees agree to the following:

—$4,150,035,000 for formula grants under the Community Development Block Grant program (CDBG), instead of $4,304,900,000 as proposed by the House and $4,547,700,000 as proposed by the Senate. The amount provided for CDBG includes grants to Insular areas as proposed by the House. The Senate had proposed funding Insular areas as a Section 107 set-aside;

—$69,000,000 for grants to Indian tribes, including up to $4,000,000 for emergencies as proposed by the House, instead of $72,000,000 as proposed by the Senate;

—$3,300,000 for the Housing Assistance Council as proposed by the Senate instead of $3,200,000 as proposed by the House;

—$2,400,000 for the National American Indian Housing Council as proposed by the House instead of $2,500,000 as proposed by the Senate;

—$43,700,000 for section 107 grants, instead of $36,700,000 as proposed by the House and $51,000,000 as proposed by the Senate. Within the amount provided for section 107 grants, the conference agreement provides the following:

$10,000,000 for historically black colleges and universities, of which up to $2,000,000 may be used for technical assistance;

$2,900,000 for community development work study;

$6,700,000 for Hispanic Serving Institutions;

$6,700,000 for the Community Outreach Partnerships program;

$3,000,000 for tribal colleges and universities;

$4,000,000 for Alaska Native-Serving Institutions and Native Hawaiian-Serving Institutions;

$9,000,000 for assistance under the Hawaiian Homelands Homeownership Act of 2000; and

$1,400,000 for technical assistance.

Does not provide $7,000,000 for insular areas within section 107 activities. Instead, insular areas are funded within Community Development Block Grants.

—$4,800,000 for the National Housing Development Corporation for continuation of its program of acquisition, rehabilitation, and preservation of at-risk affordable housing, including $2,000,000 for operating expenses as proposed by the House. The Senate did not propose funding for this program;

—$4,800,000 for the National Council of La Raza HOPE Fund, of which $500,000 is for technical assistance and fund management and $4,300,000 is for investments and financing as proposed by the House. The Senate did not propose funding for this program;

—$25,000,000 for grants to eligible grantees under section 11 of the Self-Help Housing Opportunity Program (SHOP) as proposed by the Senate instead of $26,000,000 as proposed by the House;

—$34,500,000 for capacity building, of which $30,000,000 is for the Community Development and Affordable Housing program for LISC and the Enterprise Foundation for activities as authorized by section 4 of the Department of Housing and Urban Development Demonstration Act, as in effect before June 12, 1997, including $5,000,000 for rural areas; and of which $4,500,000 is for Habitat for Humanity International. The House proposed $33,500,000 for capacity building including $28,800,000 for LISC and the Enterprise Foundation and $4,700,000 for Habitat for Humanity; and the Senate proposed $33,500,000 for such activities including $30,000,000 for LISC and the Enterprise Foundation and $3,500,000 for Habitat for Humanity;

—$62,000,000 for Youthbuild as proposed by the House instead of $65,000,000 as proposed by the Senate. Within amounts available for Youthbuild, the agreement provides $9,000,000 for underserved and rural areas;

—$262,000,000 for economic development initiatives instead of $136,500,000 as proposed by the House and $126,000,000 as proposed by the Senate. This amount is 5% below the amounts appropriated for EDI grants in fiscal year 2004. Language is included prohibiting funds from being used for program operations as proposed by both the House and the Senate. The conferees note that projects receiving funds must comply with the environmental review requirements set forth in section 305(c) of the Multifamily Housing Property Disposition Act of 1994 (42 U.S.C. 3547). The conferees will not entertain waivers of such requirements. In addition, funds provided for projects shall not be used for reimbursement of expenses incurred prior to the receipt of economic development initiative funding. Modified language is included, similar to language proposed by the House and Senate, to target funds made available under this program. Targeted grants shall be made as follows:

1. $1,900,000 for the City of Tuscaloosa, Alabama for the Urban Renewal Project in Tuscaloosa, Alabama;

2. $300,000 for the City of Livingston, Alabama for downtown revitalization in Livingston, Alabama;

3. $500,000 to the Crenshaw County Economic/Industrial Development Authority for industrial site preparation in Crenshaw County, Alabama;

4. $250,000 to the City of Fairhope, Alabama for development of the Fairhope Library;

5. $400,000 to the University of South Alabama for the Mitchell College of Business Library in Mobile, Alabama;

6. $500,000 for the Selma YMCA for facilities improvements in Selma, Alabama;

7. $450,000 for the Town of Double Springs, Alabama for community development;

8. $150,000 for Alaska Botanical Garden in Anchorage for expansions and renovations;

9. $150,000 for Friends of Eagle River Nature Center, Inc. in Eagle River, Alaska for costs associated with the construction of a community/visitor center;

10. $500,000 for the Kincaid Park for Training Center, Anchorage, Alaska for costs associated with construction;

11. $950,000 for the Municipality of Anchorage, Alaska for costs associated with the construction of a recreational facility;

12. $300,000 for the North Star Council on Aging in Fairbanks, Alaska for costs associated with the construction of the Fairbanks Senior Center;

13. $175,000 for Love Social Services in Fairbanks, Alaska for expansion;

14. $1,000,000 for the Kenai Peninsula Borough, Alaska for housing upgrades;

15. $900,000 for the City of Ketchikan, Alaska for costs associated with the construction of the Tongass Coast Aquarium;

16. $350,000 for Community Association of Hyder, Alaska for costs associated with the construction of a high speed water plant;

17. $300,000 for the Juneau Family Birth Center, Alaska for the construction of a one-stop family resources center;

18. $200,000 for Alzheimer Disease Resource Agency of Alaska in Anchorage, Alaska for capital improvements to its facility to provide in home care services, respite care, and training of personal care attendants;

19. $525,000 for the Bering Straits Native Corporation in Nome, Alaska for Cape Nome Quarry Upgrade;

20. $500,000 for Shishmaref, Alaska for the construction of barriers;

21. $500,000 for the Special Olympics, Anchorage, Alaska for costs associated with the construction of a training center for disabled children;

22. $275,000 for the National History Museum of the Adirondacks in Tupper Lake, New York for the design and construction of museum;

23. $500,000 for the City of Conway, Arkansas for downtown revitalization;

24. $250,000 for the Old Independence Regional Museum in Batesville, Arkansas for costs associated with expansion;

25. $250,000 for Mountain Home, Arkansas for the construction of the Vada Sheid Community Development Center;

26. $250,000 for the City of Malvern, Arkansas for the completion of the Ouachita River Millennium Park Pavilion;

27. $500,000 for the Sacramento Housing and Development Agency, California for the construction of new low income housing;

28. $750,000 for the City of Inglewood, California for the construction of a senior center;

29. $250,000 for the City of Stockton, California for costs associated with construction of the Eldorado Teen Center;

30. $250,000 for the City of San Francisco, California for the Old Mint Redevelopment Project;

31. $350,000 for the City of Davis, California for the construction of a senior center;

32. $300,000 for the Los Angeles Harbor/Watts Economic Development Corporation, California for the development of a park and recreation site;

33. $200,000 for the City of Riverside, CA for costs associated with the completion of the Arlanza Neighborhood Center;

34. $200,000 to California State University at Fresno for costs associated with the Fresno Regional Jobs Initiative;

35. $250,000 for the Denver Art Museum, Center for American Indian Art, Denver, Colorado for expansion;

36. $250,000 for the Weld Food Bank in Greeley, Colorado for expansion and renovation;

37. $250,000 for the La Gente Youth Sports Recreation Center in Pueblo, Colorado for the expansion of facilities;

38. $250,000 for the Town of Mountain Village, Colorado for construction of the Affordable Housing Initiative;

39. $250,000 for the Town of Montrose, Colorado for the Montrose Pavilion/Senior Center renovation;

40. $215,000 for the Town of Ignacio, Colorado for affordable housing development;

41. $250,000 for Foodshare, Inc., in Hartford County, Connecticut for the construction of a new distribution center;

42. $250,000 for the Main Street Development Corporation in Ansonia, Connecticut for the Lower Naugatuck Valley Economic Development Initiative;

43. $500,000 for the Mark Twain House and Museum in Hartford, Connecticut for costs associated with restoration and development;

44. $250,000 for the Town of Plainfield, Connecticut for the InterRoyal Facility Remediation Initiative;

45. $250,000 for the Riverfront Development Corporation in Wilmington, Delaware for construction of a pedestrian bridge as part of the efforts to redevelop the Christina riverfront;

46. $250,000 for Sacred Heart Village, Inc. in Wilmington, Delaware for costs associated with renovations;

47. $250,000 for City of Ocilla, Georgia, for the renovations of the Old Ocilla School;

48. $250,000 for Tubman African American Museum, Macon, Georgia for costs associated with renovations;

49. $500,000 for the City of Coral Gables, Florida for the Biltmore Complex Restoration Project;

50. $250,000 for the Washington County, Florida Chamber of Commerce Economic Development Council for outreach and technical assistance;

51. $250,000 for the Boys and Girls Club of Hawaii in Honolulu for costs associated with construction of the Nanakuli site on Hawaiian Homelands;

52. $250,000 for Poamoho Camp Community Association in Wahiawa, Hawaii for infrastructure improvements;

53. $350,000 for Binhi At Ani in Wailuku, Hawaii for the construction of the Maui Filipino Community Center;

54. $400,000 for Friends of Drug Court in Honolulu, Hawaii for the acquisition of a building;

55. $250,000 for Kauai Economic Opportunity, Inc., in Kauai, Hawaii for improvements and renovations to a homeless shelter;

56. $250,000 for the Hawaii Island Community Development Corporation in Hilo for the construction of low-income elderly housing;

57. $1,000,000 for the Clearwater Economic Development Association, Idaho, for implementation of the Lewis and Clark Bicentennial plan;

58. $900,000 for Boise State University in Idaho, for planning, design, and construction for the Center for Environmental Science and Economic Development;

59. $900,000 for the University of Idaho, at Moscow, Idaho, for planning and design for a science and new technologies laboratory;

60. $350,000 for the Field Museum, Chicago, Illinois for improvements;

61. $150,000 for the Chicago Botanic Garden, Glencoe, Illinois for the expansion of the School of the Botanic Garden;

62. $750,000 for the City of Springfield, Illinois for the design and construction of a community center on the city's east side;

63. $250,000 for the Campbell Center for Historic Preservation in Mount Carroll, Illinois to complete the planning, feasibility, and design phase of its program expansion and rehabilitation project;

64. $200,000 for the Northwest Illinois Chapter of the American Red Cross in Freeport, Illinois for the acquisition of property and construction of a new chapter office;

65. $200,000 for the Chicago Food Depository, Illinois for capacity expansion and related programs;

66. $200,000 for the Chicago House and Social Service Agency in Illinois to develop and construct a social services community center and programs on the West Side of Chicago, in partnership with Vital Bridges/Open Hand;

67. $250,000 for The Community Foundation of Muncie and Delaware County, Inc., Anderson, Indiana for expansion of its food bank facilities;

68. $250,000 for the City of Anderson, Indiana for the completion of the Anderson Fiber Network;

69. $250,000 for the City of Indianapolis, Indiana for the construction of the Holmes Court Housing Development;

70. $250,000 for the City of Jefferson, Indiana for costs associated with the redevelopment of Spring Street;

71. $250,000 for the City of Waterloo, Iowa for the acquisition of the Cedar Valley TechWorks Facility;

72. $200,000 for the City of Fort Dodge, Iowa for the Lincoln Neighborhood Initiative;

73. $250,000 for the City of Fort Dodge, Iowa for the Lincoln Neighborhood Redevelopment Project;

74. $250,000 for the City of Storm Lake, Iowa for costs associated with the construction of the Destination Park Interpretative Center;

75. $250,000 for the City of Bettendorf, Iowa for the River's Edge Redevelopment Project;

76. $200,000 for the Mid America Housing Partnership in Cedar Rapids, Iowa for the housing trust fund;

77. $200,000 for the Scott County Housing Council, Davenport, Iowa for the construction and rehabilitation of housing;

78. $200,000 for the City of Waterloo, Iowa for the Rath Housing Initiative;

79. $200,000 for Homeward Inc., in Iowa for construction of low income housing;

80. $250,000 for the Kansas Chapter of National Korean War Veterans Association, Overland Park, Kansas for the construction of a Korean War Memorial;

81. $500,000 for the City Vision Ministry, Kansas City, Kansas for Rosedale neighborhood affordable housing;

82. $650,000 for the City of Great Bend, Kansas for construction of an environmental education center;

83. $1,225,000 for Haskell Indian Nations University in Kansas for the construction of a science center;

84. $500,000 for the City of Topeka, Kansas for infrastructure construction at the Center Point Commerce Park;

85. $300,000 for the Veterans Memorial Park of Wichita, Kansas for renovation project;

86. $200,000 for TLC for Children and Families, Inc. in Olathe, Kansas for the construction of residential, educational, and therapy facilities for homeless teens, foster care youth and parents, and teens in the Juvenile Justice System;

87. $275,000 for Sedgwick County, Kansas for the construction of the Oaklawn Community Center;

88. $1,500,000 for the City of Bowling Green, Kentucky, for purchasing equipment for the South Central Kentucky Training and Development Project;

89. $800,000 for the City of Bowling Green, Kentucky for costs associated with the development of the Lost River Cave Improvement Project;

90. $250,000 for Paducah Area Community Reuse Organization in Graves County, Kentucky for costs associated with the construction of the PACRO Industrial Park;

91. $300,000 for the Owen County Industrial Authority, Kentucky for the Owen County Gas Line;

92. $250,000 for the Edmonson County, Kentucky for costs associated with the construction of the Edmonson Technology and Economic Development Center;

93. $500,000 for Catholic Charities, Archdiocese of New Orleans, Louisiana for costs associated with construction for the West Bank Senior Services Continuum;

94. $250,000 for the City of Grand Isle, Louisiana for the construction of a community center;

95. $250,000 for the City of Jean Lafitte, Louisiana for the construction of a community center and emergency shelter;

96. $250,000 for Lafourche Parish, Louisiana for the construction of a Seniors Center and recreation development;

97. $250,000 for the Audubon Nature Institute in New Orleans, Louisiana for facility improvements;

98. $300,000 for the City of Baton Rouge, Louisiana Recreation Commission for downtown recreation development;

99. $250,000 for the City of Dequincy, Louisiana for downtown revitalization;

100. $250,000 for St. Tammany Parish, Louisiana for the construction of a maritime training center;

101. $300,000 for the City of Baltimore, Maryland, for costs associated with the relocation of the Central Garage;

102. $250,000 for Associated Catholic Charities, Inc., in Baltimore, Maryland to build a new facility and renovate an existing facility for Our Daily Bread Employment Center and My Sister's Place Women's Center;

103. $300,000 for St. Ambrose Housing, for purchase and rehabilitation of houses in northeast Baltimore, Maryland;

104. $400,000 for Baltimore County, Maryland, for the rehabilitation of the Dundalk Community Center;

105. $400,000 for Baltimore County, Maryland, for the Randallstown Community Center;

106. $250,000 for the Charles County Economic Development Commission in Maryland for the design of the Energetics Technology Center;

107. $200,000 for Montgomery County, Maryland for pedestrian enhancements and safety improvements in Long Branch;

108. $200,000 for Montgomery County, Maryland for Fenton Street Village pedestrian linkages;

109. $200,000 for Easter Seals, in Silver Spring, Maryland for the construction of the Easter Seal Inter-Generational Center;

110. $500,000 for Prince Georges' County, Maryland, for the renovation of the Employment and Training Center and the Multicultural Academy;

111. $500,000 for St. Mary's County, Maryland, for the acquisition and redevelopment of Lexington Manor;

112. $1,000,000 for the Mandel Center for Nonprofit Organizations in Cleveland, Ohio, to capitalize a scholarship endowment established in memory of Art Naparstek;

113. $500,000 for the National Council of Negro Women, in Washington, DC, for the construction and renovation of 633 Pennsylvania Avenue, in Northwest, Washington, DC;

114. $250,000 for the City of Brewer, Maine to acquire and redevelop eight parcels of land on the Penobscot River;

115. $250,000 for the City of Caribou, Maine to improve and repair a gymnasium and related facilities in the Armory building;

116. $250,000 for the City of Auburn, Maine to construct the Great Falls Parking Garage;

117. $250,000 for the People's Regional Opportunity Program [PROP] for the construction of affordable housing units and a neighborhood center in Portland, Maine;

118. $270,000 for the Attleboro Redevelopment Authority, Massachusetts for the Attleboro Redevelopment Authority Manufacturing Site Remediation and Redevelopment;

119. $310,000 for the Greater Boston Food Bank, Massachusetts for expansion of its distribution center;

120. $270,000 for the City of Lawrence, Massachusetts for the demolition and remediation of the Lawrence In-Town Mall building;

121. $200,000 for the City of Northampton, Massachusetts for the redevelopment of blighted land;

122. $200,000 for the City of North Adams, Massachusetts for the redevelopment and renovation of the Mohawk Theater;

123. $300,000 for the A.E. Seaman Mineral Museum in Houghton, Michigan for costs associated with the relocation of the Museum;

124. $300,000 for the Motown Center in Detroit, Michigan for costs associated with the relocation of the center;

125. $300,000 for the City of Detroit, Michigan for costs associated with the restoration of the riverfront;

126. $350,000 for the State Theatre of Bay City/Bay County, Michigan for the restoration of the State Theatre;

127. $350,000 for the City of Port Huron, Michigan for revitalization;

128. $250,000 to the Minnesota Housing Finance Agency for supportive housing for homelessness in St. Paul, Minnesota;

129. $250,000 to the City of St. Paul, Minnesota for rehabilitation needs at the Ames Lake Neighborhood/Phalen Place Apartments;

130. $700,000 for Neighborhood House in St. Paul, Minnesota for construction of the Paul and Sheila Wellstone Center for Community Building;

131. $250,000 for the Organization of Liberians in Minnesota in Brooklyn Park for costs associated with the construction of The Liberian Cultural and Community Center;

132. $1,000,000 for the Area Development Partnership in Hattiesburg, Mississippi for costs associated with the construction of the Hattiesburg Innovation Commercialization Center;

133. $1,850,000 to Mississippi State University for renovation of the Lloyd-Ricks building in Starkville, Mississippi;

134. $750,000 to Lafayette County for restoration of the Lafayette County Courthouse in Oxford, Mississippi;

135. $300,000 to the City of Waynesboro for relocation of the Police Department in Waynesboro, Mississippi;

136. $300,000 to the City of Brookhaven for renovation of the Fire House in Brookhaven, Mississippi;

137. $300,000 to the City of Holly Springs for the North Memphis Street Redevelopment project in Holly Springs, Mississippi;

138. $250,000 to Kemper County for infrastructure improvements in Kemper County, Mississippi;

139. $200,000 for the City of Booneville, Mississippi for community development;

140. $250,000 to the Martin Luther King Foundation for the rehabilitation of the community center in Pickens, Mississippi;

141. $800,000 to the City of Jackson for the remediation and renovation of historic King Edward Hotel in Jackson, Mississippi;

142. $250,000 to the City of Pascagoula for public library repairs in Pascagoula, Mississippi;

143. $250,000 to the City of Ellisville for the renovation and construction of the public library in Ellisville, Mississippi;

144. $250,000 for St. Patrick Center for the Homeless Partnership Center in St. Louis, Missouri for construction;

145. $250,000 for the Green Hills Regional Planning Commission for construction of renewable energy and rural economic development projects in Putnam County, Missouri;

146. $250,000 for Joplin Area Chamber of Commerce Foundation in Missouri for the Joseph Newman Business and Technology Innovation Center;

147. $250,000 for Greene County, Missouri for developing a natural history museum in Springfield, Missouri;

148. $1,000,000 to St. Charles County Association for Retarded Citizens for Family Support Center construction in St. Charles County, Missouri;

149. $1,000,000 to the City of St. Joseph, Missouri for construction associated with the St. Joseph Community Riverfront Redevelopment Project;

150. $1,000,000 to the St. Louis Science Center for visitor center construction in St. Louis, Missouri;

151. $1,000,000 to the Ozarks Development Corporation to provide infrastructure improvements to a development park in West Plains/Pamona, Missouri;

152. $1,000,000 to the City of St. Joseph, Missouri for demolition of the Heartland Regional Medical Center;

153. $1,000,000 to the City of St. Louis, Missouri for construction of a truck entrance at Broadway and St. Louis Avenue, utility relocation, rail track relocation and perimeter fencing;

154. $500,000 to the Bartley-Decatur Neighborhood Center, Inc. to restore/re-construct home for use as revitalized neighborhood center in Springfield, Missouri;

155. $500,000 for the Northern Rockies Center for Senior Health, Billings, Montana, for construction of a senior citizens facility;

156. $700,000 for the Big Sky Economic Development Authority, Billings, Montana, for economic development outreach;

157. $300,000 for the Great Falls Development Authority, Great Falls, Montana, for economic development outreach;

158. $350,000 for the Chippewa Cree Tribe, Box Elder, Montana, for a housing construction project;

159. $300,000 for the Story Mansion, Bozeman, Montana for historical renovations and improvements;

160. $300,000 for the Rocky Mountain Development Council/PenKay Eagle Manor Renovation, Helena, Montana, for renovations and improvements;

161. $300,000 for the Rocky Mountain Elk Foundation, Missoula, Montana for construction projects;

162. $300,000 for the City of Billings, Montana West Side planning and development project;

163. $250,000 for the Billings Child and Family Intervention Center, Billings, Montana for construction projects;

164. $250,000 for the Montana Technology Enterprise Center in Missoula, Montana for a revolving loan fund;

165. $250,000 for the Family Service, Inc. of Omaha, Nebraska, for construction of the Sarpy County Family Service Center;

166. $250,000 for Metropolitan Community College of Omaha, Nebraska, for construction of a Health Careers Center;

167. $250,000 for the Davey Area Community Center in Davey, Nebraska for costs associated with construction;

168. $500,000 for the Penacook Tannery in Concord, New Hampshire for restoration;

169. $500,000 for the Claremont Mill in Claremont, New Hampshire for redevelopment;

170. $400,000 for the Tilton Riverfront Park in Tilton, New Hampshire for development;

171. $250,000 for the Old New Hampshire State House Planning Project in Concord, New Hampshire for planning of reconstruction of the first New Hampshire State House;

172. $450,000 for the New Hampshire Main Street Center in Concord, New Hampshire for the development of downtown areas;

173. $350,000 for the Souhegan Boys and Girls Club in Milford, New Hampshire for the construction of a new center;

174. $350,000 for the Manchester Historical Association in Manchester, New Hampshire for the renovation of the Center for Preserving Manchester's History;

175. $250,000 for the Northern Community Investment Corporation, Colebrook, New Hampshire for rural broadband telecommunications project;

176. $250,000 for the Tri-County Community Action Program/City of Berlin, New Hampshire, for elimination of blighted and unsafe buildings;

177. $250,000 for the City of East Orange, New Jersey for construction of a senior center;

178. $250,000 for the Town of Hammonton, New Jersey for the construction of a community center complex;

179. $250,000 for La Casa de Don Pedro in Newark, New Jersey for renovations in relation to the Lower Broadway Improvement Zone project;

180. $250,000 for the City of Woodbine, New Jersey for renovations in relation to the Woodbine Community Center Complex project;

181. $250,000 for the Borough of Carteret, New Jersey for the construction of an International Trade and Logistics Center;

182. $250,000 for the South Jersey Economic Development District for economic revitalization in Atlantic, Cape May, Cumberland, and Salem counties;

183. $400,000 for the Office of the New Mexico State Fire Marshal, Santa Fe, New Mexico, to support improved fire service, training services, infrastructure, and/or information systems in the State of New Mexico and at the New Mexico State Fire Academy in Socorro, New Mexico;

184. $500,000 for Goodwill Industries of New Mexico, Albuquerque, New Mexico, for renovation of its headquarters and client training center;

185. $275,000 for the Village of Tijeras, New Mexico, for purchase of a fire pumper truck to serve the community and Federal installations in the area;

186. $1,175,000 for Presbyterian Medical Services, Santa Fe, New Mexico, for the construction of Santa Fe County Head Start and Early Head Start facilities;

187. $400,000 for the City of Clovis Fire Department, New Mexico, for purchase of emergency medical vehicles to serve the community and Federal installations in the area;

188. $750,000 for the City of Hobbs, New Mexico, for infrastructure associated with the development of the Hobbs Industrial Air Park;

189. $500,000 for Eastern New Mexico University, Portales, New Mexico, for purchase of telecommunications equipment for its communications program and public radio station KENW;

190. $250,000 for the Albuquerque Hispano Chamber of Commerce, New Mexico for the expansion of the Barelas Job Opportunity Center;

191. $250,000 for the Town of North Hempstead, New York for the New Cassel Revitalization and Redevelopment Project;

192. $250,000 for the City of Buffalo, New York for the renovation of a building to create housing for the Buffalo Arts Homesteading Program;

193. $250,000 for The Olana Partnership in Hudson, New York for costs associated with construction;

194. $250,000 for the City of Poughkeepsie, New York for costs associated with replacing the roof on the Historic Luckey, Platt Building;

195. $350,000 for Pucho's, Inc., in Buffalo, New York for the construction of a new recreational and educational resource room;

196. $350,000 for the United Jewish Organizations of Williamsburg, Inc. in Brooklyn, New York for the construction of a new community services building;

197. $300,000 for the Burchfield Penney Art Center in Buffalo, New York for construction of a new museum;

198. $800,000 for the City of Las Vegas, Nevada for improvements to a historic building;

199. $250,000 for the City of Reno, Nevada for the Reno Fourth Street Corridor Enhancements which include but are not limited to streetscape improvements, safety upgrades, and the installation of lighting;

200. $250,000 for Nevada Partners, Home of the Culinary Training Institute in North Las Vegas, Nevada for the expan-

sion of the Southern Nevada Strategic Vocational Training Center;

201. $250,000 for the Urban Chamber of Commerce in Las Vegas, Nevada for costs associated with the construction of a multi-use and instructional center;

202. $250,000 for the North Las Vegas Library District, Nevada for costs associated with the construction of a full service library;

203. $250,000 for East Las Vegas Community Development Corporation, Nevada for equipment;

204. $200,000 for Ethel-Willia, Incorporated in Nevada for the Smart Start Child Care Center;

205. $200,000 for the Town of Pahrump, Nevada for costs associated with the construction of the Pahrump/Nye County Fairground;

206. $500,000 for the City of Reno/Good Shepherd Clothes Closet Project, Reno, Nevada;

207. $200,000 for the National Whitewater Center in Charlotte, North Carolina for costs associated with construction;

208. $200,000 for the Wake County Library Foundation in Raleigh, North Carolina for costs associated with construction;

209. $200,000 for the Blowing Rock Performing Arts in Blowing Rock, North Carolina for construction;

210. $250,000 for Ashe County, North Carolina to develop a Business Incubator in the Family Central Complex;

211. $250,000 for Our Children's Place in Granville County, North Carolina to construct a facility;

212. $350,000 for the Northwest Ventures Communities Inc., Minot, North Dakota for the construction of the Northwest Career and Technology Center;

213. $350,000 for the Three Affiliated Tribes Tourism Department, New Town, North Dakota for a cultural interpretive center;

214. $300,000 for the United Tribes Technical College in Bismarck, North Dakota for the construction of family housing;

215. $300,000 for the NDSU Research and Technology Park Inc., in Fargo, North Dakota for the Advanced Technology Career Center;

216. $250,000 for the Minot Area Community Foundation, North Dakota for the Prairie Community Development Center;

217. $250,000 for the Franklin County Metro Parks, Franklin County, Ohio for the purchase of land in the Darby Creek Watershed;

218. $250,000 for the Springfield Center City Association, Springfield, Ohio for the construction of a business incubator;

219. $250,000 for Improved Solutions for Urban Systems, Inc., Dayton, Ohio to create a new model for economic, community and workforce development;

220. $250,000 for the Toledo-Lucas County Port Authority for the Northwest Ohio Brownfield Restoration Initiative;

221. $250,000 for the Youngstown Central Area Community Improvement Corporation, Youngstown, Ohio for construc-

tion of the Advanced Technology Incubator for Market Ready Applications;

222. $250,000 for First Frontier, Inc., Xenia, Ohio for revitalization of the amphitheatre;

223. $550,000 for Cleveland Playhouse Square, Cleveland, Ohio for IDEA Center;

224. $450,000 for Development Projects, Inc., Dayton, Ohio for Downtown Dayton Northeast Quadrant;

225. $300,000 for CAMP, Cleveland, Ohio for Cleveland Manufacturing Technology Complex;

226. $500,000 for the Standing Bear Native American Foundation, Ponca City, Oklahoma for creation of the Standing Bear Museum and Education Center;

227. $250,000 to Washington County, Oregon for costs associated with the construction of a homeless shelter;

228. $450,000 to the Portland Development Commission, Oregon, for the North Macadam affordable housing project;

229. $250,000 to the City of Gresham, Oregon for costs associated with the construction of a cultural arts center;

230. $250,000 to the City of Brookings Harbor, Oregon for the redevelopment of the boardwalk;

231. $500,000 for the City of Portland, Oregon for development of the Portland Streetcar;

232. $200,000 for the Bean Foundation, Inc. in Bend, Oregon for costs associated with the construction of the Madras Center for Education and Workforce Training;

233. $200,000 for Brookings Harbor, Oregon for costs associated with the construction of the Brookings Harbor Seafood Processing Plant;

234. $300,000 for the Urban Redevelopment Authority of Pittsburgh, Pennsylvania, for the redevelopment of South Side Works;

235. $300,000 for the City of Scranton, Pennsylvania, for the Cedar Avenue Revitalization;

236. $300,000 for Bucknell University, Lewisburg, Pennsylvania for the Lewisburg Downtown Theater rehabilitation;

237. $250,000 for the Allegheny West Foundation, Philadelphia, Pennsylvania, for the Budd Plant rehabilitation project;

238. $250,000 for the Indiana County Development Corporation, Indiana, Pennsylvania, for the Indiana Springs development project;

239. $250,000 for the City of Erie, Pennsylvania, for site preparation and redevelopment of the vacant and blighted Koehler Brewery Building;

240. $250,000 for the City of Greensburg, Pennsylvania, for construction of a Center for the Arts;

241. $250,000 for Our City Reading, in Reading, Pennsylvania, for the rehabilitation of abandoned houses and parks to provide quality home ownership opportunities to low-income families;

242. $250,000 for the Greater Wilkes-Barre Chamber of Business and Industry, in Wilkes-Barre, Pennsylvania, for the acquisition and redevelopment of the historic Irem Temple;

243. $250,000 for the City of Lancaster, Pennsylvania, for the rehabilitation and renovation of the Lancaster Central Market;

244. $250,000 for Eagles Mere Village, Inc., in Eagles Mere, Pennsylvania, for the acquisition and rehabilitation of downtown buildings;

245. $250,000 for the Allegheny County Department of Community and Economic Development, in Pittsburgh, Pennsylvania, for the planning, design, and construction of Schenley Plaza;

246. $250,000 for the Greene County Department of Planning and Development, in Franklin Township, Pennsylvania, for construction of a multi-tenant facility at EverGreene Technology Park;

247. $200,000 for Universal Community Homes in Philadelphia, Pennsylvania, for the conversion of land into for-sale units to low- and moderate-income families;

248. $200,000 for the Borough of Lewistown, Pennsylvania, for the rehabilitation and renovation of the Lewistown Municipal Building;

249. $200,000 for the Darby Borough Community Development Corporation, in Darby, Pennsylvania, for a Main Street revitalization initiative including acquisition, renovation, and demolition of downtown buildings;

250. $200,000 for the Chester County Industrial Development Authority, in East Whiteland and Tredyffrin Townships, Pennsylvania, for the redevelopment of the Atwater Brownfields site;

251. $200,000 for the Inglis Foundation, in Philadelphia, Pennsylvania, for the planning, design, and construction of housing for individuals with disabilities;

252. $250,000 to the Pawtucket Armory Association in Pawtucket, Rhode Island for renovation of the armory into a performing arts and arts education center;

253. $250,000 to Westbay Community Action in Warwick, Rhode Island for the purchase and renovation of a building for use as a child care center;

254. $250,000 to the Providence Neighborhood Investment Program in Providence, Rhode Island for economic revitalization projects in distressed communities;

255. $250,000 for the Meeting Street National Center of Excellence in Providence, Rhode Island for the construction of a new facility and recreation space;

256. $250,000 for Rhode Island College in Providence, Rhode Island for the renovation of the former State Home and School;

257. $250,000 to the Old Slater Mill Association in Pawtucket, Rhode Island for improvements to the exhibitry and the building;

258. $400,000 for Meeting Street in Providence, Rhode Island for a recreational facility;

259. $200,000 for the West Warwick Senior Center, Inc. in Rhode Island for the costs associated with construction of affordable housing and community center;

260. $200,000 for Crossroads Rhode Island in Providence, Rhode Island for building renovations;

261. $200,000 for the United Methodist Elder Care in East Providence, Rhode Island for fire, life safety, security and communications systems;

262. $250,000 for City of Anderson, South Carolina for costs associated with the construction of the Murray/Franklin Street Project;

263. $250,000 for American College of the Building Arts, Charleston, South Carolina for training and skills;

264. $400,000 for EngenuitySC in Columbia, South Carolina for building renovations and purchasing of technology equipment;

265. $1,400,000 for the Wakpa Sica Historical Society in Fort Pierre, South Dakota for the Wakpa Sica Reconciliation Center;

266. $400,000 for the City of Mobridge, South Dakota for the Missouri River riverfront economic development project;

267. $250,000 for the Sioux Empire Housing Partnership in Sioux Falls, South Dakota for development of low income housing;

268. $250,000 for City of Sioux Falls, South Dakota for a day care center;

269. $400,000 for the Sioux Falls Family YMCA, South Dakota for construction of a facility;

270. $250,000 for Tea, South Dakota for costs associated with construction of a city hall;

271. $250,000 for the Cheyenne River Youth Project, Eagle Butte, South Dakota for the construction of a teen center;

272. $400,000 for the Oglala Sioux Tribe in Pine Ridge, South Dakota for the construction of a veterans center;

273. $400,000 for the Cheyenne River Sioux Tribe in Eagle Butte, South Dakota for the construction of a veterans center;

274. $250,000 for the Central States Fair Inc., in Rapid City, South Dakota for infrastructure improvements;

275. $200,000 for the Cobscook Bay Resource Center in Eastport, Maine to develop a marketing co-operative;

276. $500,000 for City of Brookings, South Dakota for Growth Partnership Research Park;

277. $250,000 for Rapid City YMCA, South Dakota for the construction of a teen wellness center;

278. $500,000 for the City of Sturgis, South Dakota, for the Sturgis Industrial Park;

279. $250,000 for the Rapid City Arts Council, Rapid City, South Dakota, for the Dahl Arts Center;

280. $1,600,000 for the Memphis Biotech Foundation in Memphis, Tennessee for planning, design, construction, and equipment associated with the Memphis Biotech Foundation;

281. $500,000 for the City of Huntingdon, Tennessee for land acquisition;

282. $500,000 for the Rolling Mill Hill Revitalization Project in Nashville, Tennessee for the revitalization of distressed urban areas;

283. $500,000 for the Big South Fork Visitors Center, Scott County, Tennessee to develop new visitors facilities;

284. $250,000 for the Chattanooga Public Housing Authority to support the Economic Self Sufficiency and 21st Century Work Skills program in Chattanooga, Tennessee;

285. $250,000 for the Native American Indian Association of Tennessee, Nashville, Tennessee for construction of a cultural center;

286. $250,000 for the Lauderdale County Industrial Park, Lauderdale County, Tennessee for industrial site development;

287. $250,000 for the Country Music Hall of Fame and Museum, Nashville, Tennessee to support community programs;

288. $250,000 for the Chattanooga African American Chamber of Commerce, Tennessee to construct the Martin Luther King Business Solutions Center;

289. $250,000 for the Appalachian Service Project, Johnson City, Tennessee to support the Summer Home Repair Program;

290. $500,000 for Covenant House Texas in Houston to evaluate the structural and mechanical systems of the current emergency shelter and upgrade the agency's infrastructure;

291. $400,000 for the Acres Home Economic Development Initiative in Houston, Texas to redevelop the Acres home-community;

292. $250,000 for the World Congress on Information Technology in Austin, Texas for renovations to the Austin Convention Center;

293. $200,000 for the Beaumont Downtown Improvement Program in Beaumont, Texas for downtown redevelopment;

294. $200,000 for the Texas Theater Renovations in Dallas, Texas for renovations to the building;

295. $250,000 for Caritas of Austin, Texas for the Austin Basic Needs Collaboration Economic Development Initiative;

296. $200,000 for the Fort Worth Urban Villages Revitalization initiative in Fort Worth, Texas for downtown improvements;

297. $200,000 for the Houston Freedman's Town African American Archive in Houston, Texas for continued renovations to the Gregory School;

298. $200,000 for the San Angelo Home Loan Program in San Angelo, Texas to continue helping low and moderate income families with housing needs;

299. $200,000 for the East Austin Improvements project in Austin, Texas to provide improvements to the Central East Austin neighborhood;

300. $200,000 for the Denton Downtown Redevelopment project in Denton, Texas for downtown square improvements;

301. $200,000 for the Plaza Theater Renovations in Laredo, Texas to renovate the Plaza Theater;

302. $200,000 for the Corpus Christi Downtown Redevelopment in Corpus Christi, Texas to provide streetscape improvements;

303. $100,000 for the St. Phillips Neighborhood Redevelopment Initiative in Dallas, Texas to provide improvements to the community;

304. $200,000 for the Vermont Institute of Natural Science, Woodstock, Vermont for the construction of a wildlife rehabilitation facility;

305. $200,000 for Vermont Housing and Conservation Board for the development of affordable housing in Rutland, Vermont;

306. $750,000 for the Vermont Center on Emerging Technologies, Burlington, Vermont for development of a technology incubator;

307. $600,000 for the Preservation Trust of Vermont, Burlington, Vermont for the Village Revitalization Initiative;

308. $450,000 for the Vermont Housing and Conservation Board, Montpelier, Vermont for development of affordable housing and downtown revitalization in Burlington, Vermont;

309. $250,000 for the Art Museum of Western Virginia in Roanoke, Virginia for planning and construction of a new museum;

310. $250,000 for the George C Marshall Foundation in Lexington, Virginia for renovation and repair;

311. $700,000 for Christopher Newport University Real Estate Foundation, Newport News, Virginia for the Warwick Boulevard Commercial Corridor Redevelopment project;

312. $500,000 for the Woodrow Wilson Presidential Library, Staunton, Virginia for planning, construction, and renovation of the facility;

313. $300,000 for Virginia Economic Bridge, Inc., Radford, Virginia for development and operation of programs to address employment and economic development in Southwest Virginia;

314. $650,000 for Wayne County, Utah for the Wayne County Community Center;

315. $250,000 for West Jordan, Utah for the West Jordan Pioneer Hall Renovation;

316. $900,000 for USF Elizabethan Theater, Cedar City, Utah for design and construction of an Elizabethan theater;

317. $1,000,000 for Brigham City, Utah for the Academy Building Renovation;

318. $500,000 for Salt Lake City, Utah for renovation of Historic Pioneer Park;

319. $250,000 for the Boys and Girls Club of South Puget Sound in Tacoma, Washington for costs associated with construction of new community centers;

320. $250,000 for the SWIFT Cyber Group in Richland, Washington for the SWIFT Initiative I—Elimination of Broadband Gaps;

321. $200,000 for the Washington Technology Center in Seattle for the Washington Nanotechnology Initiative;

322. $200,000 for the City of Burien, Washington for the acquisition and redevelopment of the Burien Highline Senior Center;

323. $500,000 for the Delridge Development Association in Seattle, Washington for renovations of the Old Cooper School;

324. $500,000 for Yakima Valley Farmworkers Clinic in Toppenish, Washington for costs associated with the construction of Science and Technology Partnership Center;

325. $300,000 for the Edmonds Public Facilities District in Washington for costs associated with the construction of the Edmonds Center for the Arts;

326. $300,000 for St. Anne's Children/Family Center in Spokane, Washington for costs associated with construction;

327. $250,000 for the Northwest Maritime Center in Port Townsend, Washington for construction;

328. $250,000 for the Washington Public Ports Association in Olympia, Washington for the WPAA Education Foundation;

329. $1,250,000 for the Raleigh County Commission, West Virginia for further development at the Raleigh County Airport Industrial Park;

330. $1,250,000 for West Virginia University for the development of a facility to house forensic science research and academic programs;

331. $1,250,000 for the McDowell County Commission, West Virginia for infrastructure and site development at the Indian Ridge Industrial Park;

332. $750,000 for the City of Beckley, West Virginia for downtown revitalization;

333. $300,000 for the Redevelopment Authority of the City of Milwaukee, Wisconsin for the Riverwest Neighborhood Housing Initiative;

334. $250,000 for the Redevelopment Authority of the City of Milwaukee, Wisconsin for the redevelopment of the Tower Automotive site;

335. $300,000 for the City of Madison, Wisconsin for the South Madison Redevelopment Project;

336. $300,000 for the Town of Madison, Wisconsin for the continued work on the Novation Technology Campus;

337. $300,000 for the City of Kenosha, Wisconsin for the Brass Redevelopment Project;

338. $250,000 for the Menomonee Valley Partners of Milwaukee, Wisconsin for the redevelopment of a former rail yard;

339. $250,000 for the City of Manitowoc, Wisconsin for economic development activities;

340. $300,000 for the West Central Wisconsin Regional Planning Commission in Eau Claire for technology start ups and expansions;

341. $250,000 for Riverfront Inc., in La Crosse, Wisconsin for the construction of work centers for the disabled;

342. $750,000 for the University of Wyoming, Laramie, Wyoming for the construction of the Wyoming Technology Business Center;

343. $250,000 for the Cottonwood Park Estates, Gillette, Wyoming for the removal of asbestos for senior housing construction;

344. $100,000 to the City of Gadsden, Alabama for construction of the facility for the New Centurions Substance Abuse Program for Women;

345. $200,000 to the City of Hanceville, Alabama for construction of the Wallace State Center for Automotive Manufacturing and Plastics;

346. $200,000 to the City of Rainsville, Alabama for construction of the Rainsville Agricenter;

347. $150,000 to the City of Guntersville, Alabama for renovation of the Old Rock School Whole Backstage Theater;

348. $100,000 to the City of Hokes Bluff, Alabama for construction of a Senior Center;

349. $60,000 to the City of Arab, Alabama for construction of the Lola Boyd Outdoor Education and Wildlife Area facility;

350. $50,000 to the City of Gordo, Alabama for construction of a public library;

351. $50,000 to the City of Fayette, Alabama for renovation of the historic old Post Office;

352. $20,000 to Winston County, Alabama for facilities construction and renovation of the Historic Houston Jail;

353. $20,000 to Winston County, Alabama for facilities construction and renovation of the Winston County Local Government Record Depository;

354. $250,000 for the City of Birmingham, Alabama for renovations to the Birmingham Zoo;

355. $200,000 to the City of Mobile, Alabama for renovations to the Saenger Theater;

356. $200,000 to Wallace Community College for construction for the Southeast Alabama Nursing Initiative in Dothan, Alabama;

357. $150,000 to the Chris Hammond Youth Foundation for construction of a youth sports complex in Wedowee, Alabama;

358. $150,000 to the City of Tuskgee, Alabama for downtown revitalization;

359. $590,000 for Covenant House in Anchorage, Alaska for capital improvement needs;

360. $150,000 to North Arkansas College in Harrison, Arkansas for facilities construction of the North Arkansas College Health Sciences Education Center;

361. $150,000 to Monticello-Drew County in Arkansas for Phase II of the Regional Sports Complex;

362. $150,000 to the City of Phoenix, Arizona for construction of the Bob Stump Veteran's Museum;

363. $150,000 for the Marc Center in Mesa, Arizona for construction of the Marc Day Treatment and Training Center;

364. $250,000 to Patronato Sax Xavier for facilities renovation at Mission San Xavier del Bac in Tucson, Arizona;

365. $430,000 to the Fox Tucson Theatre Foundation for the preservation of the Fox Tucson Theatre in Tucson, Arizona;

366. $100,000 to the Town of Springerville, Arizona for renovations to the historic Old Springerville Elementary School;

367. $250,000 to the Riverside Community College in Riverside, California for facilities construction and renovation improvements;

368. $200,000 to the Riverside Community College for construction of the School of Nursing in Riverside, California;

369. $330,000 to HomeAid America for the construction of HomeAid America Temporary homeless shelters in Costa Mesa, California;

370. $250,000 to the San Diego Food Bank in San Diego, California for facilities improvements;

371. $850,000 to the City of Lincoln, California for construction and renovation of a Cultural and Business Center;

372. $100,000 to the Auburn Peforming Arts Center for the purchase, demolition and reconstruction of the city's State Theater in adjoining properties in downtown Auburn, California;

373. $575,000 to the City of Sierra Madre, California for the construction of the Sierra Madre Youth Activity Center;

374. $100,000 to the Lompoc Boys & Girls Club for facilities renovation of the Lompoc Boys & Girls Clubhouse;

375. $150,000 to the Thousand Oaks Boys & Girls Club for construction of a new clubhouse on the campus of Colina Middle School in Thousand Oaks, California;

376. $200,000 to the City of Redding, California for industrial park development at the Stillwater Business Park;

377. $355,000 to the Boys and Girls Club of East San Diego County for construction of a new clubhouse in Santee, California;

378. $250,000 to the City of Oceanside, California for construction of a new Senior Center;

379. $100,000 to the town of Yucca Valley, California for the Civic Center Park;

380. $150,000 to the City of Twentynine Palms, California for facilities and land acquisition for the Joshua Tree National Park Visitors Center;

381. $250,000 for the City of Desert Hot Springs, California for the development and construction of the Civic and Community Center;

382. $250,000 to the City of Banning, California for construction and renovation of the city pool;

383. $280,000 to the National Orange Show in San Bernardino, California for facilities construction and renovation of the stadium;

384. $625,000 to the City of Apple Valley, California for construction of the Civic Center Park project;

385. $250,000 to the City of Lancaster, California for land acquisition for the North Downtown Transit Village Project;

386. $200,000 to the City of Whittier, California for the expansion and remodeling of the Whittwood Branch Library;

387. $200,000 to the International Agri-Center in Tulare, California for facilities construction;

388. $200,000 to the City of Citrus Heights, California for the Auburn Boulevard Commercial Corridor Enhancements;

389. $225,000 to the City of Livermore, California for facilities construction and renovations for the Tri-Valley Homeownership Clearinghouse;

390. $250,000 to the North Fork Community Development Council for industrial park development in North Fork, California;

391. $200,000 to the City of Westminster, California for construction of the Community Cultural and Education Center;

392. $200,000 to Kern County, California for infrastructure improvements of the Imperial Way Industrial Park;

393. $280,000 to the City of Bakersfield, California for sidewalks, street furniture and façade improvements;

394. $475,000 to the University of California for facilities construction and renovation to the Shafter Cotton Research and Extension Center in Shafter, California;

395. $150,000 to the Bowers Museum of Cultural Art in Santa Ana California for facilities expansion and renovation;

396. $100,000 to the City of Aurora, Colorado for facilities construction and renovation of the Fitzsimmons Redevelopment Authority;

397. $100,000 to Jefferson County, Colorado for facilities and construction of an early childhood development center;

398. $150,000 for the City of Arvada, Colorado for the design phase of the community's arts and humanities center;

399. $100,000 to the Bent of the River Audubon Center for facilities renovation of the Visitor's Center in Connecticut;

400. $150,000 for Trinity-On-Main in New Britain, Connecticut for the Trinity-On-Main Arts Education and Community Center for property acquisition and renovation;

401. $100,000 to Progressive Training Associates in Bridgeport, Connecticut for facilities construction;

402. $100,000 to the Stamford Center for the Arts for facilities construction of Little Theater & Arts Education Center;

403. $200,000 to the Stamford Yerwood Center in Stamford, Connecticut for facilities renovation;

404. $280,000 to the City of Bridgeport, Connecticut for facilities construction and renovation of the Music and Arts Center for Humanity;

405. $100,000 to the Town of Willington, Connecticut for construction of the Willington Senior Center;

406. $150,000 to the City of Norwich, Connecticut for the development of Harbor Park;

407. $100,000 for the Beebe School of Nursing in Lewes, Delaware for facilities construction and renovation;

408. $150,000 to the National Children's Museum in Washington, DC for facilities construction and relocation costs;

409. $250,000 for the City of Clearwater, Florida for facilities construction and renovation improvements for the Clearwater Homeless Intervention Project;

410. $475,000 for Volunteer Jacksonville for the construction of the Volunteer Jacksonville Facility in Jacksonville, Florida;

411. $280,000 for the South Florida Goodwill for facility renovations in Miami, Florida;

412. $475,000 to the Centro Mater Head Start Facilities for construction of a new facility in Hialeah, Florida;

413. $100,000 to Orange County, Florida for expansion of the Marks Street Senior Center;

414. $625,000 to the Office of Farmworker Ministries in Apopka, Florida for facilities construction;

415. $150,000 to the Sebring Airport Authority for industrial park development in Sebring, Florida;

416. $475,000 to the City of Fort Myers, Florida for the restoration of Edison & Ford Winter Estates;

417. $200,000 to the City of Sarasota, Florida for the Fredd "Glossie" Atkins park expansion;

418. $150,000 to the City of Ocoee, Florida for facilities construction for a senior citizen veterans services center;

419. $200,000 to the City of Palatka, Florida for the Palatka Riverfront improvements;

420. $100,000 to the City of Miami, Florida for the Elderly Assistance Program for facilities construction;

421. $250,000 to the City of Boca Raton, Florida for sidewalks, street furniture, and façade improvements;

422. $150,000 to the City of Gainesville, Florida for facilities improvements and upgrades of the Depot Regional Stormwater Park;

423. $150,000 for Alachua County, Florida for streetscape improvements for the Partners for a Productive Community Enhancement Initiative;

424. $610,000 to Hubbs/Sea World for facilities construction of a marine and coastal research center in Brevard County, Florida;

425. $610,000 to Shands/Jacksonville for facilities construction and renovation of an emergency room/trauma center in Jacksonville, Florida;

426. $610,000 to the Orlando Regional Medical Center for facilities construction and renovation of the Pediatric Trauma Center in Orlando, Florida;

427. $50,000 to Crosswinds Youth Services for facilities construction of a youth center in Brevard County, Florida;

428. $200,000 to the City of Largo, Florida for Central Park facilities improvements;

429. $850,000 to the City of Clearwater, Florida for streetscape improvements for the Beachwalk project;

430. $250,000 to Pinellas County, Florida for facilities construction and renovation of the Urban League Community Center;

431. $850,000 to the Salvador Dali Museum in St. Petersburg, Florida for planning, design, and construction of facilities;

432. $850,000 to the City of Dunedin, Florida for facilities construction and renovation of the city community center;

433. $100,000 to the National Armed Services and Law Enforcement Memorial Museum, in Dunedin, Florida for facilities construction and renovation;

434. $850,000 to the City of St. Petersburg, Florida for facilities renovation and expansion of the Florida Museum of Fine Arts;

435. $375,000 to the City of Palm Harbor, Florida for the downtown revitalization project;

436. $375,000 to the City of Treasure Island, Florida for the community development project;

437. $475,000 to the City of St. Petersburg, Florida for restoration of the Jordan School;

438. $575,000 to the City of St. Petersburg, Florida for the Tangerine Avenue community development project;

439. $275,000 for the City of Coral Gables, Florida for the Biltmore Complex Restoration Project;

440. $280,000 to the City of St. Petersburg, Florida for Dome Industrial Park facilities renovation and construction;

441. $280,000 to the City of St. Petersburg, Florida for facilities construction and improvements at Bartlett Park;

442. $250,000 to the City of Tampa, Florida for facilities construction and renovation for the Bay History Center;

443. $625,000 to Eckerd College in St. Petersburg, Florida for construction of the Youth Opportunity Center;

444. $280,000 to the City of St. Petersburg, Florida for facilities construction and renovation for the Mid-Pinellas Science Center;

445. $375,000 to the City of St. Petersburg, Florida for construction and renovation for the Catholic Charities Mercy House;

446. $75,000 for Antioch Micro-Enterprise Network in August, Georgia for the Antioch Micro-Enterprise Network's Entrepreneur Training Program;

447. $100,000 to Cobb County, Georgia for construction of the Marietta, Georgia Senior Center;

448. $100,000 to the City of Marietta, Georgia for capitalization of the Marietta Growth Fund;

449. $100,000 to the Local Housing Assistance Program in the city of Smyrna, Georgia for construction;

450. $75,000 to the Joint Development Authority of Ben Hill and Irvin Counties, Georgia for industrial park development;

451. $475,000 to the Coastal Heritage Society for construction of the Savannah Battlefield Interpretive Center in Savannah, Georgia;

452. $250,000 to Cherokee County, Georgia for construction of the Cherokee County Emergency Children's Shelter in Canton;

453. $100,00 to the Clearwater Economic Development Association, Idaho, for an economic planning study for the Lewis and Clark Bicentennial Project;

454. $475,000 to the City of Blackfoot, Idaho for land acquisition and improvements at the Jensen Grove City Park and Jensen Grove Lake;

455. $150,000 to Franklin County, Idaho for the moving, renovation, restoration of the Oneida Stake Academy building in Preston, Idaho;

456. $200,000 to Idaho State University for facilities construction for the L.E. and Thelma E. Stephens Performing Arts Center;

457. $100,000 to Power County, Idaho for the Fort Hall Reservation/Power County Joint Economic Redevelopment Initiative;

458. $200,000 to the City of Crest Hill, Illinois for facilities construction and renovation of Our Children's Homestead Foster Home Development;

459. $475,000 to the City of DeKalb, Illinois for industrial park infrastructure improvements;

460. $330,000 to the Ray Graham Association for People With Disabilities in Downers Grove, Illinois, for capital improvements;

461. $100,000 to the World War II Black Navy Veterans of Great Lakes Memorial Foundation for the North Chicago Veterans' Memorial in North Chicago, Illinois;

462. $275,000 to the St. Francis Medical Center in Peoria, Illinois for improvements, including consolidation of ambulatory care;

463. $275,000 to the Lakeview Regional Museum in Peoria, Illinois for facilities construction and renovation of a new building;

464. $275,000 for PeoriaNEXT in Peoria, Illinois for facilities construction and renovation of the Innovation Center business incubator;

465. $250,000 for Illinois College in Jacksonville, Illinois for facilities construction and renovation of Whipple Hall;

466. $275,000 for Glen Oak Zoo in Peoria, Illinois for facilities construction and renovation of a new Africa exhibit;

467. $100,000 Eureka College, Eureka, IL, for continued construction of Science and Technology Center;

468. $100,000 Northfield Park District, IL, for facilities renovation and rehabilitation;

469. $150,000 to the City of Havana, Illinois for facilities construction and renovation of the Havana Rural Center;

470. $100,000 to the Rockford Literary Council for facilities construction in Rockford, Illinois;

471. $280,000 to the Burpee Museum-Discovery Center museum campus expansion project in Rockford, Illinois;

472. $375,000 to the City of Joliet, Illinois for the continued restoration of the Rialto Square Theater;

473. $330,000 to the City of Marion, Indiana for refurbishing the City of Marion Memorial Coliseum;

474. $100,000 to Madison Township, Indiana for construction of the Madison Township Community Center;

475. $250,000 to the City of South Bend, Indiana for industrial park development at the Studebaker Corridor;

476. $250,000 to the South Bend Heritage Foundation in South Bend, Indiana for facilities construction and renovation;

477. $150,000 to the City of Anderson, Indiana for industrial park development;

478. $100,000 to the City of Fort Wayne, Indiana for facilities construction for the Hanna-Creighton Community Enhancement Initiative;

479. $200,000 to the Tri-State University in Angola, Indiana, for facilities construction for the Center for Technology and Online Resources;

480. $150,000 to the City of Storm Lake, Iowa for the construction of the Storm Lake Destination Park;

481. $100,000 to the Housing Trust Fund of Johnson County in Iowa City, Iowa, for capitalization of loan funds;

482. $200,000 to the City of Waterloo, Iowa for industrial park development;

483. $125,000 to the City of Des Moines, Iowa for land acquisition for a technology park;

484. $250,000 to Historic Abilene, Inc., in Kansas for the revitalization of New Old Abilene Town;

485. $100,000 to the City of Ottawa, Kansas for improvements to the Municipal Swimming Pool;

486. $200,000 to the City of Topeka, Kansas for industrial park development at the Center Point commerce park;

487. $250,000 to the City of Wichita, Kansas for the renovations at the Veterans Memorial Park;

488. $330,000 to the City of Wichita, Kansas for facilities construction for the development of the 21st Street Community Development Corporation;

489. $100,000 to the City of Radcliff, Kentucky for streetscape improvements;

490. $150,000 to the Trinity Family Life Center of Louisville, Kentucky for facilities construction of a multi-purpose center;

491. $625,000 to the Louisville Metro Government in Kentucky for the Newburg neighborhood revitalization;

492. $100,000 to Dream Foundation, Inc. in Louisville, Kentucky for playground construction;

493. $250,000 to Breathitt County Fiscal Court for the construction of an intergenerational community entertainment center in Jackson, Kentucky;

494. $250,000 to the Roy F. Collier Community Center for computer hardware, equipment, and furniture needs in Inez, Kentucky;

495. $200,000 to Metcalfe County Fiscal Court for construction of the Metcalfe County Enrichment Center in Edmonton, Kentucky;

496. $250,000 for the YMCA of Franklin County, Kentucky for facilities construction;

497. $150,000 to the City of St. Francisville, Louisiana for facilities construction and renovation;

498. $280,000 to the Biomedical Research Foundation of NW Louisiana for industrial park development in Shreveport, Louisiana;

499. $250,000 to St. John the Baptist Parish, Louisiana for facilities renovations to the Louisiana War Veterans Home;

500. $330,000 to Boysville of Michigan for facilities construction and renovations;

501. $150,000 to Global Enterprises for Water Technology for building acquisition and renovation at Clearwater Plaza in Grand Rapids, Michigan;

502. $250,000 to the Grand Valley State University for acquisition of a research facility, training and education space for the Annis Water Resource Institute in Muskegon, Michigan;

503. $475,000 to the Michigan Jewish Institute for facilities construction and renovation at the College Academic Center in West Bloomfield, Michigan;

504. $100,000 to the Boys and Girls Club of Troy, Michigan for facilities construction and renovation;

505. $100,000 to the Oakland Livingston Human Service Agency for facilities construction and renovation in Pontiac, Michigan;

506. $250,000 for Focus: Hope in Detroit, Michigan for the renovation of a new workforce development center;

507. $200,000 to the City of Durand, Michigan for downtown streetscape improvements;

508. $100,000 to the St. Cloud Housing & Redevelopment Authority in Minnesota for renovations to Germain Towers;

509. $150,000 to Scott County, Minnesota for renovation of affordable housing at the Belle Haven Apartment Preservation;

510. $100,000 to the Cornerstone Advocacy Service in Bloomington, Minnesota for facilities construction;

511. $100,000 to Laderdale County, Mississippi for facilities construction for Mississippi Scrimber Wood Project;

512. $100,000 to the LeFleur Lakes Development Foundation in Rankin and Hinds Counties, Mississippi for an economic planning study;

513. $125,000 to Mississippi State University for Phase II expansion of its Research, Technology and Economic Development Park in Mississippi State, Mississippi;

514. $330,000 to the City of Holly Springs, Mississippi for the North Memphis Street Redevelopment Revitalization Project;

515. $150,000 to the Show-Me Aquatics for facilities construction in Saint Charles, Missouri;

516. $80,000 to Greene County, Missouri for the development of an industrial park;

517. $250,000 to the City of Springfield, Missouri for the construction of a community multipurpose center;

518. $475,000 for the Gillioz-Ronald Reagan Theatre in Springfield, Missouri for facilities renovation;

519. $200,000 for the Missouri Soybean Association for construction of the Missouri Soybean Association's Discovery Research Institute;

520. $200,000 to the Southeast Missouri State University for construction of the Southeast Missouri State University River Campus in Cape Girardeau, Missouri;

521. $150,000 to the Missouri Soybean Association for renovations to the New Generation Agribusiness Incubation Center in Kansas City, Missouri;

522. $200,000 to the Brookfield Industrial Development Authority in Brookfield, Missouri, for industrial park development;

523. $200,000 to the Montana State University-Northern for facilities equipment and technology upgrades in Havre, Montana;

524. $375,000 to the Boys and Girls Home of Nebraska for Columbus Hospital renovations;

525. $200,000 to Nye County, Nevada for facilities renovation of the Pahrump/Nye County Fairgrounds;

526. $100,000 to the City of Henderson, Nevada for downtown revitalization;

527. $200,000 to Boulder City, Nevada for the Historic Boulder City Hotel Rehabilitation;

528. $100,000 to the City of Concord, New Hampshire for facilities restoration and improvements to the Bicentennial Square;

529. $250,000 to the City of Nashua, New Hampshire for facilities restoration and improvements to Thoreau's Park;

530. $150,000 to the Currier Art Museum for facilities construction and renovation of the Currier Museum Gallery in Manchester, New Hampshire;

531. $250,000 for the Girls and Boys Town USA in Newark, New Jersey, Jersey City, New Jersey, Portsmouth, Rhode Island, Las Vegas, Nevada and New Orleans, Louisiana for construction at the national priority projects of Girls and Boys Town USA;

532. $100,000 to the Children's Specialized Hospital for facility renovations in Mountainside, New Jersey;

533. $100,000 to the City of Bernardsville, New Jersey for the downtown streetscape project;

534. $100,000 to the Hunterdon County YMCA for construction of a child care facility in Hunterdon County, New Jersey;

535. $100,000 to the Town of Dover, New Jersey for an economic development planning study;

536. $100,000 to the Borough of Somerville in New Jersey for an economic development planning study;

537. $100,000 to the Borough of Wanaque, New Jersey for improvements to the Haskell Business District Redevelopment;

538. $175,000 to the Borough of Washington, New Jersey for sidewalks, street furniture and façade improvements;

539. $250,000 to the City of Mount Holly, New Jersey for facilities construction and renovation to the Mt. Holly Workforce Development & Economic Revitalization Center;

540. $250,000 to the City of Greater Trenton, New Jersey for the construction of the Greater Trenton YMCA;

541. $150,000 for the Association de Comerciantes Latinos de Nuevo Mexico in Albuquerque, New Mexico, for facilities construction;

542. $200,000 to the City of Albuquerque, New Mexico for construction of the Santa Barbara/Martineztown Learning Center;

543. $25,000 to the Town of Mentz, New York for renovations to the Senior Center;

544. $50,000 to the City of Auburn, New York for facilities construction and renovation of Willard Chapel;

545. $50,000 to the United Cerebral Palsy in Utica, New York for development of children's campus in Rome, New York at the Griffiss Business and Technology Park;

546. $75,000 to the City of Auburn, New York for renovations of the Merry Go Round Playhouse;

547. $200,000 to the City of Geneva, New York for facilities construction and renovation of the Cornell Agriculture and Food Technology Park;

548. $280,000 to the City of Utica, New York for facilities construction and renovation of the Science and Technology Center at Utica College;

549. $280,000 to the City of Utica, New York for facilities construction and renovation of the Stanley Theater Expansion and Modernization Project;

550. $50,000 to Brooklyn Remembers Inc. for construction of the Brooklyn Remembers Memorial in Brooklyn, New York;

551. $150,000 to the Saint Vincent Catholic Medical Centers for facilities construction and renovation of a Primary Care Outpatient Center in Stapleton, New York;

552. $150,000 to Yeled V'Yalda for construction of the Yeled V'Yalda Treatment Center for Children with Disabilities in Brooklyn, New York;

553. $475,000 to the Roberts Wesleyan College in Rochester, New York for construction of a new Library and Information Resource Center;

554. $250,000 to the Town of Monroe, New York for construction of the Monroe Free Library;

555. $250,000 to the North Shore-Long Island Jewish Health System for facilities construction and renovations to expand the Emergency Department in Bay Shore, New York;

556. $280,000 to Paul Smith's College in Franklin County, New York for construction of the Joan Weil Student Center;

557. $50,000 to the Village of Hamilton, New York for industrial park development at the Hamilton Industrial Park;

558. $50,000 to the Cheektowaga Senior Center in Cheektowaga, New York for facilities improvements;

559. $268,000 to the Genesee Country Village and Museum in Mumford, New York for facilities improvements;

560. $250,000 to the Catskill Mountain Foundation for the renovation of the Orpheum Theatre and Sugar Maples Resort in Hunter, New York;

561. $250,000 to the Warren County Economic Development Corp. in North Creek, New York for facilities construction of the North Creek Ski Bowl;

562. $475,000 to the City of Syracuse, New York for facilities construction and renovations of the Amos Block Redevelopment Project;

563. $250,000 to the City of Syracuse, New York for renovations and streetscape improvements to the ARC of Onondaga facility for developmentally disabled adults;

564. $250,000 to the City of Syracuse, New York for renovations to P.E.A.C.E. Inc. facilities in Central New York;

565. $75,000 to Onondaga County, New York for the Greater Syracuse Sports Hall of Fame for facilities expansion and renovation;

566. $375,000 to the City of Syracuse, New York for facilities renovations to Syracuse Stage;

567. $250,000 to the City of Syracuse, New York for facilities expansion and renovation of Vera House;

568. $100,000 to the City of Rochester, New York for planning and expansion of the High Falls Film Festival;

569. $950,000 to St. John Fisher's College in Rochester, New York for construction of a new School of Pharmacy;

570. $200,000 to the Town of Penfield, New York for renovations to the Camp Haccamo facilities for the disabled;

571. $575,000 to the Metropolitan Development Association in Syracuse, New York for the Essential New York Initiative;

572. $100,000 to the Town of Palmyra, New York for renovations to the Palmyra Community Center;

573. $75,000 to the Wayne County, New York for planning and marketing of an alternative use strategy for the Savannah Elementary School Building;

574. $375,000 to the Metropolitan Development Association in Syracuse, New York for construction and renovations of the Electronics Park complex;

575. $150,000 to the City of Syracuse, New York for building renovations and stablization at the Mizpah Tower facility;

576. $50,000 to the City of Syracuse, New York for facilities construction and renovation to the North Area Athletic & Education Center, Inc.;

577. $475,000 to the New York State Olympic Regional Development Authority for facilities construction;

578. $250,000 to the Simon Wiesenthal New York Tolerance Center in New York City for facade restoration improvements;

579. $475,000 to the Metropolitan Museum of Art in New York City for facade restoration improvements;

580. $500,000 to the National Center for Disabilities Services in Albertson, New York for facilities construction and renovation;

581. $500,000 to Jazz at Lincoln Center in New York City for facilities construction;

582. $150,000 to the Natural History Museum of the Adirondacks for construction of a new museum in New York State;

583. $50,000 to the State University of New York (SUNY) Canton for facilities construction;

584. $50,000 to the Lewis County General Hospital in Lewis County, New York for facilities construction and modernization;

585. $475,000 to Brooklyn Public Library in New York for restoration of the central plaza;

586. $250,000 to the Rivers and Estuaries Center on the Hudson in New York for facilities construction;

587. $330,000 to Daemon College in Amherst, New York for facilities improvement;

588. $250,000 to the State University of New York (SUNY) for the SUNY Delhi Center of Excellence in Watershed Applications and Technology-Based Economic Revitalization for facilities construction and equipment;

589. $150,000 to the Southeastern Center for Contemporary Art for facilities construction and renovation in Winston-Salem, North Carolina;

590. $200,000 to the Blowing Rock Community Arts Center Foundation in Blowing Rock, North Carolina for construction of the Blowing Rock Performing Arts Center;

591. $100,000 to the City of Charlotte, North Carolina for facilities construction and renovation at Grier Heights;

592. $150,000 to the City of Raeford, North Carolina for streetscape improvements;

593. $150,000 to Scotland County, North Carolina for demolition of the Scotland County Hospital;

594. $100,000 to the Graveyard of the Atlantic Museum in Hatteras, North Carolina for facilities construction;

595. $100,000 to Gaston County, North Carolina, for industrial park development for the Gaston County Technology Park Expansion;

596. $100,000 to Gaston County, North Carolina to establish a revolving loan for investment in downtown Gastonia;

597. $50,000 for the City of Etowah, North Carolina for the Etowah community park for streetscape improvements;

598. $475,000 for the Education and Research Consortium at Brevard College in Brevard, North Carolina for science building facilities construction and renovation;

599. $475,000 for the Education and Research Consortium at Brevard College in Brevard, North Carolina for dormitory facilities construction and renovation;

600. $475,000 to Brevard, North Carolina for the Brevard Public Library for facilities construction and renovation;

601. $150,000 to the Victory Videos Ministry in the City of Forest Park, Ohio for the construction of a youth center;

602. $250,000 to the Westcott House Foundation for facilities construction and renovations to the Westcott House in Springfield, Ohio;

603. $275,000 to the Lancaster Campus of Ohio University for facilities construction of a Community Event and Conference Center in Lancaster, Ohio;

604. $100,000 to Fairfield County, Ohio for facilities construction and renovations at the new location for Fairfield Industries;

605. $50,000 to the Ohio Wesleyan University for facilities construction and renovations in Delaware, Ohio;

606. $275,000 for the Springfield—Clark County Community Improvement Corporation for land acquisition to expand the Applied Research Technology Park (ARTP);

607. $200,000 to the City of Willowick, Ohio for site preparation and construction of the Willowick Lakefront Development;

608. $200,000 to Newbury Township, Ohio for sidewalks, street furniture and facade;

609. $330,000 to the Hocking Athens Perry Community Action in Glouster, Ohio for renovations to the community center;

610. $330,000 for the 14th Street Community Center in Portsmouth, Ohio for facilities construction and renovation;

611. $1,430,000 for the Canton Regional Chamber of Commerce's Foundation in Canton, Ohio for industrial park development;

612. $257,000 to the City of Columbus, Ohio for construction of the YWCA Family Center;

613. $250,000 to Development Projects, Inc. for site preparation for the Downtown Dayton Northeast Quadrant in Dayton, Ohio;

614. $250,000 to the St. Mary's Development Corporation for land acquisition for the Multi-Family Housing Project in Dayton, Ohio;

615. $150,000 to the City of Moore, Oklahoma for the expansion of Buck Thomas Park;

616. $250,000 to the Harrah Industrial and Economic Development Authority for industrial park infrastructure development in Harrah, Oklahoma;

617. $200,000 to the City of Perkins, Oklahoma for development of the Oklahoma Territorial Plaza;

618. $150,000 to the City of Tulsa, Oklahoma for facilities construction and renovation of the Tulsa Hispanic Family Resource Center;

619. $200,000 to the Southern Oregon Rehabilitation Center for facilities renovations in White City, Oregon;

620. $150,000 to Gannon University, Erie, Pennsylvania for construction of the Erie Technology Incubator;

621. $250,000 to the Montgomery County Community College for facilities construction of the Small Business Development & University Transfer Center in Pottstown, Pennsylvania;

622. $250,000 to ARC of Montgomery County, Pennsylvania for facilities construction of a MARC building;

623. $200,000 to the Vietnam Veterans Leadership Program of Western Pennsylvania for facilities expansion in Pittsburgh, Pennsylvania;

624. $100,000 for the Westmoreland County Industrial Development Authority for industrial park development in Hempfield Township, Pennsylvania;

625. $150,000 to Allegheny County Department of Economic Development for site preparation and construction of Clinton Industrial Park in Findlay Township, Pennsylvania;

626. $100,000 to the Punxsutawney Weather Museum for improvements in Punxsutawney, Pennsylvania;

627. $100,000 to the Brookville YMCA in Brookville, Pennsylvania for facilities renovations;

628. $150,000 to Tabor Community Services in Lancaster, Pennsylvania for property acquisition and renovation;

629. $150,000 to the York Street Center and Stillmeadow Child Care Center in York, Pennsylvania for facilities renovations;

630. $200,000 to Sayre Borough, Pennsylvania for renovation of the Enterprise Center;

631. $200,000 to Trehab Center in Montrose, Pennsylvania for facilities construction;

632. $70,000 for the Morrison's Cove Memorial Park Recreation Center in Blair County, Pennsylvania for facilities improvements;

633. $100,000 for the Penn's Woods Council, Boy Scouts of America for camp upgrades in Tyrone, Pennsylvania;

634. $105,000 for Indiana University of Pennsylvania for construction of a Regional Development Complex in Indiana, Pennsylvania;

635. $25,000 for improvements to Nitterhouse Community Park in Chambersburg, Pennsylvania;

636. $250,000 to the University Technology Park in Chester, Pennsylvania to develop parking facilities for its first and second phase buildings;

637. $200,000 to the South Carolina School for the Deaf and Blind for renovations of a dormitory building in Spartanburg, South Carolina;

638. $100,000 to the City of Columbia, South Carolina for capitalization of the Enterprise Revolving Loan Fund;

639. $100,000 to the City of Columbia, South Carolina for industrial park development;

640. $100,000 to the City of Williamson County, Tennessee for the planning and improvements for the Cool Springs Life Sciences Center;

641. $250,000 to East Tennessee Historical Society for construction of the East Tennessee History Center in Knoxville, Tennessee;

642. $475,000 to the East Tennessee Veterans Memorial Association for construction of an East Tennessee Veterans Memorial in Knoxville, Tennessee;

643. $100,000 to the Second Harvest Food Bank of Northeast Tennessee for facilities renovations;

644. $100,000 to the Oak Ridge Center for Entrepreneurial Growth in Knoxville, Tennessee to expand successful business counseling programs and to prepare new technology companies to qualify for financing at various stages of their development;

645. $250,000 to Hamilton County, Tennessee for facilities construction for a Center for Entrepreneurial Growth Incubator;

646. $250,000 to the City of Arlington, Texas for facilities construction and land acquisition and including up to $100,000 for an economic development planning study;

647. $250,000 to the City of Arlington, Texas for facilities construction and renovation of the Central Arlington Housing Development Corporation;

648. $950,000 for Texas A&M International University for facility improvements in the City of Laredo, Texas;

649. $200,000 to the City of Houston, Texas for the Super Block renovations;

650. $725,000 to the City of Fort Worth, Texas for construction of the Trinity River Vision project;

651. $150,000 to the City of Leonard, Texas for streetscape infrastructure including sidewalks projects;

652. $200,000 to the Audie Murphy/American Cotton Museum in Greenville, Texas for facilities construction and renovation;

653. $100,000 to Breedlove Dehydrated Foods in Lubbock, Texas for facilities expansion;

654. $100,000 to the South Plains Food Bank in Lubbock, Texas for facilities upgrades;

655. $100,000 to the Science Spectrum Museum in Lubbock, Texas for facilities upgrades;

656. $250,000 to the City of Dallas, Texas for renovation to the Texas Theatre;

657. $100,000 for the World Congress on Information Technology in Austin, Texas for facilities construction and renovation of the International Center;

658. $150,000 to Brigham City, Utah for facilities construction and renovation of the Box Elder Dance Academy;

659. $150,000 for the Virginia Holocaust Museum in Richmond, Virginia for facilities renovation;

660. $475,000 to the Virginia Performing Arts Foundation for construction of the Virginia Performing Arts Foundation Education Center in Richmond, Virginia;

661. $150,000 to the Mary Washington College Foundation for facilities construction and renovation of the Maury Center Project;

662. $200,000 to the City of Fairfax, Virginia for the City of Fairfax Downtown Redevelopment Project;

663. $250,000 to the Lutheran Housing Services, Inc. in Burke, Virginia for facilities construction;

664. $100,000 to the Town of Smithfield, Virginia for the Smithfield Downtown Revitalization Project;

665. $100,000 for the Franklin County Library in Rocky Mount, Virginia for facilities renovation and equipment replacement;

666. $100,000 for Piedmont Arts Association for technology improvements in Martinsville, Virginia;

667. $150,000 to the Town of Appomattox, Virginia for facilities construction of an African-American cultural and heritage museum at the Carver-Price building;

668. $100,000 for the Town of South Boston, Virginia for renovations and creation of a community arts center at the Prizery;

669. $125,000 for the City of Moneta, Virginia for facilities construction and renovation of an art, education and community outreach center;

670. $150,000 to Kenbridge, Virginia for facilities and construction at the Kenbridge Town Center;

671. $75,000 to the Town of Boydton, Virginia for revitalization efforts of the central business district;

672. $99,000 for Patrick Henry Community College in Henry County, Virginia for equipment to train students in the motorsports industry;

673. $51,000 for the Robert E. Lee Community Center in Chase City, Virginia to assist with renovations to the Robert E. Lee Auditorium;

674. $75,000 to the City of Big Island, Virginia for the Sedalia Center restoration;

675. $475,000 to the Total Action Against Poverty to restore and revitalize the Dumas Center for Artistic and Cultural Development in downtown Roanoke, Virginia;

676. $75,000 to the Transitional Housing Program, Inc. in the city of Front Royal, Virginia for construction for a transitional housing program;

677. $100,000 to Loudon Cares in Leesburg, Virginia for facilities construction and renovation;

678. $250,000 for the Good Shephard Alliance in Leesburg, Virginia to build a homeless and poverty center;

679. $250,000 to Dodona Manor in Leesburg, Virginia for construction and renovation;

680. $475,000 to the Museum of Shenandoah Valley in Winchester, Virginia for facilities construction;

681. $200,000 for facilities expansion and renovation of the Virginia Historical Society;

682. $280,000 to the Walter Clore Wine and Culinary Center in Prosser, Washington for facilities construction;

683. $100,000 for the Spokane Symphony for renovations to the Fox Theater in Spokane, Washington;

684. $100,000 to the Business and Industrial Development Corporation for economic development planning study related to the DOW Technology Park;

685. $50,000 to the Business and Industrial Development Corporation for laboratory and office renovations;

686. $130,000 to the Fremont County Association of Governments for improvements to the Fremont County War Memorial;

687. $70,000 to the Paper Industry International Hall of Fame in Appleton, Wisconsin for facilities construction and renovation;

688. $100,000 to the City of Green Bay, Wisconsin for the National Railway Museum for exhibits;

689. $250,000 to the City of Cedarburg, Wisconsin for the Cedarburg Site revitalization project;

690. $48,500 to the City of Decatur, Alabama for improvements to Delano Park;

691. $48,500 to the Muscle Shoals Regional Center at the University of North Alabama for a feasibility study;

692. $48,500 to the Morgan County Child Advocacy Center in Decatur, Alabama for facilities construction and renovation;

693. $48,500 to the Bankhead Educational Foundation, Inc. for facilities planning and construction in Lawrence County, Alabama;

694. $72,750 to Parents and Children Together in Decatur, Alabama for facilities construction, renovation, and upgrades to its center;

695. $72,750 to the Princess Theatre Center for Performing Arts in Decatur, Alabama for facilities renovations;

696. $97,000 to the Madison County Commission in Alabama for countywide planning;

697. $97,000 to Athens State University for facilities renovation of McCandless Hall;

698. $97,000 to the 1856 Memphis and Charleston Railroad Freight Depot in Huntsville, Alabama, for repairs and renovations;

699. $97,000 to the Huntsville Museum of Art in Alabama for facilities upgrades;

700. $97,000 to the Northwest Alabama Children's Advocacy Center for facilities improvements, expansions, and upgrades;

701. $121,250 to the Huntsville-Madison County Botanical Gardens in Alabama for improvements to facilities;

702. $121,250 to the Helen Keller Birthplace Foundation for restoration of Ivy Green in Tuscumbia, Alabama;

703. $72,750 to the City of Hueytown, Alabama for construction of the Hueytown Community Center;

704. $97,000 to the Old Independence Regional Museum in Arkansas for facilities renovation;

705. $194,000 to the Arkansas State University for facilities construction and renovation of the Vada Sheid Community Development Center in Mountain Home, Arkansas;

706. $72,750 to the City of Prescott, Arkansas for construction of a public swimming pool;

707. $121,250 to the City of Conway, Arkansas for sidewalks, street furniture, and facade improvements the Conway Redevelopment project;

708. $72,750 to the Dunbar Coalition for the Dunbar Project in Tucson, Arizona for playground equipment, restoration of the school ramada, and renovation of the auditorium;

709. $72,750 to the Buillion Plaza Museum Association in Miami, Arizona for renovation of the museum building;

710. $97,000 to the Boys and Girls Clubs of Metro Phoenix for a new facility for the Glendale Boys & Girls Club in Phoenix, Arizona;

711. $242,500 to Chicanos Por La Causa for land acquisition at the Buckeye Road Site Development in Phoenix, Arizona;

712. $72,750 to the City of San Bernardino, California for expansion of its senior center;

713. $48,500 to the Optimist Youth Homes and Family Services in Highland Park, Los Angeles, California for facilities construction;

714. $121,250 to the City of Los Angeles, California for rehabilitation of the Echo Park Boathouse;

715. $97,000 to the Sylmar Recreation and Park Center in Sylmar, California for facilities construction and renovation;

716. $97,000 to the Valley Economic Development Center in Pacoima, California for facilities construction of the Pacoima Community Development Federal Credit Union;

717. $121,250 to the City of Santa Barbara, California for construction and restoration associated with the Arroyo Burro Beach Park;

718. $72,750 to the City of Stockton, California for renovation of the El Dorado Teen Center;

719. $72,750 to the Vietnam Veterans of San Diego for the construction of a new homeless shelter in San Diego, California;

720. $72,750 to the City of Fresno, California for improvements in the Southern Fresno Industrial Park;

721. $169,750 to the City of Palo Alto, California for restoration of the Palo Alto Children's Library;

722. $291,000 to the Second Harvest Food Bank in Santa Cruz and San Benito Counties, California for facilities construction and renovations;

723. $97,000 to the County of Imperial, California for project planning of the Imperial County Eco Park;

724. $72,750 to the City of Los Angeles, California for land acquisition and development of the East Wilmington Park;

725. $72,750 to the City of San Jose, California for renovations and upgrades to a shopping district;

726. $121,250 to the County of Alameda Public Works Agency for sidewalks improvements in Cherryland and Ashland, California;

727. $97,000 to the City of San Jose, California for construction of a multipurpose community center;

728. $291,000 to the Sacramento Area Regional Technology Alliance for an economic development planning study and facility construction and renovation;

729. $121,250 to the City of Long Beach, California for renovation and expansion of the Museum of Latin American Art;

730. $72,750 to the South Montebello Irrigation District in Montebello, California for construction of a community center;

731. $291,000 to the International Museum of Women in San Francisco, California for rehabilitation and buildout;

732. $388,000 to the Filipino Cultural Center in San Francisco, California for construction and buildout;

733. $72,750 to the El Proyecto Pastoral for construction of a pre-school center in Los Angeles, California;

734. $121,250 to the East Los Angeles Community Corporation for renovation of office space in Boyle Heights, Los Angeles, California;

735. $121,250 to the El Pueblo de Los Angeles Historic Park for restoration of a mural in Los Angeles, California;

736. $97,000 to the City of Anaheim, California for the reconstruction and lighting of the Magnolia High School athletic fields;

737. $72,750 to the City of Burbank, California for construction of the Ovrom Recreation Center and Community Day School;

738. $72,750 to the City of Porter Ranch, California for facility expansion of the North Valley YMCA;

739. $97,000 to the City of Azusa, California for construction of a health care clinic;

740. $97,000 to the City of Duarte, California for construction of a new library;

741. $97,000 to the City of Fremont, California for facilities renovations to the Kidango Rix Child Care Center;

742. $97,000 to the City of San Leandro, California for the construction of the San Leandro Senior Citizens Center;

743. $121,250 to the City of Lafayette, California for the construction of a veterans memorial building;

744. $72,750 to the City of American Canyon, California for construction of the Veterans Memorial Park;

745. $72,750 to the City of Windsor, California for the rehabilitation of Keiser Park;

746. $97,000 to the City of Lawndale, California for construction of the Lawndale Senior Center;

747. $169,750 to the City of Inglewood, California for construction of the Inglewood Senior Center;

748. $72,750 to the City of Los Angeles, California for renovation of the Barnsdall House and Park;

749. $266,750 to the City of Santa Monica, California for facilities construction and renovation of the Santa Monica National Mountains Gateway Visitors Center;

750. $97,000 to the Valley of the Moon Children's Home for construction in Santa Rosa, California;

751. $97,000 to Center Point, Inc. in Marin County, California for renovation of a treatment facility for youth;

752. $72,750 to the Denver Department of Human Services for renovations and buildout of a homeless shelter in Denver, Colorado;

753. $121,250 to the Greater Dwight Development Corporation for construction of the Dwight Community Child Care Center in New Haven, Connecticut;

754. $145,500 to the City of Derby, Connecticut for the Sterling Opera House renovation;

755. $194,000 to the Main Street Development Corporation for land acquisition, planning and facilities construction associated with the Naugatuck Valley Economic Growth Initiative in Naugatuck Valley, Connecticut;

756. $121,250 to the University of Hartford, Connecticut for renovations to the Hartt Performing Arts Center;

757. $97,000 to Gonzaga High School in Washington, District of Columbia for facilities renovation and construction;

758. $145,500 to the Tri-County Ag Complex in Altha, Florida for construction of a multipurpose center;

759. $145,500 to the City of Carrabelle, Florida for construction of a recreation park;

760. $194,000 to the City of Orlando, Florida for land acquisition in the Parramore Neighborhood;

761. $72,750 to the City of St. Petersburg, Florida to rehabilitate the Jordan School;

762. $72,750 to the Urban League of Broward County, Florida for construction of a community building resource center;

763. $72,750 to Hendry County, Florida for sidewalks, street furniture, and façade improvements at Hendry LaBelle Community Civic Park;

764. $72,750 to the Miami-Dade County Empowerment Zone Trust for facility construction of the Poinciana Biopharmaceutical Park;

765. $145,500 to the Office of Farmworker Ministry in Apopka, Florida for facilities construction;

766. $72,750 to the SOWEGA Council on Aging for construction of senior center in Albany, Georgia;

767. $72,750 to America's Second Harvest of Georgia for facility buildout in centers;

768. $72,750 to Lowndes Association Ministries to People (LAMP) for renovation of a multipurpose center in Valdosta, Georgia;

769. $72,750 to the East Baker Historical Society/21st Century Community Corporation in Georgia for facility repairs;

770. $97,000 to the City of Plains, Georgia for construction and facilities buildout of the Plains Rural History Resource Center;

771. $97,000 to Phoebe Putney Memorial Hospital in Dougherty County, Georgia for building renovation;

772. $97,000 to the National Infantry Foundation in Columbus, Georgia for construction of New National Infantry Museum and Heritage Park;

773. $97,000 to Morris Brown College in Atlanta, Georgia for renovation of a building;

774. $97,000 to the Flint River Auditorium Alliance for renovation of an auditorium in Flint River, Georgia;

775. $97,000 to the Albany Theater in Albany, Georgia for facilities renovations;

776. $194,000 to the Miller County Development Authority for construction of a sound stage in Colquitt, Georgia;

777. $145,500 to the Covenant House of Atlanta, Georgia to purchase and construct a new crisis shelter for homeless youth;

778. $145,500 to Spelman College in Atlanta, Georgia for renovations to Rockefeller Hall;

779. $121,250 to the Tubman Museum in Macon, Georgia for construction;

780. $97,000 to the City and County of Honolulu, Hawaii for expansion and renovation of the Makiki Library;

781. $121,250 to the City of Des Moines, Iowa for land acquisition for a technology park;

782. $169,750 to the City of Benton, Illinois for construction of a new library;

783. $242,500 to the Night of Ministry in Chicago, Illinois for rehabilitation and construction of the Night of Ministry Homeless Youth Housing Shelter;

784. $970,000 to the Rush-Presbyterian-St. Luke's Medical Center in Chicago, Illinois for facilities construction;

785. $72,750 to the Academy for Urban School Leadership for construction of a gymnasium and playing fields in Chicago, Illinois;

786. $194,000 to the City of Grafton, Illinois for development of the marina and harbor, including construction of sidewalks;

787. $194,000 to the Western Illinois University for construction of the Quad City Campus in Moline, Illinois;

788. $194,000 to the Chicago Park District for the Davis Square Park reconstruction in Chicago, Illinois;

789. $121,250 to The Inner Voice/A Little Bit of Heaven for facility upgrades to homeless shelters on the South Side of Chicago, Illinois;

790. $169,750 to the Calumet Area Redevelopment Initiative for land acquisition and restoration of the Lake Calumet area;

791. $339,500 to the Greater Chicago Food Depository for construction of a new foodbank and training facility

792. $388,000 to the Village of Western Springs, Illinois for land acquisition and construction of a parking lot;

793. $72,750 to the Chicago Board of Education for construction and renovations for a high school in Chicago, Illinois;

794. $72,750 to the City of Des Plaines, Illinois for expansion of the Des Plaines Community Senior Center;

795. $145,500 to the University of Indianapolis for facility expansion in Indianapolis, Indiana;

796. $266,750 to the City of Whiting, Indiana for renovation of the Whiting Social Center Facility;

797. $485,000 to the Town of Schererville, Indiana for construction of a recreational facility;

798. $72,750 to El Centro, Inc. for facilities construction and renovation in a business park;

799. $121,250 to the Kansas Chapter, National Korean War Veterans' Association for construction of the Korean War Memorial of Overland Park, Kansas;

800. $121,250 to Morehead State University for construction and expansion of classrooms in Mt. Sterling, Kentucky;

801. $121,250 to the St. Mary's Women and Infants Center for renovations to its facilities for homeless women and children in Boston, Massachusetts;

802. $97,000 to the Town of Barnstable, Massachusetts for site preparation, design, sidewalks, street furniture, and façade improvements;

803. $72,750 to the Town of Dedham, Massachusetts for parks improvements;

804. $220,500 to the Mystic Valley Development Corporation in Medford, Massachusetts for the development of a technology and research center;

805. $145,500 to the Malden Immigrant Center in Malden, Massachusetts for facilities construction, upgrades and buildout;

806. $97,000 to the City of Worcester, Massachusetts for facilities construction and renovation of the Worcester Center for the Performing Arts;

807. $121,250 to the Lowell, Massachusetts Boys and Girls Club for facility improvements;

808. $145,500 to the City of Springfield, Massachusetts for construction of the Springfield Public Market;

809. $169,750 to the American International College in Springfield, Massachusetts for increased classroom space at the Reed Mansion and Breck Hall;

810. $194,000 to the New England Log Homes Redevelopment for demolition in Great Barrington, Massachusetts;

811. $485,000 to the Food Bank of Western Massachusetts in Hatfield, Massachusetts for facilities expansion;

812. $145,500 to Salem State College in Salem, Massachusetts for construction and renovation of its Art Glass Works Facility;

813. $72,750 to the Enterprise Foundation for a feasibility study in Annapolis, Maryland;

814. $145,500 to the Baltimore School for the Arts for building upgrades in Baltimore, Maryland;

815. $60,000 to the Ministers Alliance of Charles County and Vicinity in Waldorf, Maryland for facilities renovation and buildout for a minority business center;

816. $194,000 to the Town of North Beach, Maryland for construction of a gym and multipurpose room at the Bayside Boys and Girls Club;

817. $194,000 to the Girl Scout Council of the Nation's Capital for the Girl Scout Camp construction, in Charles and Prince Georges Counties, Maryland;

818. $242,500 to St. Mary's County for land acquisition and demolishment at the Lexington Manor Northern Parcel in Leonardtown, Maryland;

819. $72,750 to the Cal Ripken Senior Foundation for construction of a stadium in Aberdeen, Maryland;

820. $72,750 to Prince Georges County, Maryland for facilities construction and renovation of the Permanent Employment & Training Center and Multicultural Academy;

821. $121,250 to the Anacostia Watershed Society for facilities renovation of the George Washington House in Prince George's County;

822. $121,250 to the Gulf of Maine Research Institute for facilities construction and renovation in Portland, Maine;

823. $97,000 to the City of Lewiston, Maine for renovation of a public theatre;

824. 97,000 to the City of Lewiston, Maine for renovation of the Franco-American Heritage Center;

825. $121,250 to the City of Greenville, Maine for rehabilitation of the Junction Wharf;

826. $121,250 to the City of Detroit, Michigan for demolition;

827. $169,750 to the Arab Community Center for Economic and Social Services in Dearborn, Michigan for construction of a museum;

828. $72,750 to Genesee County, Michigan for demolition, rehabilitation, and site preparation;

829. $72,750 to the Tuscola Human Development Commission for construction of an intergenerational day care facility in Caro, Michigan;

830. $315,250 to the City of Detroit, Michigan for sidewalks, street furniture, and façade improvements to the Detroit RiverWalk, East River Front;

831. $48,500 to the Cities of Manistique and Charlevoix, Michigan for the Northern Michigan Senior Centers Renovation Project;

832. $145,500 to Marquette General Hospital in Marquette, Michigan for construction of a trauma and emergency center;

833. $72,750 to the City of South St. Paul, Minnesota for site preparation at Port Crosby Park;

834. $97,000 to Leech Lake Tribal College for facilities construction and renovation in Cass Lake, Minnesota;

835. $145,500 to the City of Royalton, Minnesota for the renovation of a multi-purpose community facility;

836. $145,500 to the City of Park Rapids, Minnesota for Teamworks for a new industrial park;

837. $97,000 to the City of Willmar, Minnesota for redevelopment of a closed airport into the City of Willmar Industrial Park;

838. $97,000 to the City of Canby, Minnesota for construction of the Prairie Farm Preservation Education and Exhibit Center;

839. $218,250 to the Neighborhood Involvement Program in Minneapolis, Minnesota for rehabilitation of a multipurpose community center;

840. $339,500 to the Ritz Theater Foundation in Minneapolis, Minnesota for renovations to the Ritz Theater;

841. $72,750 to the City of St. Louis, Missouri for construction of the Northside Recreation Center;

842. $97,000 to the City of St. Louis, Missouri for streetscape improvements, façade improvements, and street furniture in the commercial district;

843. $97,000 to the Lemay Development Corporation in St. Louis, Missouri for land and site acquisition, demolition, streetscape improvements and renovation of St. Louis neighborhoods;

844. $194,000 to the Missouri Sheriff's Association for construction of an indoor firing range in Jefferson City, Missouri;

845. $97,000 to Clarke County, Mississippi for development of an industrial park;

846. $121,250 to Wayne County, Mississippi for development of an industrial park;

847. $72,750 to the Mississippi Valley State University for a feasibility study of the recreation areas at the Boys and Girls Club facilities in Itta Benna, Mississippi;

848. $97,000 to the Mississippi Valley State University in Itta Benna, Mississippi for the renovation and expansion of current facilities for the Center for Rural and Small Town Development;

849. $72,750 to the City of Henderson, North Carolina for facilities construction associated with downtown revitalization;

850. $97,000 to the Raleigh Area Development Authority in Raleigh, North Carolina for capitalization of a loan fund;

851. $145,500 to Duplin County, North Carolina for retrofitting and upgrades to the West Park Business Technology Center;

852. $72,750 to the Wake County Library Foundation for construction of a downtown library in Raleigh, North Carolina;

853. $72,750 to the Music Maker Relief Foundation Inc. for acquisition, renovation, and buildout of a facility in Orange County, North Carolina.;

854. $97,000 to the North Carolina Community Development Initiative, Inc. for construction and buildout of a community center in Apex, North Carolina;

855. $97,000 to Durham County, North Carolina for renovation and buildout of a community health center;

856. $97,000 to the Center for Community Self-Help in Durham, North Carolina for construction and buildout of a farmer's market facility;

857. $97,000 to the Summit House, Inc. for construction and buildout of a residential facility for incarcerated mothers and their children in North Carolina;

858. $145,500 to Triangle Residential Options for Substance Abusers, Inc. for expansion and buildout of substance abuse treatment facilities in Durham, North Carolina;

859. $145,500 to the Town of Holly Springs, North Carolina for construction and buildout of a performing and cultural arts center;

860. $145,500 to the Town of Fuquay-Varina, North Carolina for renovation, expansion, and buildout of a community center;

861. $145,500 to the Town of Apex, North Carolina for renovation, expansion, and buildout of a performing and cultural arts center;

862. $97,000 to the East Market Street Development Corporation for facility renovations to the old post office site in Greensboro, North Carolina;

863. $121,250 to the Bennett College Science Center for facilities construction and renovation in Greensboro, North Carolina;

864. $121,250 to the Three Affiliated Tribes at Fort Berthold, North Dakota for construction of a cultural interpretive center;

865. $194,000 to the LEAP Academy University Charter High School for facilities construction and renovation in Camden City, New Jersey;

866. $121,250 to the Township of Franklin in Somerset County, New Jersey for acquisition of a building to be renovated into a museum;

867. $97,000 to Hudson County Community College for construction of Union City Campus in Union City, New Jersey;

868. $97,000 to the Jersey City Medical Center in New Jersey for facilities construction and expansion of a heart institute;

869. $169,750 to the City of Perth Amboy, New Jersey for rehabilitation and construction of the Jewish Renaissance Medical Center;

870. $145,500 to Monmouth University in West Long Beach, New Jersey for renovation of the Guggenheim Memorial Library;

871. $97,000 to the County of Essex, New Jersey for expansion of the Essex County Environmental Center in Roseland, New Jersey;

872. $145,500 to the City of Newark, New Jersey for land acquisition for the University Heights Science Park;

873. $145,500 to the Newark Museum in Newark, New Jersey for renovation and expansion of an existing facility;

874. $72,750 to the Fort Lee Senior Center in Fort Lee, New Jersey for expansion;

875. $72,750 to the Town of Hackensack, New Jersey for streetscape renovation;

876. $72,750 to Rowan University in Mantua, New Jersey for construction of a technology park;

877. $97,000 to the Saint Peter's College Campus Community Center in Jersey City, New Jersey for a feasibility study;

878. $72,750 to Mora County, New Mexico for construction of the David Cargo Public Library;

879. $97,000 to the Nevada Partners, Inc. for facilities construction and expansion of a training facility in North Las Vegas, Nevada;

880. $72,750 to the North Shore Child and Family Guidance Center for expansion of a building in Long Island, New York;

881. $121,250 to the City of Holtsville, New York for facilities construction of the Brookhaven/Patchogue Family YMCA;

882. $48,500 to Truman High School in the Bronx, New York for facilities renovation;

883. $72,750 to Elmcor Youth and Adult Activities for construction of an economic development center in Queens, New York;

884. $145,500 to the City of Mt. Vernon, New York for restoration of an abandoned building into a job training and cultural center;

885. $72,750 to Johnson City, New York for facilities construction and renovations to the Goodwill Theater;

886. $121,250 to the City of Kingston, New York for the Ulster Performing Arts Center for renovations, upgrades, and repairs;

887. $121,250 to the Rural Ulster Preservation Company in Kingston, New York for renovations to the Kirkland Hotel;

888. $72,750 to the City of Northport, New York for construction of the Northport American Legion facility;

889. $72,750 to the Village of Dobbs Ferry, New York for streetscape improvements;

890. $97,000 to the Volunteer Counseling Services of Rockland County, New York for renovations to its building;

891. $97,000 to the City of Greenburgh, New York for upgrades and renovations to make facilities in Webb Park;

892. $97,000 to the Village of West Haverstraw, New York for sidewalk improvements;

893. $145,500 to the Village of Port Chester, New York for construction of a senior center;

894. $72,750 to the Queens Borough Public Library System for construction of a library in Queens, New York;

895. $121,250 to the Lower East Side Tenement Museum for facilities construction, renovation and buildout;

896. $121,250 to the Town of North Hempstead, New York for renovation of blighted properties in New Castle, New York;

897. $97,000 to the City of Albany, New York for the South End Demolition Project;

898. $97,000 to the City of Albany, New York for expansion of the Palace Theater stage;

899. $97,000 to the City of Albany, New York for the Corning Preserve Albany Waterfront Development;

900. $121,250 to Jamaica Hospital in New York, New York for land acquisition;

901. $72,750 to the Federation of Italian-American Organizations for expansion and renovation of its community center in Brooklyn, New York;

902. $97,000 to the City of Brooklyn, New York for construction of a computer lab;

903. $121,250 to the Brooklyn Public Library for renovation and development of the library's Central Plaza in Brooklyn, New York;

904. $97,000 to the Aaron Davis Hall, Inc. for restoration and renovation of the hall into a performing arts building in Harlem, New York;

905. $145,500 to The Armory Foundation for facilities renovation in New York;

906. $145,500 to the Amigos del Museo del Barrio, Inc. in New York, New York for capital improvements to the Heckscher Building;

907. $121,250 to the Pregones Theater in Bronx, New York for interior structural renovation work;

908. $344,000 to the City of New York Department of Parks & Recreation for renovations to the Bath House at Crotona Park;

909. $585,000 to the Mary Mitchell Family & Youth Center for construction of a multipurpose center in Bronx, New York;

910. $72,750 to the Town of Tonawanda, New York for repairs to a training facility;

911. $72,750 to Group 14621 Community Association for renovations to the Pulaski Library in Rochester, New York;

912. $97,000 to the City of Buffalo, New York for renovations to the Broadway Market;

913. $194,000 to the Brooklyn Academy of Music Local Development Corporation for design, construction, and streetscape improvements to the District's South Site in Brooklyn, New York;

914. $169,750 to the Brooklyn Economic Development Corporation to rehabilitate a building for business and economic development activities in Brooklyn, New York;

915. $72,750 to the Education Center for Russian Jewry in Rego Park, Queens, New York for facilities construction;

916. $121,250 to the City of Broadview Heights, Ohio for demolition;

917. $72,750 to Stella Maris, Inc. in Cleveland, Ohio for construction of a community recovery center;

918. $97,000 to the City of Toledo, Ohio for economic development planning for the Reynolds Road Green Corridor project;

919. $97,000 to the Lagrange Development Corporation in Toledo, Ohio for construction of a community center;

920. $242,500 to the City of Toledo, Ohio for building construction and streetscape improvements along Detroit Avenue;

921. $630,500 to the City of Toledo, Ohio for the Erie Street Market for Facilities reconstruction;

922. $72,750 to the Board of County Commissioners in Portage County, Ohio for construction of a veteran memorial in Ravenna, Ohio;

923. $97,000 to Washington State Community College in Marietta, Ohio for construction of a conference center;

924. $72,750 to the City of Portland, Oregon for the Central City Eastside Streetcar project;

925. $72,750 to the Oregon Museum of Science and Industry for land acquisition in East Portland, Oregon;

926. $218,250 to the Port of Brookings Harbor, Oregon for construction of a seafood processing plant;

927. $72,750 to the City of Salem, Oregon for facility improvements to the Salem Conference Center;

928. $121,250 to the City of Salem, Oregon for industrial park development at the Mill Creek Industrial and Employment Center;

929. $121,250 to the City of Philadelphia, Pennsylvania for renovations to the Rock School;

930. $72,750 to the Bloomfield Preservation and Heritage Society for construction of its Education, Research, and Development Center in Pittsburgh, Pennsylvania;

931. $72,750 to the Breachmenders Mentoring Grants Program in Pittsburgh, Pennsylvania for facility renovations and upgrades;

932. $72,750 to the Neighborhood Centers Association's Childcare/Early Childhood Education Center for facilities construction of a childhood education center in Pittsburgh, Pennsylvania;

933. $72,750 to the Homeless Children Education Fund/Learning Centers' homeless shelters for facility revitalization and renovations in Allegheny County, Pennsylvania;

934. $72,750 to North Hills Community Outreach in the Borough of Millvale, Pennsylvania for facilities construction and renovation;

935. $97,000 to the C.C. Mellor Memorial Library in Pittsburgh, Pennsylvania for infrastructure repairs;

936. $48,500 to the American Theater Arts for Youth, Inc. in Philadelphia, Pennsylvania for facility enhancements;

937. $48,500 to the Potters House Mission in West Philadelphia, Pennsylvania for land acquisition;

938. $48,500 to The Inglis Foundation for facility upgrades in Philadelphia, Pennsylvania for enhanced services;

939. $97,000 to the Pinn Business Development Center in Philadelphia, Pennsylvania for building renovations;

940. $97,000 to the Mann Center for Performing Arts in Philadelphia, Pennsylvania for rehabilitation and expansion of the performance hall;

941. $97,000 to the Greater St. Matthew Community Development Center in Philadelphia, Pennsylvania for construction of child development center;

942. $97,000 to the United Way of Philadelphia, Pennsylvania for facility upgrades of the People's Emergency Center West Philadelphia Digital Community Inclusion Project;

943. $194,000 to the Center in the Park in Philadelphia, Pennsylvania for facility enhancements for a senior housing facility;

944. $416,750 to the Educational Advancement Alliance in Philadelphia, Pennsylvania for acquisition or facilities construction of a multipurpose facility;

945. $97,000 to the Borough of Tremont, Pennsylvania for sidewalks and streetscape lighting;

946. $218,250 to the City of Harrisburg for capital costs associated with the CorridorOne Regional Rail Program of the Modern Transit Partnership in downtown Harrisburg, Pennsylvania;

947. $72,750 to the City of Scranton, Pennsylvania for land acquisition, facilities renovation, and demolition;

948. $145,500 to the City of Wilkes-Barre, Pennsylvania for land acquisition, facilities renovation, and demolition;

949. $97,000 to Washington County, Pennsylvania for engineering and design of improvements at the Alta Vista Business Park;

950. $97,000 to Westmoreland County, Pennsylvania for design, engineering and construction of the Rostraver Veterans Memorial Park;

951. $121,250 to Armstrong County, Pennsylvania for planning and renovation of buildings for reuse associated with the IUP Kittening Campus Reuse Project;

952. $121,250 to Westmoreland County, Pennsylvania for acquisition and reuse of a facility in the Lenox Building Rehabilitation project;

953. $145,500 to the Cambria County, Pennsylvania War Memorial Authority for construction of a stage and sports floor;

954. $194,000 to the Greene County Community Center for construction of a new community center in Greene County, Pennsylvania;

955. $242,500 to Armstrong County, Pennsylvania for construction of replacement facilities at the Belmont Complex;

956. $242,500 to the Waynesburg College Center for Economic Development in Greene County, Pennsylvania for facilities construction and renovations;

957. $291,000 to Fayette County, Pennsylvania for development of a business park;

958. $388,000 to Cambria County, Pennsylvania for facility construction and improvements to the Johnstown Regional Technology Complex;

959. $485,000 to the Winnie Palmer Nature Reserve in Westmoreland County, Pennsylvania for facilities construction and development;

960. $485,000 to Fayette County, Pennsylvania for renovation, revitalization, and improvement associated with the Downtown Uniontown Revitalization Project;

961. $72,750 to the Please Touch Museum in Philadelphia, Pennsylvania for facilities construction;

962. $48,500 to the World War II Memorial Commission of Rhode Island for the construction of the Rhode Island World War II Memorial;

963. $121,250 to the Cornerstone Adult Services/Bristol Center for renovation of a mill building in Bristol, Rhode Island;

964. $145,500 to the City of East Providence, Rhode Island for facilities construction and renovation of the East Providence Senior Center;

965. $72,750 to the City of West Warwick, Rhode Island for construction of the West Warwick Senior Center;

966. $242,500 to Salve Regina University in Newport, Rhode Island for facilities renovations;

967. $145,500 to the Five Rivers Community Development Corporation for the acquisition of land for a community training site in Georgetown County, South Carolina;

968. $145,500 to the South Sumter Resource Center for facilities construction and renovation in Sumter, South Carolina;

969. $97,000 to the Lee County Public Library in Lee County, South Carolina for facilities expansion and relocation;

970. $291,000 to Clinton Junior College in Rock Hill, South Carolina for construction of a new library/classroom facility;

971. $121,250 to the Cheyenne River Youth Project for construction of a teen center in Eagle Butte, South Dakota;

972. $72,750 to Fisk University in Nashville, Tennessee for development of a physical facilities master plan;

973. $121,250 to the Arts Center of Cannon County in Woodbury, Tennessee for construction and renovation of the Cannon County Cultural Tourism Complex;

974. $72,750 to the Southwest Tennessee Community College for expansion of a biotechnology building in Memphis, Tennessee;

975. $169,750 to the Arts Center of Cannon County for expansion and construction of the Cannon County Cultural Tourism Complex in Woodbury, Tennessee;

976. $145,500 to the Lauderdale County Economic Development Board in Ripley, Tennessee for industrial park development at the North Industrial Park;

977. $97,000 to the NABA International Park for the construction and renovations of its visitor center;

978. $97,000 to Southwest Key in Austin, Texas for facilities construction;

979. $97,000 to the City of Killeen, Texas for construction of a senior citizens center;

980. $436,500 to Quinn Campus, Inc. for construction, renovation and upgrades at Paul Quinn College in Waco, Texas;

981. $145,500 to Harris County, Texas Precinct 2 for the Harris County Unincorporated Area Revitalization Program in Harris County, Texas to enhance economic development in the area;

982. $145,500 to the City of Houston, Texas for construction and buildout of the Mason Park Family Center;

983. $72,750 to Texas A&M University in Kingsville, Texas for facility expansion of the Center for Young Children;

984. $72,750 to the City of Houston, Texas for the renovation of a school building to house an African-American archive and cultural center;

985. $121,250 to the City of Houston, Texas for capital improvements to the Guadalupe Plaza Park;

986. $72,750 to the City of Dallas, Texas for facilities construction and buildout of the Joppa Rodeo;

987. $121,250 to the City of Dallas, Texas for rehabilitation of the Black Dance Theater;

988. $169,750 to the Corpus Christi Regional Transportation Authority for the sidewalk improvements in Corpus Christi, Texas;

989. $121,250 to the Canutillo, Texas Independent School District for construction of a Science and research center;

990. $97,000 to Salt Lake County, Utah for construction of the East Side Senior Center;

991. $121,250 to the Utah Shakespearean Festival for architectural and engineering design and construction of a performance facility;

992. $194,000 to the Dabney S. Lancaster Community College for construction of the Virginia Packaging Applications Center;

993. $97,000 to the Boys and Girls Club of Alexandria, Virginia for renovation and expansion of its facility;

994. $97,000 to the Shirlington Incubation Center in Arlington, Virginia for construction of an incubator;

995. $97,000 to the Arlington Housing Corporation in Arlington County, Virginia for property acquisition, building demolition, and facilities renovation;

996. $169,750 to the Northern Virginia Urban League for rehabilitation of the Freedom House in Alexandria, Virginia;

997. $145,500 to the National Park Foundation for site preparation and construction of a New Market Heights memorial and visitor's center in Henrico County, Virginia;

998. $291,000 to Edgehill Recovery Retreat Center in Winchester, Virginia for facilities construction;

999. $72,750 to the Central Vermont Council on Aging in Barre, Vermont for construction and rehabilitation of senior centers;

1000. $72,750 to the Vermont Network Against Domestic Violence and Sexual Assault in Montpelier, Vermont for construction and rehabilitation of domestic violence shelters;

1001. $97,000 to the Vermont Employee Ownership Center in Burlington, Vermont for capitalization of a loan fund;

1002. $72,750 to the Fire Mountain Arts Council for renovation of the Morton Theater in Morton, Washington;

1003. $72,750 to the City of Hoquiam, Washington for renovation of the Senior Nutrition Center;

1004. $194,000 to the Port of Bremerton, Washington for expansion of a marina;

1005. $388,000 to the Town of Port Townsend, Washington for construction on the Northwest Maritime Center;

1006. $72,750 to the Edmonds Public Facilities District for renovations at the Edmonds Center for the Arts in Edmonds, Washington;

1007. $121,250 to the City of Bellingham, Washington for renovations to the Mount Baker Theater;

1008. $72,750 to the Boys and Girls Club of King County, Washington for renovation of the Greenbridge Community Center in White Center;

1009. $72,750 to the Asian Counseling and Referral Service for construction of a new building in Seattle, Washington;

1010. $72,750 to the City of Federal Way, Washington for the West Hylebos Wetlands Boardwalk Replacement;

1011. $169,750 to the City of Beloit, Wisconsin for sidewalks, street furniture, and façade improvements;

1012. $97,000 to Dakota County Technical College and Chippewa Valley Technical College for construction of the Center of Technology Innovation and Learn Lab in Eau Claire, Wisconsin and Rosemount, Minnesota;

1013. $242,500 to the Wisconsin Rapids Heart of Wisconsin Chamber of Commerce for a loan fund;

1014. $940,000 to the Ashwabay Outdoor Education Foundation in Washburn, Wisconsin for acquisition of land;

1015. $1,000,000 to the Marshfield Clinic for construction of the Melvin R. Laird Center for Applied Sciences;

1016. $97,000 to Forward Southern West Virginia in Beckley, West Virginia for land acquisition, planning, design and construction;

1017. $657,000 to the Greenbrier Valley Economic Development Corporation in Lewisburg, West Virginia for facilities construction and buildout;

1018. $970,000 to the 4-County Economic Development Corporation in Oak Hill, West Virginia for facilities construction;

1019. $72,750 to the Mountaineer Area Council in Fairmont, West Virginia for facilities construction;

1020. $72,750 to the Wetzel County 4-H Camp in New Martinsville, West Virginia for facilities renovation and buildout;

1021. $72,750 to the Grant County Library Commission in Grant County, West Virginia for facilities construction and renovation;

1022. $97,000 to Alderson-Broaddus College in Philippi, West Virginia for facilities construction, upgrades and buildout;

1023. $97,000 to the Tyler County Commission in Tyler County, West Virginia for facilities construction and renovations;

1024. $97,000 to the Monongalia County Schools Foundation, Inc. in West Virginia for construction of recreational facilities;

1025. $97,000 to the Marion County Commission in Marion County, West Virginia for planning, renovation and construction;

1026. $97,000 to West Liberty State College in West Liberty, West Virginia for planning and construction;

1027. $97,000 to Glenville State College in Glenville, West Virginia for planning and design of a science center;

1028. $97,000 to the Strand Theatre Preservation Society in Moundsville, West Virginia for theatre renovations;

1029. $242,500 to Wheeling Hospital in Wheeling, West Virginia for facilities upgrades and buildout;

1030. $1,386,600 to Vandalia Heritage Foundation, Inc. for land acquisition;

1031. $1,090,900 to the West Virginia High Technology Consortium Foundation, Inc. for facilities construction; and

1032. $1,940,000 to Glenville State College in Glenville, West Virginia for the construction of a new campus community education center.

—$42,000,000 for the Neighborhood Initiatives program instead of $21,735,000 as proposed by the House and $22,000,000 as proposed by the Senate. Modified language is included, similar to language proposed by the House and Senate, to target funds made available under this program. Targeted grants shall be provided as follows:

1. $250,000 for the reconstruction of Newell Hall at the University of Florida;

2. $300,000 for Lokahi Pacific in Wailuku, Hawaii for costs associated with the construction of the Blue Hawaii Building Projects and the Wailuku Small Business Center;

3. $200,000 for the Patriot's Gateway Center in Rockford, Illinois for continuation of programs and neighborhood revitalization in Rockford;

4. $500,000 for the City of Terre Haute, Indiana for the Terre Haute Business Incubator;

5. $500,000 for the Iowa Department of Economic Development for the enhancement of regional economic development capabilities;

6. $300,000 for the City of Council Bluffs, Iowa for downtown revitalization;

7. $500,000 for Catholic Housing of Wyandotte County, Kansas, Inc. for construction of low-cost housing and economic development activities as part of the Bethany Redevelopment Project in Wyandotte County, Kansas;

8. $1,000,000 for the Casey County Fiscal Court, Kentucky for the Central Kentucky Agriculture and Exposition Center in Casey County, Kentucky;

9. $1,000,000 for East Baltimore Development Inc., in Baltimore, Maryland for redevelopment activities in East Baltimore;

10. $1,300,000 for the Denali Commission for economic development in remote Native and rural villages in Alaska;

11. $300,000 for the Cambridge Redevelopment Authority, Massachusetts for the Kendall Square Renewal Area Project;

12. $300,000 for the Detroit Riverfront Conservancy, Michigan for costs associated with the restoration of Detroit riverfront west;

13. $1,000,000 to the B.B. King Museum Foundation for the B.B King Museum in Indianola, Mississippi;

14. $300,000 to Mississippi State University for the Capacity Development Initiative in Starkville, Mississippi;

15. $250,000 to Jackson State University for the Lynch Street Development Corridor Redevelopment in Jackson, Mississippi;

16. $250,000 to the City of Grenada for the Taylor Hall renovation in Grenada, Mississippi;

17. $350,000 for the LeFleur Lakes Development Foundation for an Economic Development Plan in Rankin and Hinds County, Mississippi;

18. $350,000 to Lincoln County for the restoration of the Boys & Girls Club in Lincoln County, Mississippi;

19. $5,000,000 for the Grace Hill Neighborhood Health Centers, Inc. shall be spent on primary prevention activities with no less than $4,000,000 spent on remediation and abatement activities of housing in St. Louis, Missouri;

20. $500,000 to the Urban League of Kansas City, Missouri for programs to support at-risk youth in the urban core of Kansas City;

21. $260,000 to the Central Missouri Food Bank in Columbia, Missouri for capital campaign project;

22. $90,000 to the Special Learning Center in Jefferson City, Missouri for staffing, training, equipment, supplies and renovations;

23. $50,000 to the Children's Therapy and Early Education School in Mexico, Missouri for an indoor exercise and gym area and to provide location for occupational and physical therapy for children with developmental delays and special needs;

24. $250,000 for the Urban Institute in Washington, DC for HOPE VI related research activities;

25. $1,000,000 for the Georgia Museum of Art in Athens, Georgia for completion of phase II;

26. $250,000 for the City of North Las Vegas, Nevada for a neighborhood beautification project;

27. $500,000 for the City of Rugby, North Dakota to continue work on information technology and energy projects;

28. $400,000 for Charleston Housing Trust Incorporated in South Carolina for the development of affordable housing;

29. $300,000 for Mercy Housing, Inc. for improvements to rural housing in Yakima, Washington; and

30. $1,000,000 for the Girl Scouts of the USA for youth development initiatives in public housing;

31. $1,000,000 for Shepherd University in Shepherdstown, West Virginia for construction, related activities, and programs at the Scarborough Library;

32. $500,000 for the Boys and Girls Clubs of America to establish programs for youth living in Public and Indian housing communities;

33. $800,000 to Swope Community Builders in Kansas City, Missouri for the redevelopment of the Brush Creek Neighborhood;

34. $100,000 to Tri-State University in Angola, Indiana for facilities construction and renovation of the Center for Technology and Online Resources;

35. $250,000 to Bradley University in Peoria, Illinois for facilities construction and renovation of Bradley Hall;

36. $250,000 to Pathway Services in Jacksonville, Illinois for facilities construction and renovation of a respite care facility;

37. $100,000 to Teen Challenge in Decatur, Illinois for facilities construction and renovation;

38. $100,000 to Quincy University in Quincy, Illinois for design and construction of a science building;

39. $100,000 to Tazewell/Woodford Head Start in East Peoria, Illinois for facilities construction and renovation of a new facility;

40. $100,000 to the City of Peoria, Illinois for Southern Gateway revitalization project;

41. $275,000 to the First Gethsemane Center for Family Development in Louisville, Kentucky for the purchase of a multi-purpose facility;

42. $600,000 to Maryhurst, Inc. in Louisville, Kentucky for facilities construction and renovation of a multi-purpose youth activities center;

43. $675,000 to the YMCA of Greater Louisville, Kentucky for renovations to the Chestnut Street facility;

44. $200,000 to the Visually Impaired Preschool Services in Louisville, Kentucky for facilities renovation;

45. $735,000 to the Monroe County Heritage Christian Home for costs associated with construction of the Springdale Farm Demonstration Project located in Ogden, Monroe County, New York;

46. $500,000 to NYSERNET for optical networking infrastructure;

47. $550,000 to the Central New York Regional Planning and Development Board for Finger Lakes Open Lands Conservation Project;

48. $475,000 to the Genesse/Finger Lakes Regional Planning Council for the Finger Lakes Open Lands Conservation Project;

49. $5,540,000 to the City of Syracuse, New York for the Neighborhood Initiative Program;

50. $1,000,000 for The Ohio State University in Columbus, Ohio for facilities construction and renovation in the Community Properties of Ohio Initiative.

51. $2,910,000 to the Institute for Scientific Research for construction related to a high-technology diversification initiative

52. $2,660,000 to the West Virginia High Technology Consortium Foundation, Inc. for mission purposes and economic development initiatives;

53. $2,910,000 to the Vandalia Heritage Foundation, Inc. for community and neighborhood revitalization and economic diversification initiatives; and

54. $970,000 to the City and County of San Francisco for capital; and improvements, upgrades and buildout for a senior homeless facility.

Includes modified language making technical corrections to certain targeted economic development initiative grants funded under this heading in prior appropriations Acts, similar to language proposed by the House and the Senate.

Includes language proposed by the House transferring up to $3,465,000 to the Working Capital Fund for development of and modifications to information technology systems. Modified language is included to broaden the uses of these funds to include other Departmental information technology needs. The Senate had proposed $500,000 for this transfer.

Includes language limiting the use of funds provided under this heading for planning, management and administration to not more than 20 percent of the funds provided except for amounts provided for certain activities as proposed by the House and the Senate.

COMMUNITY DEVELOPMENT LOAN GUARANTEES PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

Appropriates $7,000,000 for costs associated with section 108 loan guarantees, including administrative costs, to subsidize a total loan principal of up to $275,000,000 as proposed by the House. The Senate had proposed $7,325,000 for this account.

BROWNFIELDS REDEVELOPMENT

Appropriates $24,000,000 for brownfields redevelopment as proposed by the House. The Senate had proposed $25,000,000 for this account.

HOME INVESTMENT PARTNERSHIPS PROGRAM

(INCLUDING TRANSFER OF FUNDS)

Appropriates a total of $1,915,000,000 for this account, instead of $1,920,000,000 as proposed by the House and $2,050,000,000 as proposed by the Senate.

The conference agreement includes $1,865,000,000 for the HOME Investment Partnerships program, instead of $1,835,000,000 as proposed by the House and $2,000,000,000 as

proposed by the Senate. Within this account, funds are allocated as follows:

$42,000,000 is for housing counseling. The House had proposed $38,000,000 for housing counseling and the Senate had proposed $45,000,000;

$18,000,000 is for technical assistance as proposed by the Senate. The House had proposed $17,400,000 for technical assistance. Of amounts made available for technical assistance, $7,500,000 is for qualified non-profit intermediaries to provide technical assistance to Community Housing and Development Organizations (CHDOs) instead of $7,000,000 as proposed by the House and $8,000,000 as proposed by the Senate; and

$2,000,000 as a transfer to the Working Capital Fund as proposed by the House instead of $500,000 as proposed by the Senate. Modified language is included to broaden the uses of these funds to include other Departmental information technology needs.

In addition, the conference agreement includes $50,000,000 to provide down-payment assistance to low-income families to help them achieve homeownership as proposed by the Senate, instead of $85,000,000 as proposed by the House.

HOMELESS ASSISTANCE GRANTS

(INCLUDING TRANSFER OF FUNDS)

Appropriates $1,250,515,000 for homeless assistance grants, instead of $1,206,000,000 as proposed by the House and $1,260,000,000 as proposed by the Senate. Language is included designating up to $11,500,000 for the national homeless data analysis project and for technical assistance as proposed by the House. The Senate had proposed $12,000,000 for these activities. Includes modified language proposed by the House transferring $2,500,000 to the Working Capital Fund. Modified language is included to broaden the uses of these funds to include other Departmental information technology needs. The Senate had proposed $500,000 for this transfer.

The conferees reiterate language proposed by the Senate directing HUD to provide flexibility in the types of activities that qualify in meeting the match requirement under the Supportive Housing Program. The conferees also reiterate the direction in the Senate report that HUD is to include 5–year projections for the cost of renewing the permanent housing component of the Supportive Housing Program and Shelter Plus Care grants in its fiscal year 2006 budget justification.

HOUSING PROGRAMS

HOUSING FOR THE ELDERLY

(INCLUDING TRANSFER OF FUNDS)

Appropriates $747,000,000 for this account instead of $741,000,000 as proposed by the House and $773,800,000 as proposed by the Senate.

The conference allocates funds as follows:

—$650,550,000 for new capital and PRAC contracts;

—$3,000,000 for one-year renewals of expiring PRAC payments;

—$50,000,000 for service coordinators and the continuation of congregate services grants. The House had proposed $48,000,000 for service coordinators and congregate services and the Senate had proposed $53,000,000;

—up to $25,000,000 for assisted living conversion grants and emergency capital repairs. The House proposed $20,000,000 for assisted living conversion grants and emergency repairs, and the Senate proposed $30,000,000 for assisted living conversion grants, emergency capital repairs, and substantial rehabilitation;

—$18,000,000 for competitive grants for planning, design and development activities for section 202 projects. The House had proposed $15,000,000 for these activities and the Senate had proposed $20,000,000. These funds are to be allocated for project planning, preliminary design, site control activities and other development costs, including gap financing if appropriate, directly related to section 202 projects in order to facilitate timely completion of such projects. The conferees do not intend for these funds to be used for technical assistance but instead expect such funds to be used for start-up costs associated with such projects; and

—$450,000 for transfer to the Working Capital Fund for information technology activities as proposed by the House instead of $75,000 as proposed by the Senate. Modified language is included to broaden the uses of these funds to include other Departmental information technology needs.

Bill language is included to clarify language included in the fiscal year 2004 bill which provided for the transfer and merger of all unexpended balances previously appropriated for the section 202 program into the new Housing for the Elderly account.

The conferees reiterate language proposed by the Senate directing the Department to work with the Department of Health and Human Services' Office of Aging to coordinate expertise and resources to strengthen naturally occurring retirement communities, known as "NORCs."

The conferees direct the Department to submit the report required in the statement of managers accompanying H.R. 2673 on the long-term conditions and needs of the section 202 and 236 stock by December 15, 2004. This report was due on August 15, 2004, but to date has not been submitted. The conferees are very concerned about the state of this housing stock and are disappointed that the Department has not only failed to prioritize those repair needs, but has also failed to meet the reporting requirement.

HOUSING FOR PERSONS WITH DISABILITIES

(INCLUDING TRANSFER OF FUNDS)

The conference agreement recommends a total program level of $240,000,000 for the section 811 program instead of $238,000,000 proposed by the House and $250,000,000 proposed by the Senate.

Includes bill language proposed by the Senate to ensure that housing assistance made available under this account remain available to persons with disabilities upon turnover.

The conference agreement allocates funds as follows:

—$148,311,000 for new capital grants and PRAC;

—$50,000,000 for one-year renewal costs of section 811 rental assistance;

—$2,349,000 for PRAC renewals;

—$10,000,000 for incremental tenant-based assistance as proposed by the House. The Senate had provided up to 25% of amounts provided, other than amounts for renewal of expiring project-based assistance, for tenant-based rental assistance;

—$28,890,000 for amendments to tenant-based contracts entered into prior to fiscal year 2004, as proposed by the House; and

—$450,000 for transfer to the Working Capital Fund as proposed by the House. The Senate had proposed $75,000 for transfer to the Working Capital Fund. Modified language is included to broaden the uses of these funds to include other Departmental information technology needs.

Bill language proposed by the House is included to clarify authority provided in fiscal year 2004 transferring and merging all unexpended balances previously appropriated for the section 811 program to this account.

The conferees reiterate language included in the House report directing HUD to issue program guidance for the Section 811 mainstream program by March 15, 2005, including guidance on (1) targeting rental assistance eligibility criteria; (2) maintaining vouchers exclusively for eligible persons; and (3) retaining a meaningful role for non-profit disability organizations. The Senate report had also included language to ensure that all tenant-based assistance made available under this account is to remain available to persons with disabilities upon turnover.

FLEXIBLE SUBSIDY FUND

(TRANSFER OF FUNDS)

Includes language permanently transferring excess rental charges to this fund as proposed by the Senate. The House included similar language.

MANUFACTURED HOUSING FEES TRUST FUND

Appropriates up to $13,000,000 for authorized activities from fees collected in the Fund as proposed by the House and Senate.

FEDERAL HOUSING ADMINISTRATION

MUTUAL MORTGAGE INSURANCE PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

Establishes an $185,000,000,000 limitation on commitments to guarantee single-family loans during fiscal year 2005 as proposed

by the House and the Senate. Retains language applying this limitation to commitments to guarantee loans as proposed by the House. The Senate applied this limitation to loan guarantees.

Establishes a $50,000,000 limitation on direct loans to nonprofits and governmental entities in connection with the sale of HUD-owned single-family properties as proposed by the House and the Senate.

Appropriates $356,906,000 for administrative expenses, of which $352,906,000 is for transfer to the salaries and expenses account and not to exceed $4,000,000 is for transfer to the Office of Inspector General. The House proposed $356,882,000 including transfers of $352,906,000 and $3,976,000, and the Senate proposed $366,000,000 including transfers of $362,000,000 and $4,000,000.

Appropriates $78,000,000 for administrative contract expenses, of which $15,000,000 is for information technology systems. The House proposed $78,000,000 including no less than $15,000,000 for information technology systems and the Senate proposed $70,002,000 including no less than $7,002,000 for such systems. Modified language is included to broaden the uses of these funds to include other departmental information technology needs.

Language is also included allowing up to an additional $30,000,000 to be made available for such expenses in certain circumstances as proposed by both the House and Senate.

GENERAL AND SPECIAL RISK PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

Establishes a $35,000,000,000 limitation on multifamily and specialized loan guarantees during fiscal year 2005 as proposed by the House and the Senate.

Appropriates $10,000,000 for subsidy costs to support certain multifamily and special purpose loan guarantee programs as proposed by both the House and Senate.

Appropriates $227,767,000 for administrative expenses, of which $207,767,000 is for transfer to the salaries and expenses account and not to exceed $20,000,000 is for transfer to the Office of Inspector General. The House proposed $227,649,000 including transfers of $207,767,000 and $19,882,000, and the Senate proposed $234,000,000 including transfers of $214,000,000 and $20,000,000.

Appropriates $86,000,000 for administrative contract expenses, of which $9,600,000 is for information technology systems. The House proposed $86,000,000 including no less than $9,600,000 for information technology systems and the Senate proposed $81,600,000 including no less than $5,200,000 for such systems. Modified language is included to broaden the uses of these funds to include other departmental information technology needs.

Language is also included allowing up to an additional $14,400,000 to be made available for such expenses in certain circumstances as proposed by both the House and Senate.

Language is also included elsewhere in this title rescinding $30,000,000 from prior year unobligated balances of credit subsidy appropriations. Both the House and Senate proposed this rescission.

GOVERNMENT NATIONAL MORTGAGE ASSOCIATION

GUARANTEES OF MORTGAGE-BACKED SECURITIES LOAN GUARANTEE PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

Appropriates $10,695,000 for administrative expenses to be transferred to the salaries and expenses account as proposed by the House instead of $10,986,000 as proposed by the Senate.

POLICY DEVELOPMENT AND RESEARCH

RESEARCH AND TECHNOLOGY

Appropriates $45,500,000 for research and technology instead of $45,000,000 as proposed by the House and $46,700,000 as proposed by the Senate.

The agreement includes $7,000,000 for the Partnership for Advancing Technology in Housing (PATH) initiative as proposed by the House, instead of $7,500,000 as proposed by the Senate. The conferees have included language which exempts $3,500,000 of the funds available in the PATH program from the competitive requirements included in the Administrative Provisions under this title. The Senate had proposed to exempt the entire PATH program from this requirement. The conferees expect HUD to undertake an evaluation of the PATH program, including an assessment of the benefits or drawbacks of competitive requirements in this program.

The conferees reiterate the direction included in the Senate report denying demonstration authority without prior congressional approval.

FAIR HOUSING AND EQUAL OPPORTUNITY

FAIR HOUSING ACTIVITIES

Appropriates $46,500,000 for this account instead of $46,000,000 as proposed by the House and $47,700,000 as proposed by the Senate.

Of this amount, $26,500,000 is for the Fair Housing Assistance Program (FHAP) and $20,000,000 is for the Fair Housing Initiatives Program (FHIP). The House proposed $26,500,000 for FHAP and $19,500,000 for FHIP. The Senate proposed $27,000,000 for FHAP and $20,700,000 for FHIP.

OFFICE OF LEAD HAZARD CONTROL

LEAD HAZARD REDUCTION

Appropriates $168,000,000 for the lead hazard reduction program instead of $167,000,000 as proposed by the House and $175,000,000 as proposed by the Senate.

The conferees agree to allocate funds as follows:

—$92,600,000 for the lead-based paint hazard control grant program to provide assistance to State and local governments and Native American tribes for lead-based paint abatement in private low-income housing;

—$8,000,000 for Operation LEAP;

—$9,500,000 for technical assistance and support to State and local agencies and private property owners;

—$9,900,000 for the Healthy Homes Initiative for competitive grants for research, standards development, and education and outreach activities to address lead-based paint poisoning and other housing-related diseases and hazards; and

—$47,000,000 for an initiative to target lead abatement funds to areas with the highest lead paint abatement needs.

The agreement includes bill language proposed by the House delegating authority and responsibility for performing environmental reviews for lead programs to governmental entities familiar with local environmental conditions.

The agreement includes modified language proposed by the Senate making available $47,000,000 on a competitive basis to those areas with the highest lead paint abatement needs. The conferees reiterate concerns noted by the Senate regarding the problem of lead risks in housing and direct the Department to carry out the lead demonstration program according to terms specified in the Senate report and in the same manner as fiscal year 2004.

The conferees agree with Senate direction to the Department to continue mold and moisture initiatives within the Healthy Homes program and direct the Department to report to the Committees on Appropriations by March 1, 2005 on lessons learned and strategies for disseminating best practices on controlling and preventing household mold and moisture. The report should include a discussion of the unique needs in Native American housing.

MANAGEMENT AND ADMINISTRATION

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

The conference agreement includes language requiring funds provided under this heading to be allocated in the manner specified in the joint explanatory statement of the managers accompanying this Act unless the Committees on Appropriations are notified and approve of any changes in the operating plan or through a reprogramming. The object classification distribution, which shall also serve as the basis for operating plan and reprogramming changes, is as follows:

Personal Services	$912,409,000
Travel and Transportation of Persons	17,031,000
Transportation of Things	548,000
Rent, Communications and Utilities	131,791,000
Printing and Reproduction	2,740,000
Other Services	48,058,000
Supplies and Materials	4,687,000
Furniture and Equipment	2,511,000
Indemnities	225,000

The conference agreement does not include a specific allocation of funding and staffing among offices as was proposed in the House report. The conferees understand that adjustments to these allocations will be necessary to remain within the funds appropriated in

the account and to reflect the latest Resource Allocation and Estimation Process (REAP) studies. The conferees direct the Department to include in its operating plan a proposal to distribute the funds and FTE among offices based on these adjustments. Until the operating plan is approved by the Committees, the Department is to manage its staffing ceilings in accordance with the Corrective Action Plan completed in September, 2004.

Public and Indian Housing Division of Quality Assurance.—The conferees direct that the Department provide no less than 75 FTE to the Section 8 Quality Assurance Division within the Office of Public and Indian Housing.

Operating Plans/Reprogramming Requirements.—The conferees appreciate the need for management flexibility to allocate management and administrative resources or reorganize offices and programs to address changing requirements at the departments and agencies funded in the bill, including HUD. To provide such flexibility, while ensuring appropriate consultation and oversight, all Departments within the Subcommittee's jurisdiction are required to submit operating plans and reprogramming letters and reorganization proposals for Committee approval. The conferees reiterate that HUD is directed to follow the Committees' requirements regarding operating plans, reprogrammings and reorganizations as outlined in the House report. Unless otherwise specified in this Act or the accompanying report, the approved level for any program, project, or activity is that amount detailed for that program, project, or activity in the Department's annual detailed budget justification document. These requirements apply to all funds provided to the Department.

Includes language as proposed by the Senate placing a limitation on the number of GS–14 and GS–15 positions at the Department. The House did not propose similar language.

In lieu of the direction included in the Senate report requiring the Department to submit quarterly travel reports, the conferees direct HUD to report on all travel by Senate-confirmed Presidential Appointees (PAS) and non-career senior executive service personnel located at HUD headquarters beginning from October 1, 2004 through September 1, 2005, including all names, locations and costs. This report shall be submitted to the Senate and House Committees on Appropriations no later than September 15, 2005.

The conferees appreciate the Department's cooperation to make its fiscal year 2005 budget justification submission more useful and informative. The conferees reiterate the direction included in the House report regarding the fiscal year 2006 submission. Language is included again this year under Administrative Provisions requiring the fiscal year 2006 justification materials to be submitted in the traditional structure with sufficient detailed information to satisfy the Committees' needs.

WORKING CAPITAL FUND

Appropriates $270,000,000 for the Working Capital Fund instead of $234,000,000 as proposed by the Senate and $100,000,000 as proposed by the House.

In addition, the conference agreement includes $51,725,000 in transfers from the following accounts to the Working Capital Fund

as proposed by the House instead of $23,762,000 as proposed by the Senate:

FHA, Mutual mortgage insurance fund	$15,000,000
FHA, General and special risk insurance fund	9,600,000
Community development fund	3,465,000
HOME investment partnerships program	2,000,000
Homeless assistance	2,500,000
Public housing capital fund	10,150,000
Native American Indian block grants	$2,600,000
Tenant-based rental assistance	2,904,000
Project-based rental assistance	2,000,000
Housing for the elderly	450,000
Housing for the disabled	450,000
Interagency Services	306,000
Office of Inspector General	300,000

Modified language is included elsewhere in the Act to broaden the uses of these transferred funds to include departmental information technology needs as well as program specific needs. Language is also included, similar to language proposed by the Senate, to broaden the uses of previously appropriated program transfers to meet departmental information technology requirements. The House did not include similar language. Language is also included under the salaries and expenses account to allow the transfer of up to $20,000,000 to the Working Capital Fund.

The conferees are concerned that delays in the successful award of a new contract for HUD's department-wide information technology infrastructure has resulted in the Department significantly overspending for outdated technology in fiscal year 2004, has created a potentially significant funding shortfall for fiscal year 2005, and has prohibited the Department from needed modernization to its infrastructure. The conference agreement includes additional funds above the levels proposed in the House and Senate and the budget request to cover a portion of the potential shortfall. The conferees expect the Department to use the funds provided to address its need for a modernized information technology infrastructure in a manner that is fiscally responsible and in the best interest of the Department, the Federal government and the taxpayer. The conferees expect the Department and the Office of Management and Budget to request sufficient funds in their fiscal year 2006 budget request to meet their information technology requirements.

The conferees reiterate the direction included in the House report on continued development and definition of a five-year information technology plan consistent with the format previously provided to the Department and direct such updated plan be submitted no later than February 1, 2005.

OFFICE OF INSPECTOR GENERAL

(INCLUDING TRANSFER OF FUNDS)

Appropriates $104,000,000 for the Office of Inspector General instead of $100,858,000 as proposed by the House and $107,500,000 as proposed by the Senate. Of this amount, $24,000,000 is provided by transfer from the various funds of the Federal Housing Administration as proposed by the House and the Senate.

OFFICE OF FEDERAL HOUSING ENTERPRISE OVERSIGHT

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

Appropriates $59,209,000 for the Office of Federal Housing Enterprise Oversight (OFHEO) to be derived from collections available in the Federal Housing Enterprise Oversight Fund as proposed by the House and the Senate.

Language proposed by the Senate is included requiring not less than 80 percent of the total amount made available under this heading shall be used only for examination, supervision and capital oversight to ensure that the enterprises are operating in a financially sound manner and comply with statutory capital requirements.

The conferees have not included a Senate provision that holds back $10,000,000 until the Director is replaced through Senate confirmation. This deletion is not a vote of support; instead, the conferees believe that hiring decisions at this level belong to the President. Nevertheless, the conferees urge the President to take swift action in replacing the Director and his Deputy, both in consideration of the very poor decision making of these individuals over the last few years as well the serious issues raised by the HUD IG's Report of Investigation (Case# SID–04–0034–I).

PUBLIC AND INDIAN HOUSING

HOUSING CERTIFICATE FUND

(RESCISSION)

Includes a rescission of $1,557,000,000 from unobligated balances and recaptures from prior-year appropriations provided under this account or any other account in this title to be effected no later than September 30, 2005 as proposed by the House and in the budget request. The Senate proposed a rescission of $2,588,172,000 to be effected no later than June 30, 2005.

Includes language proposed by the House making any balances governed by statutory reallocation provisions available for this rescission. The Senate did not include similar language.

Modified language is included, similar to language proposed by the House, to prohibit any recaptures from tenant-based and project-based rental assistance and any project-based rental assistance carryover from being used to augment calendar year 2005 funding for Section 8 vouchers. The Senate proposed language to allow recaptures and carryover to be used to augment 2005 tenant-based rental assistance funding.

Modified language is included, similar to language proposed in the House, allowing recaptures from amounts previously provided for project-based rental assistance to be used for amendments to project-based rental assistance contracts and for contract administrators. The Senate did not include similar language.

The conferees direct that a portion of this rescission be met by reducing public housing agencies' program reserves to no more than one week as assumed in the budget request.

The conference agreement does not include language proposed by the Senate to require that, to the extent funds are not available from unobligated balances and recaptures in the Housing Certificate Fund, all other accounts, programs, projects and activities in this Act are to be reduced on a proportionate basis except the Department of Veterans Affairs Medical Services account. The conference agreement does not include language proposed by the Senate to require that the Government Accountability Office (GAO) to audit of the availability of funds for recapture. The House did not include similar language.

DRUG ELIMINATION GRANTS FOR LOW-INCOME HOUSING

(RESCISSION)

Includes a rescission of $5,000,000 from prior year unobligated balances remaining in this account as proposed by both the House and Senate.

NATIVE AMERICAN HOUSING BLOCK GRANTS

(RESCISSION)

Includes a rescission of $21,000,000 from prior year balances of credit subsidy appropriations for the title VI loan guarantee program as proposed by both the House and Senate.

INDIAN HOUSING LOAN GUARANTEE PROGRAM ACCOUNT

(RESCISSION)

Includes a rescission of $33,000,000 from prior year balances of credit subsidy appropriations for the section 184 loan guarantee program as proposed by both the House and Senate.

HOUSING PROGRAMS

RENTAL HOUSING ASSISTANCE

(RESCISSION)

Includes a rescission of up to $675,000,000 from unobligated balances previously provided to fund amendment requirements for current State-aided, non-insured rental housing contracts as proposed by the House and Senate and included in the budget request.

FEDERAL HOUSING ADMINISTRATION

GENERAL AND SPECIAL RISK PROGRAM ACCOUNT

(RESCISSION)

Includes a rescission of $30,000,000 from unobligated balances of prior year credit subsidy appropriations for the FHA multifamily and specialized programs as proposed by the House and Senate.

ADMINISTRATIVE PROVISIONS

Includes modified language regarding the distribution of certain HOPWA funds, similar to language proposed by the House and the Senate.

Includes language requiring all funds to be awarded competitively except as explicitly provided for otherwise in statute as proposed by the House. The Senate proposed similar language.

Includes language proposed by the House to require the Secretary to continue to provide project-based rental assistance for units in properties that are managed, owned, or disposed of by the Department if such properties are primarily occupied by elderly or disabled families, or contract for new project-based rental assistance with other owners if such properties are not preserved. The Senate proposed language to expand this to require that project-based rental assistance be continued for units in all properties or contract for new project-based rental assistance with other owners if such properties are not preserved.

Includes language as proposed by the Senate to permanently allow the Secretary to maintain and dispose of certain elderly and disabled projects upon foreclosure. The House included similar language.

Includes language proposed by the House setting forth requirements regarding the fiscal year 2006 budget justification submission to the Committees on Appropriations. The Senate did not include similar language.

Includes language proposed by the House requiring that, to the extent practicable, incremental section 8 vouchers previously provided for non-elderly disabled families should continue to be provided to other non-elderly disabled families upon turnover. The Senate included similar language elsewhere in this title.

Includes language as proposed by the House clarifying an equitable title issue in the section 202 program. The Senate did not include similar language.

Includes language proposed by the Senate requiring the Secretary to submit an annual report to the Committees on Appropriations regarding the number of Federally-assisted units under lease and the per unit costs to the Federal government of such units. The House did not include similar language.

Does not include language proposed by the Senate to expand the FHA hospital insurance program to include the purchase of existing facilities. The House did not include similar language. The Government Accountability Office (GAO) is directed to conduct a review of the HUD FHA Hospital and Nursing Home Mortgage Insurance programs by August 15, 2005. The review is to be designed to assess the financial risk of the program to the insurance fund as well as to review the management and design of the program, including the nature of the relationship between HUD and HHS in approving insurance for hospital mortgages.

Does not include language proposed by the Senate to amend section 683(2) of the Housing and Community Development Act of 1972 to authorize service coordinators in section 811 projects. The House did not include similar language.

Includes language proposed by the Senate to amend the National Housing Act to make certain changes related to submission of mortgagors financial statements and the criteria and penalties for violations of certain requirements. The House did not include similar language.

Includes language proposed by the Senate to amend the Housing and Community Development Act of 1987 to expand the applicability of certain damages and remedies to include FHA-insured health care facilities. The House did not include similar language.

Includes language as proposed by the Senate to amend the National Housing Act to make certain changes to the Asset Control Area program. The House did not include similar language.

Includes language proposed by the Senate to amend the National Housing Act to make a technical correction to premium requirements for rehabilitation loans. The House did not include similar language.

Includes language proposed by the Senate to limit repayment of certain upfront premiums. The House did not include similar language.

Does not include language under Administrative Provisions as proposed by the Senate related to allocation of funds under the Partnership for Advancing Technology in Housing (PATH) but instead has addressed this matter under the Policy Development and Research account elsewhere in this title. The House did not include similar language.

Does not include language under Administrative Provisions as proposed by the Senate making technical corrections regarding the transfer of funds from the old Housing for Special Populations account, but instead has addressed this matter within the Housing for the Elderly and Housing for Persons with Disabilities accounts as proposed by the House.

Does not include bill language proposed by the Senate to limit the expenditure of housing funds on partisan election activities. The House did not include similar language. The conferees agree that no funds provided to the Department can be used by public housing authorities for partisan political activities.

Includes modified language, similar to language proposed by the Senate, regarding the treatment of athletic scholarships for purposes of determining eligibility for college students to receive subsidized rental assistance. The House did not include similar language.

Includes language as proposed by the Senate regarding the allocation of Native American Housing Block Grant funding among Native Alaskan recipients. The House did not include similar language.

Does not include language proposed by the Senate to allow public housing authorities to convert up to 50 percent of their section 8 voucher funding to project-based assistance. The House did not include similar language.

Does not include language proposed by the Senate to authorize the Secretary to transfer project-based assistance, debt, and income restrictions, notwithstanding current statutory prohibitions on such transfers. The House did not include similar language.

TITLE III—INDEPENDENT AGENCIES

AMERICAN BATTLE MONUMENTS COMMISSION

SALARIES AND EXPENSES

Appropriates $41,100,000 for salaries and expenses as proposed by the House instead of $46,100,000 as proposed by the Senate.

In addition, the conference agreement includes a separate appropriation of $12,000,000 for the Commission's foreign currency fluctuations account to address declines in exchange rates instead of $9,000,000 as proposed by the House. The Senate proposed to address these changes within the salaries and expenses account.

The conferees concur with the concerns expressed in the Senate report regarding the failure of the Office of Management and Budget (OMB) to address adequately foreign currency rate fluctuations for the Commission in its original budget submission or through a budget amendment. The conferees are concerned that the current OMB methodology for addressing fluctuations does not adequately address the impact of the volatility of such changes to smaller agencies such as the Commission. Therefore the conferees request that the Government Accountability Office review the past and current methodology used by OMB and the Commission and recommend changes if warranted to improve such estimates.

While the conference agreement has not included bill language proposed by the Senate, the conference agreement includes $9,100,000 for the Normandy Interpretive Center. The conferees understand that exchange rate fluctuations may impact construction costs for the Center and expect the Commission's fiscal year 2006 budget request to include the necessary funds to accommodate such changes.

Language is included as proposed by the House allowing not to exceed $7,500 for official reception and representation expenses. The Senate did not include similar language.

The conferees reiterate the direction in the House report regarding an annual report on the financial position of the World War II Memorial Fund.

FOREIGN CURRENCY FLUCTUATIONS ACCOUNT

Appropriates $12,000,000 to re-capitalize the Commission's foreign currency fluctuations account, instead of $9,000,000 as proposed by the House. The Senate addressed this matter under the salaries and expenses account. The conference agreement reflects the latest estimate necessary to maintain Commission operations and activities based on current exchange rates.

CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD

SALARIES AND EXPENSES

Appropriates $9,100,000 instead of $9,451,000 as proposed by the House and $9,000,000 as proposed by the Senate. The amount proposed by the Senate had included $400,000 for emergency funds. The conference agreement provides emergency funds as a

separate account as proposed by the House, which is consistent with the fiscal year 2004 bill.

EMERGENCY FUND

Provides $400,000 for an Emergency Fund as proposed by the House. The Senate had proposed a set-aside of $400,000 as emergency funds in the salaries and expenses account.

DEPARTMENT OF THE TREASURY

COMMUNITY DEVELOPMENT FINANCIAL INSTITUTIONS

COMMUNITY DEVELOPMENT FINANCIAL INSTITUTIONS FUND PROGRAM ACCOUNT

Appropriates $55,522,000 for the community development financial institutions fund program account, instead of $55,000,000 as proposed by the Senate and $60,640,000 as proposed by the House.

Includes $4,000,000 for technical assistance designed to benefit Native American communities as proposed by both the House and Senate.

Provides that up to $14,900,000 to be used for administrative expenses as proposed by the Senate instead of $15,321,000 as proposed by the House.

Provides for a cost limitation on direct loans of $6,000,000 with $250,000 for administrative expenses as proposed by both the House and Senate.

Provides for a limitation on the amount of direct loans of $11,000,000 as proposed by both the House and Senate.

The conferees are in agreement that the Bank Enterprise Award program should be continued at not less than $10,000,000 in fiscal year 2005.

CONSUMER PRODUCT SAFETY COMMISSION

SALARIES AND EXPENSES

Appropriates $62,650,000 as proposed by the House and the Senate. The conferees urge the CPSC to expand its relationship with the Home Safety Council and its Great Safety Adventure Program.

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

The conference agreement appropriates $577,884,000 for the Corporation for National and Community Service. The House had proposed $572,000,000 and the Senate had proposed $590,061,000.

NATIONAL AND COMMUNITY SERVICE PROGRAMS OPERATING EXPENSES

(INCLUDING TRANSFER OF FUNDS)

The agreement provides $545,884,000 for the Corporation for National and Community Service operating expenses, including the Trust. The House proposed $541,000,000 for operating expenses and the Senate proposed $558,311,000. The agreement provides $290,000,000 for AmeriCorps State and National grants (author-

ized under subtitle C) and education awards only grants (authorized under subtitle H), plus an additional $144,000,000 for the Trust, as proposed by the House. The Senate had proposed $291,933,000 for AmeriCorps grants and $150,500,000 for the Trust. Within amounts provided for the Trust, $3,900,000 is for President's Freedom Scholarships and $13,000,000 is to be held in reserve. Within the amount provided for AmeriCorps State and National grants, the conferees have provided up to $55,000,000 for national direct grants, as proposed by the Senate. The total funding level for AmeriCorps grants and the Trust will support 70,000 new volunteers.

The agreement includes language proposed by the Senate which prohibits funds provided for quality and innovation activities to be used for salaries and related expenses attributable to Corporation employees. The conferees include bill language proposed by the House allowing up to one percent of grant funds to be used to defray the cost of conducting grant reviews. The conferees direct the Corporation to provide an estimate of the funds that would be used for this purpose in its fiscal year 2005 operating plan. The agreement also includes language proposed by the Senate regarding matching funds and in-kind contributions.

The conference agreement includes the following program levels:

	House	Senate	Conference
Learn and Serve	$40,000,000	$43,000,000	$43,000,000
National Civilian Community Corps	25,500,000	26,000,000	25,500,000
Innovation and Demonstration	12,000,000	16,328,000	13,334,000
Evaluation	3,000,000	3,550,000	3,550,000
State Commissions	12,000,000	12,000,000	12,000,000
Points of Light Foundation	9,700,000	10,000,000	10,000,000
America's Promise	4,800,000	5,000,000	4,500,000

The conferees direct that the increase provided for National Civilian Community Corps (NCCC) be used to address its most critical capital improvement needs at NCCC facilities.

The agreement reiterates the direction by the Senate that the Corporation report to the Committees on the impact of the two-term limitation on service. This report is to be submitted to the Committees no later than February 4, 2005.

The conferees provide $13,334,000 for subtitle H grants, innovation, demonstration and assistance activities, with the funding distribution as follows: $4,000,000 for challenge grants; $1,500,000 for next generation grants; $600,000 for MLK day grants; $725,000 for the Service Learning Clearinghouse and Exchange; $2,000,000 for TA; and $4,509,000 for disability programs. The House proposed $12,000,000 for subtitle H activities and the Senate proposed $16,328,000.

The agreement modifies language proposed by the Senate directing the Corporation to comply with challenge grant requirements in the FY 2003 conference report by directing the Corporation also to allow past grant recipients to compete for challenge grants in FY 2005.

The conference agreement provides $3,550,000 for audits and evaluations, as proposed by the Senate. The House had proposed

$3,000,000 for these activities. Audit and evaluation funds are to be distributed as follows (identical to the distribution proposed by the Senate): $1,200,000 for performance measures; $1,000,000 for a longitudinal study of volunteers; $100,000 for national partners; $150,000 for data archives; $150,000 for indicator archives; $450,000 for a capacity study; and $500,000 to continue a National Academy of Public Administration study on the Corporation's leadership, operations and management.

The conferees have included bill language, identical to language that has been included in previous conference reports and proposed by the Senate, regarding Federal costs per participant and certain requirements for funds provided under subtitle C.

The agreement includes Senate language directing the Corporation to list in its budget justification recipients that have received more than $500,000 and the amount and source of other Federal and non-federal funds received by each recipient.

SALARIES AND EXPENSES

Appropriates $26,000,000 for salaries and expenses associated with the administrative activities of the Corporation. The House had proposed $25,000,000 for this account, and the Senate had proposed $25,500,000. The funding increase provided in this account is to be directed to ongoing personnel compensation and benefits needs and should not augment the current level of marketing and outreach activities.

OFFICE OF INSPECTOR GENERAL

Appropriates $6,000,000 for Office of Inspector General, as proposed by the House instead of $6,250,000 as proposed by the Senate. The conferees direct the Inspector General to continue to review the Corporation's management of the National Service Trust.

ADMINISTRATIVE PROVISIONS

The conference agreement continues a number of administrative provisions carried in the fiscal year 2004 appropriations Act and proposed by both the House and the Senate, including: (1) language regarding qualified student loans eligible for education awards; (2) language regarding the availability of funds for the placement of volunteers with disabilities; and (3) language directing the Inspector General to levy sanctions in accordance with standard Inspector General audit resolution procedures, which include, but are not limited to, debarment of any grantee found to be in violation of AmeriCorps' program requirements, including using grant or program funds to lobby the Congress. In addition, the conference agreement continues an administrative provision proposed by the Senate and carried in the fiscal year 2004 appropriations Act, which requires the Corporation to ensure that significant changes to program requirements or policy are made only through public notice and comment rulemaking. The agreement also includes a provision carried in the fiscal year 2004 appropriations Act and proposed by the Senate prohibiting an officer or employee of the Corporation from disclosing any grant selection information to any person not authorized to receive such information.

U.S. COURT OF APPEALS FOR VETERANS CLAIMS

SALARIES AND EXPENSES

Appropriates $17,250,000 for salaries and expenses instead of $17,623,000 as proposed by the Senate and $16,725,000 as proposed by the House. Both the House and the Senate provided $1,100,000 for the pro bono program.

The conferees are in agreement that the Court shall work with the General Services Administration (GSA) on a feasibility study to evaluate the Court's space needs and the options to meet those needs. The results of this feasibility study shall be provided to the Committees on Appropriations of the House and Senate. The Court is authorized only to enter into agreement with GSA for a feasibility study and is specifically prohibited from undertaking a Program Development Study or any other action beyond the feasibility study at this time. The Committees on Appropriations will address the need for follow-on studies and possible construction milestones in future legislation and reports.

DEPARTMENT OF DEFENSE—CIVIL

CEMETERIAL EXPENSES, ARMY

SALARIES AND EXPENSES

Appropriates $29,600,000 for salaries and expenses as proposed by the House and Senate. The conferees reiterate the direction included in the House report regarding the Cemetery's automation project with the report due no later than December 15, 2004, and request that such plan be updated in the fiscal year 2006 budget submission.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

NATIONAL INSTITUTES OF HEALTH

NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH SCIENCES

Appropriates $80,486,000 as proposed by the House and the Senate.

AGENCY FOR TOXIC SUBSTANCES AND DISEASE REGISTRY

TOXIC SUBSTANCES AND ENVIRONMENTAL PUBLIC HEALTH

Appropriates $76,654,000 for toxic substances and environmental public health as proposed by both the House and Senate.

ENVIRONMENTAL PROTECTION AGENCY

The conference agreement includes $8,088,189,000 for programs administered by the Environmental Protection Agency. This is an increase of $335,120,000 above the amount provided in the House bill and $412,219,000 below the level in the Senate bill.

The conferees direct EPA to round all programs to the nearest thousand dollar in the budget submission for fiscal year 2006.

SCIENCE AND TECHNOLOGY

(INCLUDING TRANSFER OF FUNDS)

Appropriates $750,061,000 for science and technology instead of $729,029,000 as proposed by the House and $758,179,000 as proposed by the Senate. Additional resources of $36,097,000 are transferred to this account from the Hazardous Substance Superfund for a total resource level of $786,158,000 for Science and Technology.

The conferees have agreed to specific Agency program levels as follows:

	House	Senate	Conference
Arsenic Removal Research	$4,274,000	$10,000,000	$8,274,000
Building Decon. Research	4,000,000	0	0
Clean Air Allowance Trading Prog.	4,750,000	9,000,000	9,000,000
Fed. Vehicle and Fuels Standards	58,000,000	63,000,000	58,000,000
Indoor Air: Radon Program	399,000	0	399,000
Indoor Air: Schools and Workplace	906,000	0	850,000
Pesticides: Registration of New Pest.	2,403,000	2,265,000	2,403,000
Pesticides: Review/Reregistration	2,417,000	2,370,000	2,417,000
Research: Air Toxics	17,639,000	17,000,000	17,000,000
Research: Computational Toxicology	13,029,000	11,805,000	11,805,000
Research: Drinking Water	44,500,000	46,118,000	44,500,000
Research: Endocrine Disruptor	10,887,000	10,000,000	10,000,000
Research: Global Change	20,690,000	20,000,000	20,000,000
Research: Human Health and Eco.	177,408,000	170,000,000	177,408,000
Research: Land Protection and Restoration	8,842,000	9,000,000	9,000,000
Research: Particulate Matter	59,000,000	62,000,000	61,000,000
Research: Troposphere Ozone	4,901,000	4,000,000	4,000,000
Research: Water Quality	45,000,000	46,810,000	45,000,000

The conferees have agreed to the following increases above the budget request:

1. $2,450,000 for EPSCoR;
2. $3,900,000 for the Water Environmental Research Foundation;
3. $4,900,000 for the American Water Works Association Research Foundation;
4. $1,950,000 for the National Decentralized Water Resource Capacity Development Project, in coordination with EPA, for continued training and research and development program;
5. $1,000,000 to the Florida Department of Citrus to provide for the manufacture of an adequate amount of abscission chemical compound for testing and to provide for any comprehensive environmental and toxicological studies and other relevant research required by the Federal Government in order to register this product for use as an abscission chemical agent for citrus;
6. $1,500,000 for the Mickey Leland National Urban Air Toxics Research Center in Houston, Texas;
7. $1,500,000 for the clean automotive technology program for advanced diesel, hybrid, and high efficiency, low emission vehicle development;
8. $500,000 for the Consortium for Plant Biotechnology Research;
9. $500,000 for the New England Green Chemistry Consortium;

10. $200,000 to the Arkansas State University in Jonesboro, Arkansas for the Delta Center for water quality;

11. $150,000 to the University of Arkansas for environmental resource management to develop watershed technologies and management tools;

12. $350,000 to the University of California Riverside for the Center for Environmental Research and Technology in Riverside, California.

13. $200,000 to Florida International University for Research activities in the greater Everglades in Miami, Florida;

14. $250,000 for the Florida Gulf Coast University for the Novel Early Detection and Detoxification Technologies for Toxic Red Tide in Fort Myers, Florida;

15. $200,000 for New College, Florida for ecotoxicology training;

16. $750,000 for the University of South Florida Study, Protection and Amelioration of Coastal Environments;

17. $200,000 for the management of waste from navigating vessels in U.S. tidal waters;

18. $250,000 for the Iowa Foundation for Education Administration for the Bus Emissions Education Program;

19. $100,000 to the Metropolitan Mayors Caucus for the Clean Air Counts Campaign in Chicago land Metropolitan Area, Illinois;

20. $1,000,000 for the Karmanos Cancer Institute to create a National Center for Vermiculite-Related Cancers in the Detroit metropolitan area;

21. $400,000 to the Lawerence Technology University for sustainable alternative energy technologies Green Building in Southfield, Michigan;

22. $750,000 to the National Center for Manufacturing Sciences for Life Cycle Analysis in Ann Arbor, Michigan;

23. $1,250,000 to the National Center for Manufacturing Sciences for the sustainable produce initiative in Ann Arbor, Michigan;

24. $200,000 to Green Hills Regional Planning in Princeton, Missouri for the Biomass Processing System;

25. $150,000 for the University of Nebraska for the Nebraska Water Resources Model in Lincoln, Nebraska;

26. $250,000 to Ramapo College in Mahwah, New Jersey for a new Sustainability Education Center;

27. $150,000 to the State University of New York at Brockport for the Center of Excellence for Great Lakes Research;

28. $450,000 to the State University of New York Environmental School of Forestry for research and demonstration of contaminant mitigation strategies for rural/suburban run-off affecting water quality along the rural-urban interface in Central New York watersheds;

29. $500,000 to the Center for Environmental Information in Rochester, New York for continued research, planning and environmental remediation for the Lake Ontario Coastal Initiative;

30. $7,000,000 for the Environmental Systems Center of Excellence at Syracuse University for research and technology transfer in the fields of indoor environmental quality and urban ecosystems sustainability;

31. $750,000 to the Syracuse Research Corporation in Syracuse, New York for a Microbial Risk Assessment Center;

32. $1,500,000 to Onondaga County's Metropolitan Water Board for a demonstration project to determine the feasibility of bringing naturally chilled water from Lake Ontario to Onondaga and Oswego County;

33. $300,000 to the State University of New York Environmental School of Forestry for training, education and research related to the Summer Eco-Science Camp Initiative;

34. $500,000 to Alfred University, New York for the Center for Environmental and Energy Research;

35. $575,000 to Orbital Research Inc., Fuel Efficient Diesel Sensor for Advanced Vehicle Emission Reduction (FEDSAVER), for research that may reduce fuel consumption and will help diesel engines meet EPA standards, Ohio;

36. $600,000 to the Ohio Air Quality Development Authority/Ohio Coal Development Office for research and development of the Jupiter Oxy-Fuel Technology, Ohio;

37. $650,000 to the University of Toledo for the Lake Erie Center in Toledo, Ohio;

38. $250,000 to the University of Tulsa, University of Oklahoma, University of Arkansas, and Oklahoma State University for the Integrated Petroleum Environmental Consortium;

39. $100,000 for the Oregon Department of Human Services for the View Master Water Contamination Study in Washington County, Oregon;

40. $225,000 for California University of Pennsylvania for the Monongahela Valley River Research Project in California, Pennsylvania;

41. $200,000 to the Middle Tennessee State University for research in Development and Transmission of Emerging Diseases;

42. $500,000 for the University of Houston, Texas for the GulfStar Grid Program in Houston, Texas;

43. $1,700,000 for the Canaan Valley Institute to continue to develop a regional sustainability support center and coordinated information system in the Mid-Atlantic Highlands;

44. $1,000,000 for the Canaan Valley Institute in close coordination with the ORD Restoration Plus program to demonstrate, validate and report on critical ecological hubs and corridors within the Mid-Atlantic Highlands and approaches to Highlands ecological prioritization, restoration and conservation Research and educational tools are to be developed using integrative technologies to predict future environmental risks and support informed, proactive decision-making to be undertaken in conjunction with the Highlands Action Program;

45. $650,000 to the Polymer Alliance Zone's MARCEE Initiative with oversight provided by the Office of Solid Waste;

46. $250,000 for Carnegie Mellon University's Sustainable Oxidation Chemistry Clean Water Project;

47. $500,000 for Utah State University to continue monitoring and assessment activities related to freshwater ecosystems;

48. $2,100,000 for the Mine Waste Technology program at the National Environmental Waste Technology, Testing, and Evaluation Center;

49. $400,000 to enhance and improve EPA's Tribal Portal program, and to implement this program on a nationwide basis;

50. $750,000 for the Environmental Lung Disease Center at the National Jewish Medical Center;

51. $500,000 for the University of Maine-Orono to develop Source Water Warning and Analysis Technology;

52. $1,500,000 for Boise State University to continue research on multi-purpose sensors to detect and analyze contaminants and time-lapse imaging of shallow subsurface fluid flow;

53. $500,000 for the North Carolina State University Turfgrass Research Center;

54. $2,000,000 for the National Environmental Respiratory Center at the Lovelace Respiratory Research Institute in New Mexico;

55. $1,000,000 for the Desert Research Institute for western Nevada regionally-based clean water activities;

56. $1,000,000 for the University of Tennessee at Knoxville Natural Resources Policy Center;

57. $1,000,000 for the University of Louisville/Illinois Waste Management and Research Center;

58. $750,000 for the Integrated Petroleum Environmental Consortium [IPEC];

59. $1,000,000 for the water and wastewater training program at the Alabama Department of Environmental Management;

60. $1,000,000 for the Center for Estuarine Research at the University of South Alabama;

61. $425,000 for the Connecticut River Airshed-Watershed Consortium;

62. $425,000 for the Center for the Study of Metals in the Environment;

63. $900,000 for the Center for Air Toxic Metals at the Energy and Environmental Research Center;

64. $700,000 for Clean Air Counts of Northeastern Illinois to develop an innovative and cost effective method to reduce smog-causing emissions in the Chicago metropolitan region—the funding will provide support for an ongoing partnership involving EPA, the Metropolitan Mayors Caucus, Illinois EPA, and the Delta Institute;

65. $200,000 for acid rain research at the University of Vermont;

66. $200,000 for the University of Vermont's Proctor Maple Research Center to continue mercury deposition monitoring effects;

67. $500,000 for the University of Vermont's Aiken Center Greening Initiative;

68. $700,000 for Families in Search of the Truth to investigate the incidence of cancer in Fallon, Nevada;

69. $500,000 for the demonstration of an integrated approach to perchlorate remediation and treatment in the City of Rialto, California;

70. $200,000 for the Central California Ozone Study;

71. $700,000 for Southeastern Louisiana University for the Turtle Cove research station;

72. $200,000 for the State of New Jersey's Smart Growth Initiative;

73. $200,000 for ecology research at Fordham University;

74. $200,000 for expansion of the Roots and Shoots program headquartered at Western Connecticut State University;

75. $200,000 for water resource modeling at the University of Nebraska-Lincoln;

76. $1,500,000 for the Healy Zero Air Emission Technology;

77. $1,000,000 for the Donald Danforth Plant Science Center in St. Louis, Missouri for a Parasitic Nematodes Controls research project designed to reduce pesticide use; and

78. $1,000,000 to the Missouri Pork Producers Federation for development of technology and creation of Innoventor process to decrease environmental impacts of animal waste by conversion into energy sources.

The conferees have included bill language to authorize $1,000,000 to be transferred from EPA to the Council on Environmental Quality for an environmental study.

The conferees direct EPA to fund the fellowship programs including the STAR fellowships at as close as possible to the fiscal year 2004 level.

The conferees direct EPA to continue its technology transfer activities initially funded in fiscal year 2000 at not less than the current level of support and that those activities be carried out through the West Virginia High Technology Consortium Foundation.

The conferees agree that funding provided under this heading in H. Report 108–401 for project #57 should be redirected to the Montana Physical Sciences Foundation to research pilot scale enzyme catalyzed processes.

There is no general reduction to this account.

ENVIRONMENTAL PROGRAMS AND MANAGEMENT

Appropriates $2,313,409,000 for environmental programs and management instead of $2,241,476,000 as proposed by the House and $2,310,263,000 as proposed by the Senate.

The conference agreement does not include the language proposed by the House to make funds available for Public Law 108–199 to carry out paragraph (c)(12) of section 118 of the Federal Water Pollution Control Act, to remain available until September 30, 2007.

The conferees have agreed to specific Agency program levels as follows:

	House	Senate	Conference
Alternative Dispute Resolution	$1,015,000	$937,000	$937,000
Brownfields	23,000,000	25,000,000	25,000,000
Climate Protection Program	91,961,000	90,849,000	90,849,000
Commission for Environmental Coop	3,949,000	3,881,000	3,881,000
Compliance Assistance and Centers	27,759,000	37,000,000	27,759,000
Compliance Incentives	9,195,000	9,035,000	9,035,000
Congressional, Intergovernmental	48,366,000	46,415,000	46,415,000
Criminal Enforcement	31,370,000	54,450,000	39,370,000
Drinking Water Programs	94,000,000	95,000,000	94,000,000
Enforcement Training	3,302,000	6,000,000	3,302,000
Environment and Trade	1,723,000	1,616,000	1,616,000
Environmental Education	9,200,000	5,000,000	9,000,000
Environmental Justice	5,900,000	4,231,000	5,900,000
Exchange Network	22,000,000	23,000,000	22,000,000
Facilities Infrastructure and Ops.	308,000,000	309,000,000	317,955,000
Fed. Support for Air Quality Manage.	87,000,000	90,000,000	87,000,000
Federal Stationary Source Regs.	24,302,000	21,944,000	21,944,000
Financial Assistance Grants/IAG	20,000,000	20,329,000	20,000,000
Geographic Program: Chesapeake B.	20,817,000	22,817,000	22,817,000
Geographic Program: Great Lakes	19,000,000	19,500,000	21,195,000
Geographic Program: Long Island S.	2,300,000	2,300,000	2,300,000
Geographic Program: Other	6,790,000	6,069,000	6,790,000
Great Lakes Legacy Act	10,000,000	25,000,000	22,500,000
Human Resources Management	40,000,000	39,109,000	39,109,000
Indoor Air: Asthma Program	11,197,000	9,999,000	11,197,000
Indoor Air: Environment Tobacco	3,695,000	3,030,000	3,030,000
Indoor Air: Radon Program	5,667,000	5,073,000	5,073,000
Indoor Air: Schools and Workplace	10,352,000	9,425,000	9,425,000
International Capacity Building	6,854,000	5,500,000	5,500,000
IT/Data Management	103,000,000	105,000,000	105,000,000
Legal Advice: Environmental Program	34,679,000	34,404,000	34,404,000
Legal Advice: Support Program	12,522,000	12,370,000	12,370,000
Marine Pollution	12,296,000	11,779,000	11,779,000
National Estuary Program/Coastal	25,000,000	20,000,000	25,000,000
NEPA Implementation	12,654,000	12,136,000	12,136,000
Pesticides: Field Programs	27,186,000	25,217,000	25,217,000
Pesticides: Registration for New Pesticides	42,907,000	40,773,000	40,773,000
Pesticides: Review/Reregistration	52,000,000	51,714,000	51,714,000
Pollution Prevention Program	17,000,000	16,822,000	16,822,000
POPS Implementation	2,235,000	2,147,000	2,235,000
Radiation: Protection	11,812,000	11,285,000	11,812,000
Radiation: Response Preparedness	2,611,000	2,188,000	2,611,000
RCRA: Corrective Action	40,976,000	40,000,000	39,100,000
RCRA: Waste Management	67,422,000	67,000,000	67,000,000
RCRA: Waste Minimization and Rec.	11,000,000	12,000,000	11,000,000
Regional Geographic Initiatives	8,800,000	7,500,000	7,500,000
Regional Science and Technology	3,626,000	3,368,000	3,368,000
Regulatory Innovation	18,000,000	17,338,000	17,338,000
Regulatory/Economic-Management	18,552,000	17,934,000	17,934,000
Science Advisory Board	4,757,000	4,396,000	4,396,000
Science Policy and Biotechnology	1,707,000	1,651,000	1,651,000
Small Business Ombudsman	3,839,000	3,742,000	3,742,000
Stratospheric Ozone: Domestic Prog.	5,840,000	5,000,000	5,000,000
Stratospheric Ozone: Multilateral	11,000,000	10,000,000	10,000,000
Surface Water Protection	188,000,000	185,000,000	188,000,000
Toxic Substances: Chemical Risk Management	9,514,000	9,252,000	9,252,000
Toxic Substances: Chemical Risk Reduction	45,879,000	44,454,000	44,454,000
Toxic Substances: Lead Risk Reduc.	14,800,000	11,083,000	11,083,000
TRI/Right to Know	15,941,000	14,670,000	14,670,000

There is no general reduction to this account.

The conferees have agreed to the following increases to the budget request:

1. 8,000,000 for the criminal enforcement;

2. 2,000,000 for EPA Region 10 for environmental compliance;

3. $18,375,000 for rural water technical assistance activities and groundwater protection with distribution as follows: $9,800,000 for the National Rural Water Association; $3,900,000 for Rural Community Assistance program, to be divided equally between assistance for water programs and assistance for wastewater programs; $735,000 for Ground Water Protection Council; $1,960,000 for Small Flows Clearinghouse; $980,000 for the National Environmental Training Center; and $1,000,000 for the Water Systems Council Wellcare Program.

4. $980,000 for the National Biosolids Partnership Program;

5. $2,000,000 for source water protection programs;

6. $2,940,000 for EPA's National Computing Center to provide for the remote mirroring of all critical information and related systems to achieve a Continuity of Operations (COOP)/Disaster Recovery capability.

7. $5,000,000 for America's Clean Water Foundation for implementation of on-farm environmental assessments for livestock operations;

8. $5,000,000 to support a demonstration project for deployment of idle reduction technology including advanced truck stop electrification, as part of the Agency's Smartway Transport Program.

9. $1,000,000 for the Lake Pontchartrain Basin Restoration Program for a total of $2,000,000;

10. $200,000 for the Northeast States for Coordinated Air Use Management [NESCAUM];

11. $200,000 for the Northeast Waste Management Officials Association [NEWMOA];

12. $1,540,000 for the Lake Champlain Basin program, for a total of $2,500,000;

13. $1,823,000 for the Long Island Sound program, for a total of $2,300,000;

14. $2,000,000 for Chesapeake Bay small watershed grants. The Committee expects that the funds provided for this program, managed by the Fish and Wildlife Foundation, shall be used for community-based projects including those that design and implement on the ground and in the water environmental restoration or protection activities to help meet Chesapeake Bay program goals and objectives. This will result in a total of $22,817,000 available in fiscal year 2005 for the Chesapeake Bay program.

15. $1,000,000 to the Environmental Monitoring and Assessment Program within the State of Alaska;

16. $100,000 to the Salton Sea Authority in Salton Sea, California for air quality mitigation projects;

17. $250,000 to Calleguas Municipal Water for the Calleguas Creek Watershed Management Plan Implementation in Ventura County, California;

18. $100,000 to the University of Redlands in California for the Salton Sea Database;

19. $300,000 for the City of Highland, California for developing and implementing displays and exhibits for the City of Highland Environmental Learning Center;

20. $200,000 for the Operation Clean Air Advocates, Inc. in San Joaquin Valley, California for Operation Clean Air;

21. $100,000 for the California State University-Fullerton, California for the National Center for Water Hazard Mitigation;

22. $175,000 to the Central California Ozone Study;

23. $100,000 to the University of Connecticut Health Center to implement a model asthma intervention program for the State of Connecticut;

24. $250,000 to the University of North Florida for the Real-Time Regional Environmental Modeling in Jacksonville, Florida;

25. $900,000 to Osceola County, Florida for abatement and prevention of hydrilla and hygophila;

26. $150,000 to the Spokane Region Chamber of Commerce for the Rathdrum Prairie/Spokane Valley Aquifer Study in Spokane County, Idaho;

27. $1,700,000 to Boise State University for research projects aimed at developing and demonstrating multi-purpose sensors to detect and analyze contaminants and time-lapse imaging of shallow subsurface fluid flow;

28. $300,000 for the Selenium Information System Project at the Idaho National Engineering and Environmental Laboratory;

29. $100,000 to the City of Rexburg, Idaho for the Teton River Mill Site Redevelopment and Learning Project;

30. $150,000 to the City of Chicago, Illinois for the Beach Contamination Identification/Elimination Study;

31. $100,000 for PRIDE in the 2nd District of Kentucky for PRIDE in the Heartland of Kentucky;

32. $500,000 to the Olmsted Parks Conservancy in Louisville, Kentucky to remove invasive species and correct erosion in Cherokee and Seneca Parks;

33. $1,000,000 to the Olmsted Parks Conservancy in Louisville, Kentucky to correct riverbank erosion in Chickasaw Park;

34. $550,000 to the Olmsted Parks Conservancy in Louisville, Kentucky to correct erosion in Iroquois Park;

35. $850,000 to the Louisville Waterfront Development Corporation, Kentucky for anti-erosion strategies;

36. $200,000 to the Louisiana State University in Shreveport, Louisiana for the Red River Watershed Management Institute;

37. $100,000 to Prince George's County, Maryland for the Low Impact Development demonstration project in the Anacostia River Watershed;

38. $100,000 to Wayne County, Michigan for the Lead Prevention Initiative;

39. $100,000 to Wayne County, Michigan for the lead prevention initiative;

40. $200,000 for the Michigan Biotechnology Institute in East Lansing, Michigan for the Michigan Biotechnology Institute International's Nanocomposite Surfaces;

41. $100,000 to the New Hampshire Department of Environmental Services to develop a statewide water resources management plan;

42. $250,000 to the Ten Towns Great Swamp Watershed Management Committee in New Jersey for a water quality monitoring program in the Great Swamp National Refuge;

43. $100,000 to Monmouth University for the Coastal Watershed Program in West Long Branch, New Jersey;

44. $150,000 for Monmouth University for the Center for Coastal Watershed Management in West Long Beach, New Jersey;

45. $200,000 to Madison County, New York for the Landfill Gas to Electricity Project;

46. $250,000 for the New York University in Bronx, New York for health disparity studies;

47. $1,500,000 for continued work on water management plans for the Central New York Watersheds in Onondaga and Cayuga counties;

48. $750,000 to Cortland County, New York for continued work on the aquifer protection plan, of which $350,000 is for continued implementation of the comprehensive water quality management program in the Upper Susquehanna Watershed;

49. $250,000 to Wayne County, New York for continued work on a county-wide lakeshore embankments resource preservation and watershed enhancement plan;

50. $300,000 for the NADO (National Association of Development Organizations) Research Foundation for environmental training and information dissemination related to rural brownfields, air quality standards and water infrastructure;

51. $200,000 to the Ohio River Valley Water Sanitation Commission for the Ohio River Watershed Pollutant Reduction Program;

52. $250,000 to Lake Erie Coastal Ohio for planning, research, and analysis of coastal Lake Erie community, environmental, and educational efforts;

53. $200,000 to the Oklahoma State University, the University of Oklahoma, the University of Tulsa, and the University of Arkansas for the Integrated Petroleum Environmental Consortium in Tulsa, Oklahoma;

54. $1,500,000 to the American Cities Foundation (ACF) for the Neighborhood Environmental Action Team program and other community environmental efforts;

55. $700,000 to Caribbean American Mission for Education Research and Action, Inc. (CAMERA), to support a youth environmental stewardship program in Bala Cynwyd, Pennsylvania;

56. $700,000 to the Environment and Sports Inc., of Philadelphia to continue support of an environmental awareness program in Philadelphia, Pennsylvania;

57. $350,000 for the Concurrent Technologies Corp for the Small Partner Environmental Information Exchange Network;

58. $100,000 to Cabrini College in Radnor, Pennsylvania for the Center for Science Education and Technology;

59. $100,000 to the University of Memphis for Environmental Programs Hazard Management in Memphis, Tennessee;

60. $250,000 to the Tarrant County Watershed District in Tarrant County, Texas to develop and implement an integrated watershed protection plan;

61. $750,000 to the University of Texas at Austin for environmental resource management and technical assistance activities for the Rio Bravo-Rio Grande Physical Assessment Program;

62. $250,000 to the University of North Texas for the Texas Institute for Environmental Assessment and Management;

63. $200,000 to the City of Lubbock, Texas for a comprehensive study to address regional water and wastewater concerns;

64. $75,000 to the Brazos River Authority for the Brazos/Navasota Watershed Management Project in Texas;

65. $200,000 to the Puget Sound Action Team of Hood Canal, Washington for the Hood Canal Depleted Oxygen Study;

66. $100,000 for the Spokane Regional Chamber of Commerce for the Spokane Valley/Rathdrum Prairie Aquifer Study;

67. $200,000 to the Upper Kanawha Valley Enterprise Community for the Shrewsbury Riverbank Erosion Project in Shewsbury, West Virginia;

68. $2,000,000 for on-going activities at the Canaan Valley Institute, including activities relating to community sustainability;

69. $1,500,000 to support and implement the Highlands Action Program (HAP) of the Agency, including, but not limited to, federal personnel and related costs;

70. $150,000 for Marshall University, Center for Environmental, Geotechnical and Applied Sciences for Environmental Management Incubator in Huntington, West Virginia;

71. $200,000 to the City of Cedarburg, Wisconsin for ongoing surface water treatment and general environmental remediation of Cedar Creek;

72. $4,000,000 for the Small Public Water System Technology Centers at Western Kentucky University, the University of New Hampshire, the University of Alaska-Sitka, Pennsylvania State University, the University of Missouri-Columbia, Montana State University, the University of Illinois, and Mississippi State University;

73. $500,000 for the City of Boulder's Sustainability Center;

74. $300,000 for the State Review of Oil and Natural Gas Environmental Regulations [STRONGER] program;

75. $200,000 for the Utah Watershed Coordinator's Council;

76. $250,000 for the City of Covington Riverfront Planning Project in Covington, Kentucky;

77. $600,000 for the University of Southern Mississippi's Gulf of Mexico program to evaluate bacterial source tracking in three Gulf Coast watersheds;

78. $350,000 for the Greater Houston Partnership/Houston Advanced Research Center for an air quality study;

79. $400,000 to the Baylor University for a Lake Whitney comprehensive assessment;

80. $1,500,000 for the Rathdrum Prairie/Spokane Valley Aquifer study with matching funds to be provided by the State of Idaho and Washington;

81. $300,000 for the Selenium Information System project at the Idaho National Engineering and Environmental Laboratory;

82. $2,500,000 for the Southwest Center for Environmental Research and Policy;

83. $500,000 for the Lake Tahoe Environmental Improvement program;

84. $1,000,000 for the City of Maryville, Tennessee to implement an environmental protection and education project;

85. $250,000 for the Center for Environmental Citizenship at Luther College in Decorah, Iowa;

86. $250,000 for a comprehensive storm and irrigation-water management initiative for Orem, Utah;

87. $5,000,000 for the Oklahoma Department of Environmental Quality for ongoing surface water treatment and general environmental remediation in collaboration with other involved state and Federal entities of the effects of mine-waste tailings in the Tar Creek and Spring Creek watersheds and area in Ottawa County, Oklahoma;

88. $500,000 for the U.S.-Mexico Border Environmental Protection program at the University of Arizona;

89. $600,000 for the Western Kentucky University Center for Wastewater Research;

90. $400,000 for the Green River Biological Diversity Monitoring project at Western Kentucky University;

91. $300,000 for Auburn University to develop a Mobile Delta Initiative;

92. $750,000 for the City of Wilsonville, Oregon to develop an innovative rainwater management system;

93. $500,000 for the Ozarks Environmental and Water Resources Institute at Southwest Missouri State University;

94. $750,000 for the Lake Pontchartrain Basin Foundation for Lake Pontchartrain water quality improvement;

95. $250,000 for the Maryland Bureau of Mines for an acid mine drainage remediation project;

96. $1,000,000 for projects demonstrating the benefits of Low Impact Development along the Anacostia Watershed in Prince Georges County, Maryland, including

97. $500,000 for storm drains and trash traps;

98. $750,000 for the City of Waukesha, Wisconsin, for a radium removal research and study project;

99. $250,000 for the Northwest Straits Commission for Washington State University's beach watchers program;

100. $500,000 for the Columbia Basin Groundwater Management Area;

101. $300,000 for the Walker Lake Working Group in Nevada for scientific, analytical, and other technical assistance to evaluate solutions for the restoration of Walker Lake;

102. $250,000 for the Friends of Old Maui School and Community Work Day in Hawaii for environmental assessments;

103. $350,000 for the County of Hawaii for the Honomolino Irrigation Cooperative surface and ground water project;

104. $250,000 for the Hawaii Nature Center East Kauai watershed improvement initiative;

105. $500,000 for the Metropolitan Water District of Southern California for a study of the effectiveness of biological treatment for the removal of perchlorate from groundwater;

106. $250,000 for the Fresno County Council of Governments in California for a non-point source water quality management program;

107. $500,000 for the Storm Lake, Iowa, water quality project;

108. $250,000 for the Iowa Stormwater Runoff Council for the development and implementation of improved urban stormwater control practices;

109. $300,000 for the Vermont Department of Agriculture Steven's Brook watershed project;

110. $250,000 for the City of Warwick, Rhode Island, for design and engineering of the Potowomut wastewater collection system;

111. $400,000 for the City of Las Vegas, New Mexico, for a mechanical biological treatment initiative;

112. $750,000 for the University of West Florida's PERCH program;

113. $400,000 for the County of Ventura, California, Calleguas Creek Watershed Management Plan;

114. $400,000 for a storm water research initiative at the University of Vermont;

115. $700,000 for Plimoth Plantation in Plymouth, Massachusetts, for environmental education initiatives;

116. $400,000 for the City of Norwalk, Connecticut, for the FILTER project to prevent runoff into the Long Island Sound;

117. $500,000 for the State of Nevada to replace or retrofit school buses to lower emissions;

118. $250,000 for Chautauqua County, New York, for a sewerage mapping project;

119. $400,000 for the Right Place in Grand Rapids, Michigan, for the West Michigan Regional Sustainable Manufacturing Initiative;

120. $400,000 for Deschutes County, Oregon, for the Upper Deschutes River water quality and monitoring program;

121. $200,000 for pollution prevention of Wreck Pond and nearby beaches in Spring Lake, New Jersey;

122. $200,000 for the City of Vineland, New Jersey, for the demonstration of an environmentally sound disabled vehicle removal pilot project;

123. $400,000 for the King County, Washington, molten fuel cell demonstration project;

124. $200,000 for the North Carolina Rural Economic Development Center for a statewide water and wastewater assessment;

125. $750,000 for continued research and watershed activities at the Kenai River Center in Kenai, Alaska;

126. $375,000 for regional haze monitoring in the State of Alaska;

127. $1,500,000 to the Environmental Resources Coalition for the Southwest Missouri Water Resources Assessment Project; and

128. $1,000,000 for the Missouri Department of Natural Resources for the Low Sulfur Coal Emissions Reduction Pilot Project.

The Conference has included $8,000,000 more than the budget request for EPA Criminal Enforcement for a total of $39,370,000 for FY05, an increase of a little more than $8,000,000 above the 2004 level. The Conference believes that a strong criminal enforcement program is essential to reducing pollution and protecting public health. The Conference believes that the EPA does not devote adequate resources to the program, which has led to staffing declines and case backlogs. The Conference directs EPA to submit to the House and Senate Committees on Appropriations a plan to reduce case backlogs and ensure adequate resources and staffing levels by March 15, 2005. In addition to this increase, the conference agreement includes sufficient funds to maintain the level of staffing at other enforcement activities throughout the agency at not less than the fiscal year 2004 level.

The Conferees consider that a strong relationship between EPA and the Department of Homeland Security (DHS) is critical if the Nation is going to have a comprehensive and effective plan for protecting our homeland. The conferees understand that the EPA has negotiated two memorandums of understandings (MOUs) with DHS. The first, between DHS and EPA's Office of Research and Development, provides for joint research projects. The second, between DHS and EPA's Office of Air and Radiation, is designed to provide coordination and funding for field operations of the biowatch monitoring network. Nevertheless, the Conferees remain concerned that the Agency's responsibilities as to homeland security are not well articulated. Therefore, the Conferees direct EPA to enter into a comprehensive MOU with DHS no later than August 1, 2005 that will define the relationship and responsibilities of these entities with regard to the protection and security of our Nation. The Conferees expect the MOU to specifically identify areas of responsibilities and the potential costs (including which entity pays, in whole or part) for fully meeting such responsibilities. EPA shall submit to the House and Senate Committees on Appropriations a plan no later than September 15, 2005 that details how the agency will meet its responsibilities under the MOU, including a staffing plan and budget.

The conference agreement provides the budget request of $2,000,000 for the Water Information Sharing and Analysis Center (Water ISAC) to gather, analyze, and disseminate sensitive security

information to water and wastewater systems. The conferees direct that the Water ISAC shall be implemented through a grant to the Association of Metropolitan Water Agencies.

The conferees have, within available funds, provided $2,000,000 for nine Environmental Finance Centers, the same as for fiscal year 2004.

The conferees have provided the full budget request for the Endocrine Disruptor Screening Program. The High Production Volume (HPV) Chemical Challenge Program and the Voluntary Children's Chemical Evaluation Program have been funded at the fiscal year 2004 level and the conferees urge that no reductions be proposed in the operating plan submission for these important programs.

The conferees support EPA's promotion of environmental management systems (EMSs), codes established by a variety of industry sectors to ensure superior environmental performance, and urge the agency to examine additional regulatory incentives to be provided to organizations that have implemented an EMS.

The conferees have also provided the fiscal year 2004 appropriation level for activities and programs of the Office of Pesticide Programs (OPP).

The conferees direct EPA to provide for the Pesticide Applicator Training program the same amount as available in fiscal year 2004.

The conferees support the Agency's electronics recycling initiative, and encourage the Agency to support pilot projects through the Polymer Alliance Zone's MARCEE Initiative to develop a market-based sustainable electronics recycling infrastructure.

OFFICE OF INSPECTOR GENERAL

Appropriates $38,000,000 for the Office of Inspector General, an increase of $1,000,000 over the amount proposed by the House, and the same amount proposed by the Senate. In addition to amounts appropriated directly to the OIG, $13,000,000 is also available by transfer from funds appropriated for Hazardous Substance Superfund. Of the total funding, $750,000 shall be used to carry out the duties of Inspector General for the Chemical Safety and Hazard Investigation Board.

BUILDINGS AND FACILITIES

Appropriates $39,000,000 for buildings and facilities, instead of $40,000,000 as proposed by the Senate and the same as proposed by the House.

HAZARDOUS SUBSTANCE SUPERFUND

(INCLUDING TRANSFERS OF FUNDS)

Appropriates $1,257,537,000 for Hazardous Substance Superfund as proposed by the House instead of $1,381,416,000 as proposed by the Senate. Bill language provides that such sums as are available from the Superfund trust fund upon the date of enactment are available for this activity, with the remainder to be derived from general revenues of the Treasury. Additional language provides for the transfer of $13,000,000 to the Office of Inspector

General, and for the transfer of $36,097,000 to the Science and Technology account.

The conferees direct EPA to develop a standard test method for naturally occurring asbestos that will provide reproducible results and provide a risk analysis using the existing EPA Airborne Asbestos Health Assessment Update.

The conferees remain concerned about the effective implementation of the Superfund program. The EPA IG is conducting an ongoing evaluation of Superfund expenditures at the request of the House and Senate Committees on Appropriations. It is clear, however, that there is little coordination of best practices at Superfund sites and the conferees urge EPA to develop a best practices approach which will ensure that there will be better coordination in managing sites and that those Superfund procedures that work best for the least cost will be implemented.

The conferees have agreed to the following fiscal year 2005 funding levels:

1. $879,100,000 for Superfund response and cleanup activities;
2. $146,514,000 for enforcement activities;
3. $145,000,000 for management and support;
4. $13,000,000 for transfer to the Office of Inspector General;
5. $36,097,000 for research and development activities, to be transferred to the Science and Technology account; and
6. $37,826,000 for reimbursable interagency activities, including $27,150,000 for the Department of Justice and $10,676,000 for OSHA, FEMA, NOAA, the United States Coast Guard, and for the Department of the Interior.

LEAKING UNDERGROUND STORAGE TANK PROGRAM

Appropriates $70,000,000 for the leaking underground storage tank program as proposed by the Senate, instead of $74,000,000 as proposed by the House.

OIL SPILL RESPONSE

Appropriates $16,000,000 for oil spill response as proposed by the House and the Senate.

STATE AND TRIBAL ASSISTANCE GRANTS

Appropriates $3,604,182,000 for state and tribal assistance grants instead of $3,359,027,000 as proposed by the House and $3,886,550,000 as proposed by the Senate. Bill language specifically provides $1,100,000,000 for Clean Water State Revolving Fund (SRF) capitalization grants, of which up to $50,000,000 is to be made available for use by States that choose to make loans, including interest-free loans, that increase non-point and non-structural, decentralized alternatives, expanding the choices available to communities in their fight for clean water. The conferees again strongly encourage States that can do so to pursue innovative technologies in this regard, but emphasize that this program is voluntary and that States not participating in the program will nevertheless continue to receive their normal level of funding through the established SRF formulas.

Additional bill language provides $850,000,000 for Safe Drinking Water SRF capitalization grants; $50,000,000 for the United States-Mexico Border program; $45,000,000 for grants to address drinking water and wastewater infrastructure needs in rural and native Alaska communities; $4,000,000 for remediation of above ground leaking fuel tanks in Alaska pursuant to Public Law 106–554; $90,000,000 for Brownfields infrastructure grants; $1,145,757,000 for categorical grants to the states and tribes, including $50,000,000 for Brownfields categorical grants and $19,500,000 for the Environmental Information Exchange program; $7,500,000 for Clean School Bus grants; and $309,925,000 for cost-shared grants for construction of water and wastewater treatment facilities and infrastructure and for groundwater protection infrastructure.

The conferees have included bill language which: (1) for fiscal year 2005, authorizes the Administrator of the EPA to use funds appropriated pursuant to the Federal Water Pollution Control Act (FWPCA) to make grants to Indian tribes pursuant to section 319(h) and 518(e) of FWPCA; (2) will permit the states to include as principal amounts considered to be the cost of administering SRF loans to eligible borrowers, with certain limitations; (3) for fiscal year 2005, authorizes the states to transfer funds between the Clean Water and Safe Drinking Water SRF programs; and (4) stipulates that no funds provided in the Act to address water infrastructure needs of colonias within the United States along the United States-Mexico border shall be made available to a county or municipal government unless that governmental entity has established an enforceable ordinance or rule which prevents the development or construction of any additional colonia areas, or the development within an existing colonia of any new home, business, or other structure which lacks water, wastewater, or other necessary infrastructure.

As in previous years, the conferees have included bill language that stipulates that none of the funds provided in this or any previous years' Act for the Safe Drinking Water SRF may be reserved by the Administrator for health effects studies on drinking water contaminants. The conferees have instead provided significant resources for such studies within EPA's Science and Technology account.

The conferees have included, as proposed by the Senate, bill language which sets certain requirements for Alaska Native Village grants, including: (1) a 25% cost share from the State of Alaska; (2) a limitation on administrative expenses; and (3) the establishment of a statewide priority list and a set-aside for regional hub communities.

The conferees have not included language proposed in the Senate bill that created a new $3,000,000 construction program that was designed to begin building the needed infrastructure to reduce the risk of arsenic in drinking water as required by the arsenic in drinking water rule (66 FR 6979). In 2006, both community water systems and non-transient, non-community water systems are expected to be in compliance with these new arsenic in drinking water requirements. The conferees are concerned that many communities, especially rural communities in the West, will be unable

to meet these new requirements which could become a huge financial hardship on these communities. This may mean that clean water systems could be abandoned in favor of untreated well water or that communities may be forced to spend very tight resources on new water infrastructure while abandoning other critical priorities such as maintaining local school systems. The conferees direct EPA to submit a study no later than August 15, 2005 on the extent to which the communities will be impacted by the arsenic in drinking water rule, the likely cost to these communities for meeting the requirements of the rule, alternatives to meeting the requirements of the rule and recommendations for, but not limited to, ways to minimize the cost.

The conferees have included bill language that makes technical corrections and changes to grants approved in previous fiscal years.

Of the funds provided for the United States-Mexico Border program, $5,000,000 is for continuation of the El Paso, Texas desalination and water supply project, and $2,000,000 is for the Brownsville, Texas water supply project.

The conferees provide $18,000,000 for making competitive Targeted Watershed grants; within these funds, $8,000,000 is for a regional pilot program for the Chesapeake Bay that shall demonstrate effective non-point source nutrient reduction approaches that target small watersheds and accelerate nutrient reduction in innovative, sustainable, and cost-effective ways. Partners in the effort to protect the Bay include Maryland; Pennsylvania; Virginia; the District of Columbia; the Chesapeake Bay Commission, a tri-state legislative body; EPA, which represents the Federal Government; and, participating citizen advisory groups.

The conferees direct EPA under the "school bus" program to treat all school districts equally, regardless of whether the buses are owned by the district or owned by a contractor. In either case, the grantee is a school district. In cases where the school district contracts with an outside entity for the provision of school buses, the school district is expected to contract with its contractor to ensure the buses are as environmentally sound as possible at the least possible cost. Any use of funds must be consistent with the program requirements. School districts can apply jointly for a grant where the contractor provides student busing services to more than one district.

Within the State and Tribal Categorical Grant program, the conference agreement includes:

	House	Senate	Conference
State and Local Air Quality Assistance	225,000,000	228,550,000	225,000,000
Tribal Air Quality Assistance	10,830,000	11,000,000	10,830,000
Radon	8,000,000	7,000,000	7,000,000
Pollution Control (Section 106)	200,000,000	210,000,000	210,000,000
Beaches Protection	10,000,000	10,000,000	10,000,000
Nonpoint Source (Section 319)	235,250,000	215,000,000	209,000,000
Wetlands Program Development	14,500,000	15,000,000	15,000,000
Wastewater Operator Training	1,500,000	1,500,000	1,500,000
Water Quality Cooperative Agreements (Sec. 104(3)(b))	18,620,000	17,000,000	17,000,000
Targeted Watersheds	14,500,000	20,000,000	18,000,000
Public Water System Supervision (PWSS)	100,550,000	102,500,000	100,550,000
Underground Injection Control (UIC)	10,780,000	9,000,000	10,780,000
Drinking Water Homeland Security	5,000,000	5,000,000	5,000,000
RCRA Financial Assistance	104,300,000	106,400,000	104,300,000

	House	Senate	Conference
Brownfields	50,000,000	50,000,000	50,000,000
Underground Storage Tanks	12,000,000	13,000,000	12,000,000
Pesticides Program Implementation	13,000,000	13,100,000	13,000,000
Lead Risk Reduction	13,500,000	13,700,000	13,500,000
Toxic Substances Compliance	5,047,000	5,150,000	5,047,000
Pesticides Enforcement	19,500,000	19,900,000	19,500,000
Environmental Information	19,500,000	20,000,000	19,500,000
Pollution Prevention	6,000,000	5,000,000	5,000,000
Sector Program (Enforcement & Comp Assurance)	2,250,000	2,250,000	2,250,000
Tribal General Assistance Program	62,000,000	62,500,000	62,000,000

The conferees have not included language that directed EPA to deduct from grants to state associations for a state that does not wish to participate in the association, as proposed by the Senate. The conferees believe that current recipients of such grants have administratively addressed this issue.

The conferees have provided $309,925,000 for a targeted program making grants to communities for the construction of drinking water, wastewater and storm water infrastructure and for water quality protection. As in past years, these grants shall be accompanied by a cost-share requirement whereby 45 percent of a project's cost is the responsibility of the community or entity receiving the grant. In those few cases where such cost-share requirement poses a particular financial burden on the recipient community or entity, the conferees support the Agency's use of its longstanding guidance for financial capability assessments to determine reductions or waivers from this match requirement.

With the exception of the limited instances in which an applicant meets the criteria for a waiver, the conferees have provided no more than 55% of an individual project's cost, regardless of the amount appropriated below. The phrase 'terms and conditions' referenced in the bill language includes the maximum 55% federal share, as well as the intended recipients and the specific project descriptions, as listed below. The distribution of funds under this program is as follows:

1. $400,000 to the City of Falkville, Alabama for sewer infrastructure improvements;
2. $750,000 to the City of Albertville, Alabama for sewer infrastructure improvements;
3. $180,000 to the City of Boldo, Alabama for water infrastructure improvements;
4. $200,000 to the City of Addison, Alabama for sewer infrastructure improvements;
5. $220,000 to Lamar County, Alabama for infrastructure improvements to the Lamar County Reservoir;
6. $350,000 to the City of Arley, Alabama for water infrastructure improvements;
7. $200,000 to the City of Eva, Alabama for sewer infrastructure improvements;
8. $200,000 to the City of Guin, Alabama for water infrastructure improvements;
9. $250,000 to the City of Phil Campbell, Alabama for water infrastructure improvements;
10. $500,000 to Blount County, Alabama for water infrastructure improvements;

11. $500,000 to the DeKalb-Jackson Water Supply District in Ider, Alabama for construction of a water treatment plant;

12. $150,000 to Fort Payne, Alabama for a pump station at Wills Valley Industrial Park;

13. $250,000 to the Helena Utility Board in Helena, Alabama for sewer infrastructure improvements;

14. $250,000 to the City of Jackson, Alabama for water and wastewater infrastructure improvements;

15. $200,000 to the City of Athens, Alabama for wastewater infrastructure improvements;

16. $500,000 to Lawrence County, Alabama for the Bankhead Forest Water Project;

17. $250,000 to the City of Huntsville, Alabama for water infrastructure improvements;

18. $400,000 to Hartselle Utilities for wastewater infrastructure improvements in Hartselle, Alabama;

19. $100,000 to Harvest-Monrovia Water, Sewer, and Fire Protection in Alabama for a master plan to accomplish the establishment of a sewer system within the service area;

20. $300,000 to the Limestone County Water and Sewer Authority in Alabama for water infrastructure improvements;

21. $400,000 to the Waterworks Boards of the Towns of Section and Dutton, Alabama for water infrastructure improvements;

22. $500,000 to the Scottsboro Waterworks, Sewer, and Gas Board in Scottsboro, Alabama for construction and rehabilitation of a sanitary sewer collection system;

23. $600,000 to the City of Sheffield, Alabama for water and wastewater infrastructure improvements;

24. $200,000 to the West Morgan-East Lawrence Water and Sewer Authority for water and wastewater system infrastructure improvements;

25. $50,000 to Jackson County, Alabama for water and wastewater infrastructure improvements;

26. $400,000 to the City of Muscle Shoals, Alabama for water and wastewater infrastructure improvements;

27. $100,000 to the community of Overlook Hills in Dallas County, Alabama for wastewater infrastructure improvements;

28. $100,000 to the Town of Fulton, Alabama to construct a wastewater treatment facility;

29. $150,000 to the Town of Red Level, Alabama for Phase II water infrastructure improvements;

30. $150,000 to the City of Valley, Alabama to purchase Langdale Mill and Fairfax Utilization Plant;

31. $100,000 for the Millerville Water Authority (Clay County Commission) for water infrastructure improvements in Millerville, Alabama;

32. $200,000 for the Smiths Station Water Authority in Alabama for water infrastructure improvements;

33. $30,000 for City of Piedmont Water and Utilities Board to extend water lines to the Terrapin Cove/Borden Springs area in Cleburne County, Alabama;

34. $250,000 to the City of Fayetteville, Arkansas for water infrastructure improvements;

35. $250,000 for the Faulkner County Public Facilities Board for Lake Conway Sewer Improvements in Faulkner County, Arkansas;

36. $200,000 for the City of Goodyear, Arizona for water infrastructure improvements;

37. $250,000 to the City of Avondale, Arizona for wastewater infrastructure improvements;

38. $150,000 to the City of Chandler, Arizona for the Chandler Arsenic Mitigation Program;

39. $1,000,000 to the University of Arizona, College of Pharmacy for the US-Mexico Border Environmental Protection Program;

40. $250,000 to the City of Stafford, Arizona for construction of a wastewater treatment plant;

41. $500,000 to the City of St. Johns, Arizona for new water transmission pipeline construction;

42. $150,000 to the City of Rialto, California for water infrastructure improvements;

43. $250,000 to the Box Springs Mutual Water Company of the City of Moreno Valley, California for installation of a sewer system;

44. $200,000 to the City of Oxnard, California for the Headworks Expansion Project and Redwood Trunk Project;

45. $150,000 to the City of Modesto, California for the neighborhood storm water, sewer, and water infrastructure project (Ninth Street Corridor Storm Drain Project);

46. $600,000 to the Orange County Sanitation District for wastewater infrastructure improvements in Fountain Valley, California;

47. $500,000 to the City of Laguna Beach, California for emergency sewer repairs;

48. $1,000,000 to the City of Solana Beach, California for wastewater treatment improvements in the municipal sewer system;

49. $250,000 to the City of Roseville, California for water infrastructure improvements;

50. $400,000 to the City of Monrovia, California for water and wastewater infrastructure improvement;

51. $1,000,000 to the Cities of Arcadia and Sierra Madre, California for the Joint Water Infrastructure Restoration Program;

52. $200,000 to the City of East Palo Alto, California for the storm water infrastructure improvements;

53. $350,000 to the Monterey County Water Resource Agency for the Salinas Valley Water Project in Monterey County, California;

54. $100,000 to the Sweetwater Authority for the water quality monitoring in Chula Vista, California;

55. $250,000 to the City of El Segundo, California for wastewater infrastructure improvements for Smoky Hollow;

56. $350,000 for the City of Redding, California for water infrastructure improvements;

57. $750,000 to the San Diego County Water Authority for the San Diego County Water Authority Regional Seawater Desalination Initiative in San Diego, California;

58. $350,000 to the City of Brisbane, California for water and wastewater infrastructure improvements;

59. $100,000 for the Bighorn Desert Water Agency for water infrastructure improvements in Yucca Valley, California;

60. $450,000 to the City of San Bernardino, California for Lakes and Stream Project;

61. $250,000 to the City of Hesperia, California for water infrastructure improvements;

62. $200,000 to the City of Lake Arrowhead, California for the Community Services District;

63. $500,000 for Mission Springs Water District for the Groundwater Protection, Supply Enhancement/Reuse Program in Desert Hot Springs, California;

64. $450,000 to the City of Banning, California for the Brinton Reservoir;

65. $300,000 for the Hi-Desert Water District in Yucca Valley, California for the Warren Valley Recharge Facility;

66. $300,000 for the Santa Ana Watershed Project Authority in California for the Santa Ana Regional Interceptor (SARI) Enhancement;

67. $200,000 for the City of San Jose, California for water and wastewater infrastructure improvements;

68. $500,000 to the City of Sacramento, California for combined sewer system improvement rehabilitation project;

69. $250,000 for the Castaic Lake Water Agency in California for wastewater infrastructure improvements;

70. $250,000 to the City of Barstow, California for a sewer master plan implementation project;

71. $250,000 to the City of Victorville, California for water infrastructure improvements;

72. $200,000 for the California State University, Dominguez Hills for the Center for Urban Environmental Research in Carson, California;

73. $200,000 to the City of Brea, California for sewer infrastructure improvements;

74. $200,000 to the City of Mission Viejo, California for the Oso Creek Barrier Project;

75. $300,000 to the City of Vallejo, California for the Mare Island Sanitary Sewer and Storm Drain Improvement Project;

76. $250,000 to the City of Norwalk, California for the Balancing Facility Project;

77. $150,000 to the Strathmore Public Utility District for a wastewater treatment plant;

78. $250,000 to the City of Folsom, California for the sewer rehabilitation project;

79. $1,000,000 to the City of San Francisco, California for water and wastewater infrastructure improvements;

80. $800,000 for the Santa Clara Valley Water District in Santa Clara County, California for Perchlorate Cleanup;

81. $200,000 to the City of Westminster, California for the Westminster Water Quality Pilot Project;

82. $300,000 to the City of Huntington Beach, California for the Wintersberg Channel Urban Run-Off Treatment;

83. $250,000 to the City of Downey, California for storm water infrastructure improvements;

84. $150,000 for the Municipal Water District of Orange County, California for an Orange County water reliability study;

85. $200,000 for the Orange County Sanitation District for a new secondary treatment facility in Fountain Valley, California;

86. $250,000 to the City of Eurka, California for the Martin Slough Interceptor;

87. $250,000 to the City of Gardena, California for water and wastewater infrastructure improvements;

88. $250,000 to the City of Santa Monica, California for water infrastructure improvements;

89. $200,000 for Sonoma County, California for the Monte Rio sanitation project in Monte Rio, California;

90. $250,000 to Jefferson County, Colorado to implement a new storm water improvement program;

91. $250,000 to the City of Ouray, Colorado for water infrastructure improvements;

92. $150,000 to the City of Meriden, Connecticut for the City Center Initiative Flood Control and Demolition;

93. $300,000 to the City of New Britain, Connecticut for water infrastructure improvements;

94. $500,000 to the City of Southington, Connecticut for the Southington Water Supply Improvement Project;

95. $200,000 to the City of Stamford, Connecticut for storm water infrastructure improvements;

96. $350,000 to the City of Groton, Connecticut for water and sewer line extension;

97. $500,000 to the District of Columbia Government for drinking water infrastructure improvements to address lead problems;

98. $400,000 for the City of Wilmington, Delaware for wastewater infrastructure improvements;

99. $250,000 to the City of Tarpon Springs, Florida for water and wastewater infrastructure improvements;

100. $200,000 to the City of Gainesville, Florida for the depot regional storm water park;

101. $250,000 to Citrus County, Florida for the Chassahowitzka Area Wastewater Collection and Drinking Water Distribution System;

102. $200,000 to Hillsborough County, Florida for the Hillsborough County Alternative Water Supplies—Phase III;

103. $750,000 to the City of Miami Beach, Florida for storm water infrastructure improvements;

104. $250,000 to the City of Key West, Florida for storm water infrastructure improvements

105. $200,000 to the City of Pemroke Pines, Florida for water treatment expansion;

106. $250,000 to the City of Homestead, Florida for water and wastewater infrastructure improvements;

107. $150,000 for the South Seminole & North Orange County Wastewater Transmission Authority for the replacement of wastewater pipes and mechanical equipment;

108. $200,000 to the Southwest Florida Water Management District for the Peace River & Myakka River Water Initiative in Polk County, Florida;

109. $300,000 to the Village of Wellington, Florida for the reconfiguration of storm water system project;

110. $350,000 for the County of Sarasota, Florida for wastewater infrastructure improvements;

111. $200,000 to the City of Rivera Beach, Florida for the storm water management plan;

112. $200,000 to the Town of Windermere, Florida for storm water management improvements;

113. $250,000 to the City of Miami Gardens, Florida for water, wastewater, storm water, and sewer infrastructure improvements;

114. $200,000 to the City of Bunnell, Florida for the Wastewater Collection, Treatment and Disposal System Rehabilitation Project;

115. $500,000 for St. Johns County, Florida for the College Park Drainage Improvement Project in West Augustine, Florida;

116. $250,000 for the Escambia County Utility Authority for Wastewater Treatment/water Reclamation Partnership in Escambia County, Florida;

117. $350,000 to the City of Davenport, Florida for wastewater infrastructure improvements;

118. $200,000 to the City of Lakeworth, Florida for water infrastructure improvements;

119. $200,000 to the City of Davie, Florida for water main replacement;

120. $300,000 for the South Central Regional Wastewater Treatment and Disposal Board for the 100% Wastewater Reuse Project in the Cities of Delray Beach and Boynton Beach, Florida;

121. $300,000 to the City of Starke, Florida for the Water Quality Improvement Program;

122. $500,000 to Osceola County, Florida for drainage basin improvements;

123. $2,500,000 to the St. Johns River Water Management District for water infrastructure improvements in Central and East Florida;

124. $4,000,000 to the Southwest Florida Water Management District for continuation of the Tampa Bay Reservoir Project;

125. $1,200,000 to the Southwest Florida Water Management District for Tampa Bay Reclaimed Water and Downstream Augmentation Project;

126. $300,000 to the Southwest Florida Water Management District for the Peace River and Myakka River Watershed Restoration Initiative;

127. $500,000 to the City of Clearwater, Florida for the Wastewater and Reclaimed Water Infrastructure Project;

128. $1,300,000 to the City of Tampa, Florida for sediment removal from estuaries of the headwaters at the canals;

129. $500,000 to the City of Treasure Island, Florida for wastewater and sewer system upgrades;

130. $900,000 to the City of Albany, Georgia storm water infrastructure improvements;

131. $400,000 to the City of Americus, Georgia for sewer service expansion;

132. $1,000,000 to the City of Atlanta, Georgia for the McDaniel Basin Combined Sewer Overflow Separation project;

133. $1,000,000 for Columbus Water Works, Columbus, Georgia for its Biosolids Flow-Through Thermophilic Treatment Demonstration Project;

134. $250,000 to the City of Plains, Georgia for water infrastructure improvements;

135. $100,000 to the City of Social Circle, Georgia for water and wastewater infrastructure improvements;

136. $100,000 to the City of Thomasville, Georgia for extension of sewer lines;

137. $150,000 to the City of Moultrie, Georgia for wastewater infrastructure improvements;

138. $150,000 to the City of Summerville, Georgia for water and wastewater infrastructure improvements;

139. $200,000 to Polk County, Georgia for the Polk County Wastewater Collection System;

140. $250,000 to the City of Roswell, Georgia for the Big Creek Watershed Project;

141. $750,000 to the City of Atlanta, Georgia for wastewater infrastructure improvements;

142. $750,000 to the City of Moultrie, Georgia for wastewater infrastructure improvements;

143. $700,000 for the Metropolitan North Georgia Planning District for water infrastructure improvements in North Atlanta Metropolitan Area, Georgia;

144. $150,000 to the City of Byron, Georgia for water and wastewater infrastructure improvements;

145. $250,000 to the City of Social Circle, Georgia for water and wastewater infrastructure improvements;

146. $250,000 to the Guam Waterworks Authority for water and wastewater infrastructure improvements in the Territory of Guam;

147. $150,000 to the Maui County Department of Water Supply for the lead reduction in Upcountry Maui in Upcountry Maui, Hawaii;

148. $200,000 to the City of Castleford, Idaho for water infrastructure improvements;

149. $450,000 to the City of Castleford, Idaho for water infrastructure improvements;

150. $600,000 to the City of Twin Falls, Idaho for wastewater infrastructure improvements;

151. $750,000 to the City of Pocatello, Idaho for water infrastructure improvements;

152. $150,000 to the City of Lockport, Illinois for water and wastewater infrastructure improvements;

153. $450,000 to the Village of Johnsburg, Illinois for wastewater infrastructure improvements;

154. $300,000 to the Lake County Storm water Management Community for the Lake County Watershed Plan in Lake County, Illinois;

155. $200,000 to the City of Silvis, Illinois for water infrastructure improvements;

156. $200,000 to the Village of Newark, Illinois for wastewater infrastructure improvements;

157. $200,000 to the Village of Paw Paw, Illinois for construction of an elevated water storage tower;

158. $200,000 to the Village of Annawan, Illinois for water and wastewater infrastructure improvements;

159. $650,000 to the Salt Creek Sanitary District in Villa Park, Illinois for water and wastewater infrastructure improvements;

160. $300,000 to the Village of East Hazel Crest, Illinois for water infrastructure improvements;

161. $200,000 to the City of Lexington, Illinois for wastewater infrastructure improvements;

162. $400,000 to Lake County, Illinois for wastewater infrastructure improvements on the Des Plaines River;

163. $500,000 to the City of Peoria, Illinois for stormwater management;

164. $542,500 to the Village of Bartonville, Illinois for storm sewer improvements in Broadmoor Heights;

165. $500,000 to the Village of Arenzville, Illinois for water infrastructure improvements;

166. $500,000 to the Village of Argenta, Illinois for water infrastructure improvements;

167. $500,000 to the Village of North Pekin, Illinois for water infrastructure improvements;

168. $357,500 to the City of Spring Valley, Illinois for water infrastructure improvements;

169. $250,000 to the City of Virginia, Illinois for water infrastructure improvements;

170. $500,000 to the City of Pekin, Illinois wastewater infrastructure improvements;

171. $250,000 to the City of Lincoln, Illinois to repair and slip line Pulaski Street sewer line;

172. $350,000 to the Village of La Grange, Illinois for water infrastructure improvements;

173. $550,000 to the Village of Fox River Grove, Illinois for Phase II sewer plant infrastructure improvements;

174. $250,000 to the City of Shelbyville, Illinois for wastewater infrastructure improvements;

175. $250,000 to the City of Breese, Illinois for construction of the Breese Water Plant;

176. $100,000 to the Village of Mazon, Illinois for water infrastructure improvements;

177. $200,000 for Will County, Illinois for the feasibility study for sanitary district expansion;

178. $300,000 to the City of Marion, Indiana for water infrastructure improvements associated with the Water Loop Project in Grant County, Indiana;

179. $200,000 to the City of Crawford, Indiana for the design and construction phases of the Crawfordsville Eastside Sanitary Sewer Project;

180. $500,000 to the City of Frankfort, Indiana for construction of the Eastside Drainage/Detention Facility;

181. $150,000 to the City of Indianapolis, Indiana for sewer rehabilitation in northeast Indianapolis;

182. $300,000 to the City of Evansville, Indiana for the Pigeon Creek Enhancement Project;

183. $200,000 to the City of New Castle, Indiana for the sanitary sewer and sanitary forcemain project;

184. $330,000 to the City of Lowell, Indiana for construction of additional water lines;

185. $400,000 to the City of Hebron, Indiana for water infrastructure improvements;

186. $150,000 to the City of Des Moines, Iowa for storm water infrastructure improvements to the Closes Creek Watershed;

187. $250,000 to the City of Storm Lake, Iowa for water infrastructure improvements;

188. $250,000 to the City of Postville, Iowa for the completion of the Postville wastewater facility;

189. $500,000 to the City of Mason City, Iowa for completion of the Mason City water treatment plant;

190. $450,000 to the City of Ft. Madison, Iowa for water and wastewater infrastructure improvements;

191. $450,000 to the City of Ottumwa, Iowa for the South Ottumwa Sewer Separation project;

192. $500,000 to the City of Davenport, Iowa for the Westside Diversion Tunnel;

193. $250,000 to the City of Mission, Kansas for construction and expansion of a storm water flow management system;

194. $350,000 to the City of Harper, Kansas for water infrastructure improvements;

195. $150,000 to the Town of North Middletown, Kentucky for North Middletown water and sewer improvements;

196. $100,000 to the City of Shepherdsville, Kentucky for storm water compliance;

197. $100,000 to the City of Hillview, Kentucky for the Hillview Storm water Compliance;

198. $550,000 to the Louisville/Jefferson County Metropolitan Sewer District, Kentucky to construct a gravity interceptor sewer in Shively;

199. $225,000 Louisville/Jefferson County Metropolitan Sewer District, Kentucky for wastewater infrastructure improvements in Beechwood Village;

200. $225,000 Louisville/Jefferson County Metropolitan Sewer District, Kentucky for wastewater infrastructure improvements at Canoe Lane;

201. $700,000 to the City of Whitesburg, Kentucky for construction of a wastewater treatment plant;

202. $1,200,000 for the Perry County Fiscal Court in Hazard, Kentucky for the construction of a wastewater treatment plant;

203. $100,000 to the City of Morehead, Kentucky for the renovation and expansion of a wastewater treatment plant;

204. $150,000 to the City of Jamestown, Kentucky for the water treatment plant;

205. $150,000 to the City of Monroe for the Monroe Wastewater Improvement Program in Monroe, Louisiana;

206. $200,000 to the Village of Slaughter, Louisiana for wastewater infrastructure improvements;

207. $200,000 to the West Baton Rouge Parish, Louisiana for wastewater infrastructure improvements;

208. $250,000 to the City of Shreveport, Louisiana for the Municipal Water Distribution System—Backflow Prevention;

209. $200,000 to the City of Shreveport, Louisiana for watershed protection;

210. $500,000 for the South Central Planning & Development Commission for water and wastewater infrastructure improvements in New Iberia, St. Charles, Morgan City, St. Bernard and St. James, Louisiana;

211. $250,000 to the City of Slidell, Louisiana for storm water infrastructure improvements;

212. $200,000 to the Town of Windham, Maine for wastewater infrastructure improvements;

213. $500,000 to the City of Brewer, Maine for the sewer improvements project;

214. $250,000 to the City of Salisbury, Maryland for wastewater infrastructure improvements;

215. $250,000 to the City of Cambridge, Maryland for wastewater infrastructure improvements;

216. $250,000 to the City of Elkton, Maryland for wastewater infrastructure improvements;

217. $100,000 to Prince George's County, Maryland for the Livable Community Initiative in Brentwood, North Brentwood, Edmonston and Cottage City, Maryland;

218. $250,000 for Prince George's County, Maryland for the Anacostia Trash Reduction Program and Removal of Floatable Trash for the Cities of Brentwood and Edmonston, Maryland;

219. $500,000 to the YMCA Camp Letts in Edgewater, Maryland for water infrastructure improvements;

220. $200,000 to the City of Boston, Massachusetts to continue efforts to address deteriorating groundwater levels in the Greater Boston area;

221. $200,000 for the Towns of Braintree, Holbrook and Randolph in Massachusetts for water and wastewater infrastructure improvements;

222. $950,000 to the Cities of Fall River and New Bedford, Massachusetts for combined sewer overflow projects;

223. $200,000 to the City of Lawrence, Massachusetts for combined sewer overflow mitigation;

224. $400,000 to the City of Leomister, Massachusetts for the Rockwell Village revitalization initiative for water infrastructure improvements;

225. $250,000 for wastewater projects for communities in Essex County, Massachusetts

226. $500,000 to the Pioneer Valley Planning Commission in West Springfield, Massachusetts for the Connecticut River combined sewer overflow;

227. $900,000 to Wayne County, Michigan for the Rouge River National Wet Weather Demonstration Project;

228. $500,000 to the City of Grand Rapids, Michigan for combined sewer overflows;

229. $250,000 to the Genesee County Drain Commission for the Northeast Relief Sewer/Kearsley Creek Interceptor project in Genesee County, Michigan;

230. $350,000 to the City of Detroit, Michigan for the Woodmere Sewage Pump Station Rehabilitation;

231. $1,000,000 to the Oakland County Drain Commission for Evergreen-Farmington Sanitary Sewer Overflow control project in Farmington Hills, Michigan;

232. $500,000 to the Oakland County Drain Commission for Footing Drain/Sewer Lead Excess Flow Prevention demonstration project in Waterford, Michigan;

233. $200,000 for Oakland County, Michigan to identify and eliminate sewage contributions from older urban areas in the Clinton River;

234. $200,000 to the City of Westland, Michigan for water infrastructure improvements;

235. $650,000 for Macomb County and St. Clair County, Michigan to implement a comprehensive water quality monitoring program;

236. $300,000 to Brighton Township, Michigan for a waterline construction;

237. $300,000 for the Livingston County Drain Commission for drain construction in Livingston County, Michigan;

238. $250,000 to L'Anse Township, Michigan for water and sewer infrastructure improvements;

239. $250,000 to the City of Roseau, Minnesota for storm water infrastructure improvements;

240. $600,000 to the City of Minneapolis, Minnesota for the combined sewer overflow;

241. $200,000 to the Mississippi Band of Choctaw Indians for an Academic Wetlands and Wetlands Mitigation Project in Neshoba County, Mississippi;

242. $300,000 for Lamar County, Mississippi for water and sewer infrastructure improvements;

243. $500,000 to the City of Belmont, Mississippi for wastewater infrastructure improvements;

244. $500,000 to the City of Pontotoc, Mississippi for wastewater infrastructure improvements;

245. $350,000 to the City of Joplin, Missouri for the Crossroads Parallel Sewer Phase 4 upgrades;

246. $200,000 to the City of St. Louis, Department of Public Utilities for the Columbia Bottoms Wellfield Development water project in St. Louis, Missouri;

247. $250,000 to the Clarence Cannon Wholesale Water Commission for water infrastructure improvements in Monroe County, Missouri;

248. $250,000 to the Duckett Creek Sanitary District in Missouri for wastewater infrastructure improvements;

249. $150,000 for the Rosodyn Corporation in Butte, Montana for a waste recovery from municipal waste treatment plant;

250. $300,000 to the City of Lincoln, Nebraska for water and wastewater infrastructure improvements;

251. $550,000 to the City of Omaha, Nebraska for the Combined Sewerage Overflow Project;

252. $400,000 to the City of Fallon, Nevada for wastewater infrastructure improvements;

253. $400,000 to the City of Henderson, Nevada for wastewater infrastructure improvements;

254. $150,000 to the City of Nashua, New Hampshire for wastewater infrastructure improvements;

255. $200,000 to the New Hampshire Department of Environmental Services for sewer system expansion in Franklin, New Hampshire;

256. $200,000 to the City of Somerworth, New Hampshire for wastewater infrastructure improvements;

257. $1,000,000 to the Township of Parsippany, New Jersey for water infrastructure improvements;

258. $250,000 to the City of Wildwood, New Jersey for storm sewer outflow reconstruction;

259. $250,000 to the New Jersey Municipal Utilities Authority for the Peninsula at Bayonne Harbor Water Infrastructure Improvement Project in Bayonne, New Jersey;

260. $400,000 for the Passaic Valley Sewerage Commission in New Jersey for the Combined Sewage Overflow Program;

261. $100,000 for the Bergen County Utilities Authority for wastewater infrastructure improvements in Englewood, New Jersey;

262. $300,000 for the New Jersey Meadowlands Commission for the Hackensack Meadowlands Ecosystem Restoration;

263. $100,000 to the City of Lordsburg, New Mexico for water infrastructure improvements;

264. $100,000 to the City of Bayard, New Mexico for the Ft. Bayard Effluent Reuse System;

265. $150,000 to the City of Ruidoso Downs, New Mexico for wastewater infrastructure improvements;

266. $150,000 to the City of Elephant Butte, New Mexico for wastewater infrastructure improvements;

267. $150,000 to the City of Los Lunas, New Mexico to build a sewer interceptor line;

268. $150,000 to the City of Espanola, New Mexico for wastewater infrastructure improvements;

269. $200,000 to the City of Tijeras, New Mexico for water infrastructure improvements;

270. $200,000 for Bernalillo County, New Mexico for the South and North water and wastewater infrastructure improvements;

271. $200,000 to the City of Brookhaven, New York for storm water infrastructure improvements;

272. $100,000 to the Chenango County Agricultural Society of Chenango County, New York for upgrades to the water and septic systems at the Chenango County Fair Grounds and for a study;

273. $125,000 to the Town of Schulyer, New York for water system improvements;

274. $200,000 to the Village of Bridgewater, New York for water infrastructure improvements;

275. $200,000 to the Towns of Springport and Fleming, New York for water and wastewater infrastructure improvements;

276. $300,000 to Rockland County, New York for the Western Ramapo sewer extension and water reuse project;

277. $250,000 to the Village of Deposit, New York for wastewater infrastructure improvements;

278. $250,000 to the Town of Blooming Grove, New York for wastewater infrastructure improvements;

279. $300,000 to the Village of Sea Cliff, New York for the Sanitary Sewer System Infrastructure Development and Management project;

280. $110,000 for the Village of Mamaroneck, New York for sewer system improvements;

281. $150,000 to the Town of New Castle, New York for the Phase II Storm Water Compliance Program;

282. $250,000 to the City of Oswego, New York for sewer overflow system improvements;

283. $275,000 for the Warnerville Water District in Warnerville, New York for a water and sewer project;

284. $250,000 to the Town of Cheektowaga, New York for the Plant No. 3 overflow retention facility;

285. $650,000 to the Erie Water Authority for water infrastructure improvements for the Town of Newstead and Village of Williamsville, New York;

286. $200,000 to the Town/Village of East Rochester, New York for sewer infrastructure improvements;

287. $1,000,000 for Dutchess County Water and Wastewater Authority in Hyde Park, New York for wastewater infrastructure improvements;

288. $12,000,000 for continued clean water improvements for Onondaga Lake, New York;

289. $4,000,000 to Monroe County Water Authority in New York State for the Eastside Water Treatment Project;

290. $900,000 to Wayne County, New York for construction of a waterline along North Geneva Road;

291. $600,000 to the Wayne County Water and Sewer Authority for water infrastructure improvements in the Town of Huron, New York;

292. $4,000,000 for drinking water infrastructure needs in the New York City Watershed;

293. $4,000,000 for water quality infrastructure improvements for Long Island Sound, New York;

294. $1,000,000 for water quality infrastructure improvements for the Jamesville, New York sewer project;

295. $350,000 to the Town of Elbridge, New York for the construction of a waterline;

296. $500,000 to the County of Onondaga, Department of Community Development in New York for water and wastewater infrastructure improvements;

297. $500,000 to Cayuga County in Victory, New York for water infrastructure improvements;

298. $250,000 to the Town of Landis, North Carolina for water and wastewater infrastructure improvements;

299. $200,000 to Harnett County, North Carolina to install pump stations and a forcemain as part of a central wastewater treatment rehabilitation project;

300. $200,000 to the Towns of Biscoe, Star, and Troy, North Carolina for the Montgomery County, North Carolina Sewer Project;

301. $200,000 to the Towns of Hamlet-Rockingham, North Carolina for wastewater infrastructure improvements;

302. $200,000 to the Town of Farmville, North Carolina for wastewater infrastructure improvements;

303. $150,000 to the Cities of East Arcadia, Bolton and Sandyfield, North Carolina for a regional water system;

304. $200,000 to the Town of Wendell, North Carolina for the Buffalo Creek Interceptor project;

305. $250,000 to the City of Charlotte, North Carolina for the wastewater plant expansion;

306. $200,000 to the Town of Apex, North Carolina for wastewater infrastructure improvements;

307. $1,500,000 to Wake County, North Carolina for water infrastructure improvements in cooperation with the Town of Cary, North Carolina and Durham County, North Carolina;

308. $500,000 to Orange County, North Carolina for water and wastewater infrastructure improvements;

309. $650,000 to the Orange Water and Sewer Authority (OWASA) in North Carolina for a water reuse project;

310. $200,000 to the Town of Hillsborough, North Carolina for water and wastewater infrastructure improvements;

311. $880,000 for the Eastern Band of Cherokee Indians for water infrastructure improvements in Cherokee, North Carolina;

312. $1,000,000 for McDowell County, North Carolina for water infrastructure improvements;

313. $100,000 to the Town of East Spencer, North Carolina for water and sewer rehabilitation project;

314. $150,000 to the City of Devils Lake, North Dakota for the Devils Lake water line;

315. $150,000 to the City of Lorain, Ohio for wastewater infrastructure improvements;

316. $150,000 to Butler County, Ohio for the Butler County Waterline;

317. $300,000 to the Village of North Baltimore, Ohio for the Water Street Combined Sewer Separation Project;

318. $300,000 to the Village of Hicksville, Ohio for the Hicksville Wastewater Treatment Plant Project;

319. $300,000 to the City of Defiance, Ohio for the Sewer Separation Project;

320. $750,000 to the City of Circleville, Ohio for sewer infrastructure improvements;

321. $1,000,000 to the Burr Oak Regional Water District for water infrastructure improvements in Perry County, Ohio;

322. $550,000 to Greene County, Ohio for water and wastewater infrastructure improvements;

323. $50,000 to the Logan Elm School District for water infrastructure improvements in Circleville, Ohio;

324. $220,000 to the Lancaster Campus of Ohio University for water infrastructure improvements in Lancaster, Ohio;

325. $155,000 to Fairfield County, Ohio for water and wastewater infrastructure improvements;

326. $350,000 to the Northeast Ohio Regional Sewer District for the Easterly/Doan Brook Watershed Pollution Abatement Project;

327. $1,000,000 to the City of Toledo, Ohio for wet weather flow and wastewater infrastructure improvements;

328. $1,000,000 to Ottawa County, Ohio for water infrastructure improvements;

329. $1,000,000 to the City of Sandusky, Ohio for wastewater infrastructure improvements;

330. $350,000 to Ashtabula County, Ohio for the Rock Creek Village Waterline Extension;

331. $50,000 to Jackson County, Ohio for water infrastructure improvements;

332. $550,000 to Guernsey County, Ohio for a water line extension;

333. $500,000 for the St. Mary's Municipal Government for wastewater infrastructure improvements in St. Mary's, Ohio;

334. $625,000 for Urbana University in Urbana, Ohio for storm drainage and water and sewer line construction;

335. $500,000 for the Delphos Municipal Government for the Tri-County regional water system in Delphos, Ohio;

336. $550,000 to the Metropolitan Sewer District of Greater Cincinnati for the sanitary sewer overflow demonstration project in Cincinnati, Ohio;

337. $500,000 to the City of Wooster, Ohio for storm water infrastructure improvements along Beall Ave;

338. $500,000 to the Village of Hayesville, Ohio for water and wastewater infrastructure improvements;

339. $500,000 to the City of Canton, Ohio for water infrastructure improvements;

340. $150,000 for the Trumbull County Sanitary Engineer for installation of the Maplewood Park sewer system in Hubbard Township, Ohio;

341. $250,000 for Columbiana County, Ohio for water infrastructure improvements to the Buckeye Water District;

342. $100,000 to the City of Marlow, Oklahoma for water and wastewater infrastructure improvements;

343. $200,000 to the City of Sulpher, Oklahoma for wastewater infrastructure improvements;

344. $1,000,000 to the City of Seminole, Oklahoma for water infrastructure improvements;

345. $80,000 to the City of Meeker, Oklahoma to refurbish the water tower;

346. $100,000 to Skiatook, Oklahoma for water and sewer infrastructure improvements;

347. $150,000 to the City of Portland, Oregon for water and wastewater infrastructure improvements;

348. $150,000 to the City of Sweet Home, Oregon for wastewater infrastructure improvements;

349. $150,000 to the City of Salem, Oregon for the Peak Excess Flow Treatment Facility for Sanitary Sewer Overflows;

350. $200,000 to the City of Klamath Falls, Oregon for wastewater infrastructure improvements;

351. $150,000 to the City of Rainier, Oregon for wastewater infrastructure improvements;

352. $1,000,000 to Allegheny County, Pennsylvania for the 3 Rivers Wet Weather Demonstration Project;

353. $100,000 to the City of Sharon, Pennsylvania for the Budd Street sewer line replacement;

354. $500,000 to the City of Philadelphia to continue the planning, design, and construction of innovative storm-water management solutions in Philadelphia, Pennsylvania;

355. $500,000 to Cheltenham Township, Pennsylvania to continue the planning, design, and construction of innovative storm-water management solutions;

356. $250,000 to Beaver Falls Municipal Authority for wastewater infrastructure improvements to the Big Beaver Treatment Facility in Big Beaver, Pennsylvania;

357. $250,000 to the City of Harrisburg, Pennsylvania for the Harrisburg Advanced Wastewater Treatment Facility;

358. $350,000 to the Wyoming Valley Sanitary Authority in Wyoming Valley, Pennsylvania for the Wyoming Valley Combined Sewer Overflow Project;

359. $200,000 to Ligonier Township, Pennsylvania for the Ligonier Township sewage project;

360. $250,000 for the South Hills Area Council of Governments for the South Hills Area Storm Sewer Project in Allegheny County, Pennsylvania;

361. $250,000 for the Clarion Area Authority for the Fifth Avenue sewer line replacement project in Clarion, Pennsylvania;

362. $500,000 to the Nelson Township Authority for water infrastructure improvements in Nelson, Pennsylvania;

363. $250,000 to the City of Lancaster, Pennsylvania for the water treatment membrane project;

364. $200,000 for York City Sewer Authority for the Clean Water Demonstration Project in York, Pennsylvania;

365. $500,000 for the Kulpmont-Marion Heights Joint Municipal Authority in Kulpmont, Pennsylvania for sewer infrastructure improvements;

366. $4,000,000 for a grant to Puerto Rico for drinking water infrastructure improvements to the Metropolitano community water system in San Juan;

367. $200,000 to the Town of North Smithfield, Rhode Island for water and wastewater infrastructure improvements;

368. $200,000 to the City of Newport, Rhode Island for water and wastewater infrastructure improvements;

369. $200,000 to the Narragansett Bay Commission in Providence, Rhode Island for combined sewer overflow control and wastewater improvement project;

370. $250,000 to the City of Lake Greenwood, South Carolina for water and wastewater infrastructure improvements;

371. $150,000 to Mount Pleasant Waterworks for the Mount Pleasant Waterworks Rural Roads Gravity Wastewater Extension Project in Mount Pleasant, South Carolina;

372. $500,000 to the Myrtle Beach Downtown Redevelopment Corporation for a new storm water drainage system in Myrtle Beach, South Carolina;

373. $750,000 to the Towns of Olar and Govan, South Carolina for water infrastructure improvements;

374. $300,000 to the City of Wellford, South Carolina for sewer/wastewater infrastructure improvements;

375. $400,000 for the Chester County Sewer District for wastewater infrastructure improvements in Lando, South Carolina;

376. $200,000 to the Town of Ridgeland, South Carolina for the Wagon Branch Water Project;

377. $125,000 to the City of Franklin, Tennessee for water system improvements to the Watson Branch Watershed;

378. $150,000 to the City of Pikeville, Tennessee for the Pikeville/Bledsoe County Water Improvements Project;

379. $125,000 to the Hampton Utility District in Little Milligan/Fish Springs Community, Carter County, Tennessee for water infrastructure improvements;

380. $125,000 to the City of Tusculum, Tennessee for first construction phase of a wastewater treatment plant;

381. $50,000 to the City of Bean Station, Tennessee for wastewater infrastructure improvements;

382. $100,000 for Roane County, Tennessee for water infrastructure improvements;

383. $200,000 to the Spring City, Tennessee for water and sewer line replacement;

384. $250,000 for Anderson County, Tennessee for water infrastructure improvements;

385. $400,000 to the City of Dayton, Tennessee for flocculation and settling basins;

386. $150,000 for the City of Houston, Texas for water infrastructure improvements;

387. $250,000 to the City of Liberty Hill, Texas for the Liberty Hill Central City Sewer System Project;

388. $75,000 to the Brazos River Authority for the Brazos/Navasota Watershed Management Project in Fort Bend County, Texas;

389. $100,000 for the Brazos River Authority for the West Fort Bend County Regional Water Treatment Facility in Fort Bend County, Texas;

390. $500,000 for the Fort Bend County, Texas for water infrastructure improvements;

391. $350,000 to Bosque County, Texas for water infrastructure improvements;

392. $250,000 to the City of Weatherford, Texas for water infrastructure improvements;

393. $250,000 to the City of Pharr, Texas for wastewater infrastructure improvements;

394. $150,000 to the City of Alvin, Texas for water infrastructure improvements;

395. $250,000 for the El Paso Water Utilities for water infrastructure expansion in El Paso, Texas;

396. $150,000 to the San Antonio Water System for the Espada Road Sewer Project in San Antonio, Texas;

397. $500,000 to the City of Austin, Texas for the nonstructural sanitary sewer overflow prevention project;

398. $150,000 to Logan City, Utah for water and wastewater infrastructure improvements for Phase I and II of the Northwest Park Project;

399. $250,000 to Smyth County, Virginia for wastewater infrastructure improvements;

400. $300,000 to Hanover County, Virginia for wastewater infrastructure improvements;

401. $150,000 to Fauquier County, Virginia for a sewage treatment plant in the Catlett/Calverton area;

402. $750,000 to Dale Service Corporation in Dale City, Virginia for wastewater infrastructure improvements;

403. $100,000 to the Isle of Wight County, Virginia for water infrastructure improvements;

404. $500,000 to the Town of Halifax, Virginia for water infrastructure improvements;

405. $1,000,000 to Franklin County, Virginia for water infrastructure improvements;

406. $500,000 to Fluvanna County, Virginia for water infrastructure improvements;

407. $1,000,000 to the Town of Brookneal, Virginia for water infrastructure improvements;

408. $218,000 to Nelson County, Virginia for water and wastewater infrastructure improvements;

409. $682,000 to Pittsylvania County, Virginia for water infrastructure improvements;

410. $200,000 to the Eastern Shore of Virginia Public Service Authority in Northhampton County, Virginia for wastewater infrastructure improvements;

411. $250,000 to the Government of the Virgin Islands for wastewater infrastructure system improvements in St. Croix, Virgin Islands;

412. $1,000,000 to the City of Alexandria, Virginia and Arlington County for water infrastructure improvements in the Four Mile Run watershed;

413. $150,000 to the City of Chehalis, Washington for water infrastructure improvements;

414. $1,000,000 to the City of Tacoma, Washington for an integrated storm water system for Salishan housing development;

415. $200,000 to the City of Carson, Washington for water infrastructure improvements;

416. $200,000 to the City of Oak Harbor, Washington for water infrastructure improvements;

417. $150,000 to the Town of Uniontown, Washington for wastewater infrastructure improvements;

418. $250,000 to the Town of Ione, Washington for water infrastructure improvements;

419. $150,000 to the City of Lakewood, Washington for the American Lake Gardens Industrial Sewer Extension;

420. $150,000 to the City of Sun Prairie, Wisconsin for wastewater infrastructure improvements;

421. $1,850,000 to the City of Antigo, Wisconsin for water and wastewater infrastructure improvements;

422. $862,000 to the City of Vesper, Wisconsin for water and wastewater infrastructure improvements;

423. $1,500,000 to the City of Boyd, Wisconsin for water and wastewater infrastructure improvements;

424. $100,000 to the Town of Scott, Wisconsin for wastewater infrastructure improvements;

425. $200,000 to the City of Racine, Wisconsin for water infrastructure improvements;

426. $500,000 to the City of Waukesha, Wisconsin for systems planning and water infrastructure improvements;

427. $200,000 to the Kanawha County Commission in Kanawha County, West Virginia for the Upper Fishers Branch/Guthrie Water Project;

428. $200,000 to the Braxton County Development Authority for the Curry Ridge Water Line Extension in Curry Ridge, West Virginia;

429. $1,000,000 to the Marshall County Public Service District #4 in West Virginia for water and wastewater infrastructure improvements;

430. $100,000 to the Jane Lew Public Service District in Harrison County, West Virginia for water and wastewater infrastructure improvements;

431. $1,500,000 to the Pleasants County Public Service District in West Virginia for water and wastewater infrastructure improvements;

432. $480,000 to the Grant County Commission in West Virginia to extend water service to the Deep Spring area;

433. $900,000 to the City of Shinnston in West Virginia for water and wastewater infrastructure improvements;

434. $750,000 to the Town of Pine Grove in West Virginia for water and wastewater infrastructure improvements;

435. $1,000,000 to City of Fairmont Sanitary Sewer Board in West Virginia for water and wastewater infrastructure improvements;

436. $2,374,000 to the City of Petersburg in West Virginia for water and wastewater infrastructure improvements;

437. $101,000 to the River Road Public Service District in West Virginia to extend water service on National Church Hollow Road;

438. $935,000 to the Taylor County Public Service District in West Virginia for water and wastewater infrastructure improvements;

439. $833,000 to the Taylor County Commission in West Virginia for water and wastewater infrastructure improvements;

440. $1,000,000 to the City of Cameron in West Virginia for water and wastewater infrastructure improvements;

441. $55,000 to the Hammond Public Service District in West Virginia for the Lazear's Lane water project;

442. $1,840,000 to the Canaan Valley Institute to work in conjunction with the Highlands Action Program for an innovative wastewater demonstration program in Canaan Valley in Tucker County, West Virginia;

443. $350,000 to the City of Cheyenne, Wyoming for wastewater infrastructure improvements;

444. $800,000 to the Coosa Valley Water Supply District for development of a surface water supply in St. Clair County, Alabama;

445. $750,000 to the Utilities Board of the City of Helena for water and sewer upgrades and construction in Helena, Alabama;

446. $600,000 to the Cleburne County Commission in Heflin, Alabama for county water expansion in Cleburne, County, Alabama;

447. $600,000 to the Randolph County Commission in Wedowee, Alabama for county water expansion in Randolph County, Alabama;

448. $450,000 to the Blount County Water Authority in Oneonta, Alabama for development of a county water supply line;

449. $750,000 to the City of Fort Payne for water and sewer improvements in Fort Payne, Alabama;

450. $250,000 to the West Morgan/East Lawrence Water and Sewer Authority in Decatur, Alabama for water and sewer improvements;

451. $300,000 to the Lamar County Commission in Vernon, Alabama for the Lamar County Water Supply Project;

452. $1,000,000 to Girdwood, Inc. for water and sewer expansion in Girdwood, Alaska;

453. $1,300,000 to the Municipality of Anchorage, Alaska for Sand Lake Water Extension;

454. $300,000 for Matanuska-Susitna Borough, Alaska for water wells for Gorsuch Lake;

455. $1,100,000 for the City of Wasilla, Alaska for sewer expansion;

456. $750,000 for the City of Valdez, Alaska to replace septic systems with sewers and wells with city water;

457. $400,000 for the City of Ketchikan, Alaska for Mountain Point Sewer System;

458. $250,000 for the City of Skagway, Alaska for water system upgrades;

459. $425,000 for the City of Wrangell, Alaska for water and sewer upgrades;

460. $800,000 for the City of Nome, Alaska for water and sewer upgrades for Old Federal Building;

461. $600,000 for the City of Seldovia, Alaska for water and sewer upgrades;

462. $600,000 for the Fort Chafee Redevelopment Authority in Barling/Fort Smith, Arkansas for water infrastructure improvements;

463. $250,000 for City of Fayetteville, Arkansas for wastewater infrastructure improvements;

464. $300,000 for the Santa Clara Valley Water District, California for perchlorate groundwater clean-up;

465. $300,000 for the Inland Empire Perchlorate Task Force in California for the Wellhead Treatment of Perchlorate Contaminated Wells;

466. $400,000 for the City of Santa Ana, California for East and West Reservoir Upgrades;

467. $500,000 for the City of San Jose, California for North San Pedro water and sewer infrastructure improvements;

468. $500,000 for the City of Eureka, California for the Martin Slough Interceptor Project;

469. $200,000 for the Metropolitan Water District of Southern California for the City of Ontario Final Design for Wellhead Treatment for Perchlorate and Nitrate;

470. $400,000 for the City of Laguna Beach, California for wastewater infrastructure improvements;

471. $300,000 for the City of Trinidad, Colorado for the Trinidad Wastewater Improvement Project;

472. $250,000 for the Town of Bayfield, Colorado for the construction of a water storage tank;

473. $250,000 for the Mancos Water Conservancy District, Mancos, Colorado for water supply facility renovation;

474. $250,000 for the Town of Idaho Springs, Colorado for water distribution facility renovation;

475. $250,000 for the Town of Eldorado Springs, Colorado for improving wastewater treatment;

476. $950,000 for Ouray, Colorado for water infrastructure improvements;

477. $250,000 for Jefferson County, Colorado for stormwater collection system improvements;

478. $300,000 for the City of Bristol, Connecticut for water infrastructure improvements;

479. $300,000 for the Town of East Hampton, Connecticut for drinking water infrastructure improvements;

480. $250,000 for Stamford, Connecticut for a waste-to-energy project;

481. $250,000 for the City of Wilmington, Delaware for wastewater infrastructure improvements;

482. $250,000 for the Town of Ocean View, Delaware for wastewater infrastructure improvements;

483. $300,000 for Key West, Florida for stormwater infrastructure improvements;

484. $300,000 for the South Florida Water Management District Lake Region Water Treatment Plant for water infrastructure improvements;

485. $250,000 for the Southwest Florida Water Management District in Tampa, Florida for the Tampa Bay Regional Reclaimed Water project;

486. $250,000 to City of Atlanta, Georgia for the west area combined sewer project;

487. $250,000 to City of Eatonton, Georgia for wastewater infrastructure improvements;

488. $250,000 to City of Forsyth, Georgia for wastewater infrastructure improvements;

489. $250,000 for the State of Hawaii for upgrade and expansion of the Sand Island Wastewater Treatment Plant;

490. $1,000,000 for wastewater infrastructure improvements in Hawaii, to be distributed: $500,000 to the County of Hawaii and $500,000 to the Housing and Community Development Corporation of Hawaii;

491. $2,000,000 for the City of Burley, Idaho, to continue work on a Wastewater Treatment System Project;

492. $1,000,000 for the City of Pocatello, Idaho, for Day Street Division Water System Improvements;

493. $500,000 for the City of Effingham, Illinois for drinking water infrastructure improvements;

494. $500,000 for the City of Monmouth, Illinois for wastewater infrastructure improvements;

495. $500,000 for the Village of Olympia Fields, Illinois for wastewater infrastructure improvements;

496. $500,000 for the Village of Franklin Park, Illinois for water and wastewater infrastructure improvements;

497. $1,000,000 for the City of Marion, Indiana for the Marion Water Loop and Deer Creek Project;

498. $100,000 for the City of Southport, Southport/Marion County, Indiana for downtown infrastructure and drainage improvements;

499. $500,000 for the City of Fort Madison, Iowa for the Water Treatment Plant Improvements;

500. $500,000 for the City of West Burlington for the Iowa Army Ammunition Plant Improvements;

501. $1,500,000 for the City of Ottumwa, Iowa for the separation of combined sewers;

502. $500,000 for the City of Davenport, Iowa for water infrastructure improvements;

503. $1,000,000 for the City of Abilene, Kansas for construction of a wastewater treatment plant;

504. $1,500,000 for the City of Hutchinson, Kansas for groundwater remediation and treatment projects;

505. $2,000,000 for the City of Bowling Green, Kentucky, for the South Central Kentucky Water Infrastructure Project;

506. $750,000 for the Hardin County Water District No. 2 in Hardin County, Kentucky for a Water Quality Assurance Plan and System Improvements Projects;

507. $500,000 for the City of Elkton, Kentucky, for the City of Elkton Sewer Plant Expansion and Sewer Line Extension Project;

508. $250,000 for Breckinridge County, Kentucky for water infrastructure improvements;

509. $250,000 for Bullitt County, Kentucky for wastewater infrastructure improvements;

510. $250,000 for Calloway County, Kentucky for the City of Hazel Wastewater System;

511. $250,000 for Cadiz-Trigg County, Kentucky for water infrastructure improvements;

512. $250,000 for Marshall County, Kentucky for drinking water infrastructure improvements;

513. $600,000 for Rapides Parish, Louisiana for wastewater infrastructure improvements;

514. $400,000 for St. Charles Parish, Louisiana for wastewater infrastructure improvements;

515. $400,000 for Jefferson Parish, Louisiana for water and wastewater infrastructure improvements;

516. $400,000 for the City of Bastrop, Louisiana for wastewater infrastructure improvements;

517. $400,000 for the City of Hammond, Louisiana for wastewater infrastructure improvements;

518. $400,000 for the City of Grand Isle, Louisiana for drinking water infrastructure improvements;

519. $450,000 for the Greater Limestone Wastewater Treatment Facilities in Maine to consolidate and replace antiquated wastewater collection and treatment facilities at the Loring Development Authority [LDA] and Caribou Utilities District [CUD];

520. $250,000 for the Indian Township Tribal Government in Maine for the first phase for expansion of current lagoon system to provide adequate capacity;

521. $300,000 for the Town of Machias, Maine for replacement of sewers and completion of deficiencies at existing aging wastewater treatment plant;

522. $250,000 for Chesapeake Beach, Maryland, for wastewater infrastructure improvements;

523. $250,000 for Indian Head, Maryland, for wastewater infrastructure improvements;

524. $500,000 for Elkton, Maryland, for wastewater infrastructure improvements;

525. $250,000 for Hurlock, Maryland, for wastewater infrastructure improvements;

526. $750,000 for Kent Island, Maryland, for wastewater infrastructure improvements;

527. $250,000 for Easton, Maryland, for wastewater infrastructure improvements;

528. $750,000 for Cumberland, Maryland, for wastewater infrastructure improvements;

529. $500,000 for Frostburg, Maryland, for wastewater infrastructure improvements;

530. $250,000 for Brunswick, Maryland, for wastewater infrastructure improvements;

531. $250,000 for Bristol County, Massachusetts for the Bristol County Combined Sewer Overflow Abatement Project;

532. $250,000 for the Pioneer Valley Planning Commission in Massachusetts for combined sewer overflow abatement in the Connecticut River;

533. $1,000,000 for the City of Benton Harbor, Michigan for water infrastructure improvements;

534. $500,000 for Seney Township, Michigan for sewer infrastructure improvements;

535. $500,000 for the City of Saginaw, Michigan for sewer infrastructure improvements;

536. $1,000,000 for the Macomb County Department of Public Works, Michigan for sewer infrastructure improvements;

537. $150,000 to Minnesota State University in Moorhead for water infrastructure improvements;

538. $300,000 to the City of Duluth, Minnesota for wastewater infrastructure improvements;

539. $300,000 to the City of Minneapolis, Minnesota for combined sewer overflow improvements;

540. $250,000 for the City of Duluth and Western Lake Superior Sanitary District in Duluth, Minnesota for wastewater infrastructure improvements;

541. $500,000 for Tchula, Mississippi for water and sewer infrastructure improvements;

542. $500,000 for the City of Brookhaven, Mississippi for wastewater infrastructure improvements;

543. $500,000 to the City of Sherman, Mississippi for water and sewer infrastructure improvements;

544. $1,300,000 to the City of Oxford, Mississippi for water and sewer infrastructure improvements;

545. $750,000 to City of Forest, Mississippi for water and sewer infrastructure improvements;

546. $250,000 to the Town of French Camp, Mississippi for water and sewer infrastructure improvements;

547. $1,500,000 to Kansas City, Missouri for water and wastewater infrastructure;

548. $687,500 to the City of Joplin, Missouri for the final phase of the Crossroads Parallel Sewer project;

549. $1,312,500 to the City of Milan, Missouri for the Milan Water Quality Treatment Project;

550. $1,000,000 to the Clarence Cannon Wholesale Water Commission to expand the existing water treatment capacity from 5 million gallons to 7.5 million gallons per day and to include connecting the Macon County PWSD #1 and the City of Wellsville, Missouri to the CCWWC transmission system;

551. $1,000,000 to the Environmental Resources Coalition in Missouri to mitigate point source pollution issues in distressed communities that border Table Rock Lake;

552. $1,000,000 to the City of Springfield, Missouri for wastewater treatment plant improvements including the design and construction of infrastructure for removal of nitrogen from the treated wastewater effluent and improved anaerobic digester facilities that treat solids from the wastewater;

553. $1,000,000 for the City of Bozeman, Montana, for water infrastructure improvements;

554. $1,000,000 for the Missouri River Water Project, Helena, Montana for a water treatment project;

555. $500,000 for the City of Glasgow, Montana for water infrastructure improvements;

556. $750,000 for the Seeley Lake Sewer District, Montana for wastewater infrastructure improvements;

557. $900,000 for the City of Omaha, Nebraska for the construction of combined sewer separation systems;

558. $350,000 for the City of Lincoln, Nebraska to upgrade the Theresa Street and Northeast Wastewater Treatment plants;

559. $400,000 for Las Vegas Valley Water District/Searchlight, Nevada for water infrastructure improvements;

560. $400,000 for Clark County Reclamation District/Searchlight, Nevada for wastewater infrastructure improvements;

561. $250,000 for the City of Reno, Nevada for sewer infrastructure improvements;

562. $300,000 for the Spanish Springs Nitrate Removal Project in Nevada;

563. $200,000 for the North Valley Lemmon Artificial Recharge Project in North Lemmon Valley, Nevada for water infrastructure improvements;

564. $250,000 for the Virgin Valley Water District, Nevada for water infrastructure improvements;

565. $200,000 for Carson City, Nevada for reservoir lining;

566. $600,000 for the Berlin Waterworks in Berlin, New Hampshire for drinking water distribution system improvements;

567. $400,000 for the Nashua Combined Sewer Overflow project in Nashua, New Hampshire for CSO treatment and abatement;

568. $400,000 for the New Hampshire Department of Environmental Services to develop a septage treatment facility based at the wastewater treatment facility in Franklin, New Hampshire;

569. $200,000 for Troy, New Hampshire for a wastewater and water improvement program;

570. $400,000 for the Manchester Combined Sewer Overflow project in Manchester, New Hampshire;

571. $200,000 for the Rochester, New Hampshire Route 108 sewer line extension;

572. $150,000 for Somersworth, New Hampshire for the sewerage improvement program to provide upgrades to the wastewater treatment plant;

573. $200,000 for Bristol, New Hampshire for wastewater system improvements;

574. $150,000 for Milton, New Hampshire for a water storage tank replacement project;

575. $600,000 for Town of Exeter, New Hampshire for water treatment plant replacement;

576. $500,000 for the Township of Parsippany-Troy Hills in New Jersey for water infrastructure improvements;

577. $1,250,000 for the City of Bayonne, New Jersey for water and wastewater infrastructure improvements;

578. $1,600,000 for the City of Albuquerque and County of Bernalillo, New Mexico, for the Valley Utilities Project;

579. $1,000,000 for the City of Espanola, New Mexico, for water and wastewater treatment infrastructure;

580. $900,000 for the City of Kirtland, New Mexico, for Phase 1 of a sewer system project;

581. $500,000 for the Village of Los Lunas, New Mexico, for the interceptor sewer line project;

582. $250,000 for the City of Clovis, New Mexico for wastewater infrastructure improvements;

583. $400,000 for the Town of Babylon, New York for the Oak Beach Park Stormwater Management Project;

584. $300,000 for Orange County Water Authority, Goshen, New York for wastewater infrastructure improvements;

585. $300,000 for the Town of Plattsburg, New York for wastewater infrastructure improvements;

586. $500,000 for Washington County, North Carolina sewer improvements;

587. $600,000 for the City of Mooresville, North Carolina for water infrastructure improvements;

588. $1,000,000 for the City of Grafton, North Dakota for the Grafton Water Treatment Plant;

589. $500,000 for the City of Devils Lake, North Dakota for water infrastructure improvements;

590. $250,000 for the City of Riverdale, North Dakota for the Riverdale Regional Water Treatment Facility;

591. $250,000 for Dickey Rural Water Users Association in Southeast, North Dakota for the Southeast Regional Expansion Project;

592. $250,000 for the City of Mandan, North Dakota for drinking water infrastructure improvements;

593. $300,000 for the Muskingum Watershed Conservancy District, Carroll County, Ohio for the Atwood Conference Center Water Treatment Plant Improvements;

594. $500,000 for the Village of Racine, Meigs County, Ohio for water treatment plant improvements;

595. $750,000 for the City of Celina, Ohio for the Water Treatment Plant Project;

596. $400,000 for City of Akron, Ohio for Combined Sewer Overflow Improvements Project;

597. $300,000 for City of Parma, Ohio for City Sewer Replacement Project;

598. $200,000 for Defiance County Commissioners, Defiance and Paulding Counties, Ohio for Auglaize River Sewer Project;

599. $175,000 for Jefferson County Water and Sewer District, Jefferson County, Ohio for Crestview/Belvedere Sewer Project;

600. $175,000 for Tri-County Rural Water and Sewer District, Washington, Morgan and Noble Counties, Ohio for Tri-County/Noble County Water Interconnect Project;

601. $100,000 for City of Delphos, Allen, Putnam and Van Wert Counties, Ohio for Tri-County Regional Water System Project;

602. $100,000 for Village of Corning, Ohio for Wastewater System Improvements Project;

603. $250,000 for City of Warrenton, Oregon for continued work on the municipal water outfall;

604. $250,000 for City of Rainier, Oregon for a wastewater treatment plant;

605. $250,000 for City of Coquille, Oregon for a wastewater treatment plant;

606. $250,000 for Klamath Falls, Oregon for preliminary work on wastewater treatment improvements;

607. $300,000 for the City of Coburg, Oregon for wastewater infrastructure improvements;

608. $300,000 for the City of Rainier, Oregon for wastewater infrastructure improvements;

609. $200,000 for the Municipality of Penn Hills, Pennsylvania, for the Madison Avenue Storm Sewer Project;

610. $200,000 for the Nesquehoning Borough Authority, Carbon County, Pennsylvania, for a water main replacement;

611. $200,000 for the Mercer County Regional Council of Governments, Pennsylvania, for the Shenango Valley Sewer/Water Improvement Project;

612. $200,000 for the Berwick Industrial Development Association, Berwick, Pennsylvania, for the sanitary storm water system;

613. $200,000 for the City of Johnstown, Pennsylvania for water and sewer improvements at the Point Stadium multi-use facility;

614. $1,500,000 for the Three Rivers Wet Weather Demonstration program in Allegheny County, Pennsylvania to develop innovative, cost-effective solutions to assist municipalities to eliminate sewer overflows;

615. $250,000 for the Derry Township Municipal Authority in Hershey, Pennsylvania for wastewater treatment plant upgrades;

616. $250,000 for the Mercer County Sanitary Sewer and Water Treatment project in the City of Hermitage, City of Sharon, and Borough of Sharpsville, Pennsylvania;

617. $250,000 for the City of Lancaster, Pennsylvania for water infrastructure improvements;

618. $250,000 for the Newport Borough Sewer Authority in Newport, Pennsylvania for storm and sewer water separation;

619. $250,000 for the York City Sewer Authority in York, Pennsylvania for wastewater collection system improvements;

620. $250,000 for Pocono Township in Tannersville, Pennsylvania for the Route 611 Corridor sewer line construction;

621. $250,000 to the Shannock Water District, Rhode Island for water infrastructure improvements;

622. $250,000 to the Lincoln Water Commission, Rhode Island for water infrastructure improvements;

623. $250,000 to the Pawtucket Water Supply Board, Rhode Island for water infrastructure improvements;

624. $250,000 to the Town of North Kingstown, Rhode Island for water infrastructure improvements;

625. $1,000,000 for the Narragansett Bay Commission, Rhode Island for combined sewer overflow infrastructure improvements;

626. $500,000 for the City of Newport, Rhode Island for water infrastructure improvements;

627. $500,000 for the Town of Warren, Rhode Island for sewer infrastructure improvements;

628. $250,000 for Charleston CPW, Charleston, South Carolina for a Wastewater Tunnel Replacement Project;

629. $250,000 for Kershaw County, Kershaw, South Carolina for the I–20 Corridor Infrastructure Project-Waste Water Treatment Plant Expansion;

630. $800,000 for the Chester Sewer District, South Carolina for water and wastewater infrastructure improvements;

631. $1,000,000 for Kershaw County, South Carolina for wastewater infrastructure improvements;

632. $1,500,000 for the City of Huron, South Dakota for water infrastructure improvements;

633. $600,000 for the Green Valley Sanitary District, South Dakota for water infrastructure improvements;

634. $400,000 for the City of Tyndal, South Dakota for water infrastructure improvements;

635. $300,000 for Milbank, South Dakota, for wastewater infrastructure improvements;

636. $300,000 for Sisseton, South Dakota, for stormwater improvements;

637. $750,000 for the City of Pikeville and Bledsoe County, Pikeville, Tennessee for water infrastructure improvements;

638. $500,000 for the Watauga River Regional Water Authority, Carter County, Tennessee for planning and construction of regional water infrastructure facilities;

639. $750,000 for the Walden's Ridge Water System, Hamilton County, Tennessee for water infrastructure improvements;

640. $500,000 for the San Antonio Water System, Texas for water infrastructure improvements at KellyUSA;

641. $650,000 for the Lower Rio Grande Morillo Drain Rehabilitation project in the Lower Rio Grande Valley of Texas;

642. $800,000 for the Canyon Lakes Water Reuse Project in Lubbock, Texas for construction related costs to the water system infrastructure;

643. $350,000 for the Abilene Brekenridge Reservoir project in Abilene, Texas for drinking water infrastructure;

644. $400,000 for the Pharr Wastewater Collection System in Pharr, Texas to update the wastewater system infrastructure;

645. $300,000 for the City of Brekenridge, Texas wastewater and sewer infrastructure project;

646. $500,000 for the City of Hillsboro, Texas wastewater and sewer infrastructure project;

647. $1,250,000 for the Town of Colchester, Vermont for wastewater infrastructure improvements;

648. $1,000,000 for the Town of Waitsfield, Vermont for wastewater infrastructure improvements;

649. $400,000 for the Fairfax County Water Authority, Virginia for the drinking water infrastructure improvements associated with the Electric Reliability project;

650. $300,000 for Caroline County, Virginia for the Dawn Wastewater Treatment project;

651. $400,000 for the City of Norfolk, Virginia for the Norfolk Sewer and Water Infrastructure Replacement;

652. $300,000 for the City of Holladay, Utah, for water infrastructure improvements associated with the Wayman Storm Drain Project;

653. $500,000 for the Magna Water Company an Improvement District, Magna, Utah, for water infrastructure improvements associated with the perchlorate & arsenic treatment plant;

654. $400,000 for the City of Logan, Utah for water infrastructure improvements;

655. $400,000 for Park City, Utah for water infrastructure improvements associated with the Judge and Spiro Tunnel treatment plant;

656. $400,000 for the City of Riverton, Utah for water infrastructure improvements;

657. $400,000 for the City of Orem, Utah for water infrastructure improvements;

658. $100,000 for the Jordan Valley Water Conservancy District, Utah for the Groundwater Extraction and Treatment Remedial Project;

659. $1,000,000 for Sandy City, Utah for drinking water and storm water infrastructure improvements;

660. $400,000 for the City of Battle Ground, Washington for sewer infrastructure improvements;

661. $750,000 for the Port of Walla Walla, Washington for the Burbank Water System improvements;

662. $500,000 for the City of Kennewick, Washington for drinking water infrastructure improvements;

663. $500,000 for Skamania County Public Utilities District in Carson, Washington for water infrastructure improvements;

664. $250,000 for Squaxin Island Tribe in Shelton, Washington for water and wastewater infrastructure improvements;

665. $1,000,000 for the Milwaukee Metropolitan Sewerage District in Wisconsin for sewer infrastructure improvements;

666. $1,000,000 for the City of Racine, Wisconsin for water infrastructure improvements; and

667. $600,000 for the City of Sun Prairie, Wisconsin for water and wastewater infrastructure improvements.

ADMINISTRATIVE PROVISIONS

The conferees have again this year included an administrative provision giving the Administrator specific authority to, in the absence of an acceptable tribal program, award cooperative agreements to federally recognized Indian Tribes or Intertribal consortia so as to properly carry out EPA's environmental programs.

The conference agreement includes a provision that allows EPA to collect certain pesticides fees authorized last year. The conferees have rejected the President's proposal to reinstate fees prohibited by the same Act and are concerned that EPA is needlessly spending time proposing fees and promulgating rules when other more productive pesticide work could be completed.

The conferees have again this year, included a provision that for fiscal year 2005 extends the eligibility of brownfield grant recipients to those who purchased properties prior to the enactment of the Small Business Liability Relief and Brownfield Revitalization Act of 2001. The conferees have not included a provision that would permit the use of certain brownfield grant funds for administrative costs, as the Senate had proposed.

In addition the conferees included a provision, as proposed by the House, which authorizes the agency to collect and use the nonfederal share of the cost of the Great Lakes Legacy Act projects.

The conferees did not include a provision proposed by the Senate to provide special personnel authority for the Office of Research and Development.

Finally, the conference agreement does not include the provision proposed by the Senate to require EPA to reformat its budget justification; however, the conferees urge EPA to continue its current budget justification reformatting process.

EXECUTIVE OFFICE OF THE PRESIDENT

OFFICE OF SCIENCE AND TECHNOLOGY POLICY

Appropriates $6,379,000, which is $702,000 below the House and the Senate. The reduction reflects a cost decrease, at OSTP's request, for security related expenses that are no longer necessary.

The conferees direct OSTP to assess the cost and manner in which all federally funded agencies and entities award and pay science grants and stipends. The conferees understand that OSTP is currently conducting a similar review. To the extent there are differences between OSTP's review and the requirements in this report language, the conferees direct OSTP to incorporate the additional requirements as part of OSTP's review. OSTP is directed to consult with the House and Senate Committees on Appropriations on this assessment.

COUNCIL ON ENVIRONMENTAL QUALITY AND OFFICE OF ENVIRONMENTAL QUALITY

Appropriates $3,284,000 as proposed by the House and the Senate. The conference agreement also includes a transfer of $1,000,000 to the Office of Environmental Quality Management Fund, with which the conferees direct CEQ, in coordination with the U.S. Fish and Wildlife Service and other agencies as appropriate, to contract with the National Academy of Sciences within 60 days of enactment to conduct a study of the environmental, including landscape/viewshed, impacts of wind energy projects in the Mid-Atlantic Highlands. This study is to conclude with appropriate recommendations, such as viewshed and other criteria, regarding the siting of wind turbines in the Mid-Atlantic Highlands and should be submitted to the Committees no later than December 2005.

FEDERAL DEPOSIT INSURANCE CORPORATION

OFFICE OF INSPECTOR GENERAL

Appropriates $30,125,000 for the Office of Inspector General, as proposed by the House instead of $30,625,000 as proposed by the Senate. Funds for this account are derived from the Bank Insurance Fund, the Savings and Loan Insurance Fund, and the FSLIC Resolution Fund and are therefore not reflected in either the budget authority or budget outlay totals.

GENERAL SERVICES ADMINISTRATION

FEDERAL CITIZEN INFORMATION CENTER FUND

Appropriates $14,907,000 as proposed by the House and the Senate.

UNITED STATES INTERAGENCY COUNCIL ON HOMELESSNESS

OPERATING EXPENSES

Appropriates $1,500,000 for the United States Interagency Council on Homelessness as proposed by the House and the Senate.

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

The joint explanatory statement of the managers herein reflects the agreement of the conferees on NASA programs and activities. The operative funding levels for programs and activities are those funding levels specified in this joint explanatory statement of the managers. Where no funding level is specified, NASA is directed to make a final determination of funding level for fiscal year 2005 and is required to notify the Congress under the established operating plan procedures of the Committees on Appropriations of the House and Senate. The conferees direct NASA not to charge any administrative expenses to congressionally directed spending on specific projects. These costs should be absorbed within the funding provided.

The conferees note that the House had requested a report from NASA documenting the reconciliation and correction of discrep-

ancies between NASA's fund balance and the U.S. Treasury's reported balances as of September 30, 2003. NASA has not yet satisfied the reporting requirement specified in the House report, even though the report was due on September 30, 2004, over 45 days ago. NASA is directed to expeditiously complete the requested report and formally submit it to the Committees on Appropriations of the House and Senate. Included in the report should be an explanation of any outstanding discrepancies and potential remedies.

As part of the proposed exploration vision, NASA will begin to phase-out existing programs in order to accommodate the vision. These plans must be clearly identified in order for NASA to smoothly transition older programs to make way for missions associated with the vision. As part of this process, the conferees direct NASA to include in all future budget justifications the phase-out schedules and any out-year termination dates of its programs.

The conferees direct the National Academy's Space Studies Board to conduct a thorough review of the science that NASA is proposing to undertake under the space exploration initiative and to develop a strategy by which all of NASA's science disciplines, including Earth science, space science, and life and microgravity science, as well as the science conducted aboard the International Space Station, can make adequate progress towards their established goals, as well as providing balanced scientific research in addition to support of the new initiative. This study should be completed no later than March 15th, 2005.

The conferees have included substantial funding for the space exploration initiative, but to date there has been no substantive Congressional action endorsing the initiative. The conferees note that the initiative is a very long-term endeavor and will require tens of billions of dollars over the next two decades. As such, the initiative deserves and requires the deliberative benefit of the Congress. To this end, the conferees call upon the appropriate Committees of jurisdiction of the House and Senate for action to specifically endorse the initiative and provide authorization and guidance. NASA is directed to forward a comprehensive package of authorization legislation for consideration by the 109th Congress.

The conferees are concerned that the current implementation plans for the new vision do not properly address the requirements for the heavy lift capability that may be necessary to carry out the space exploration initiative. A complete review of such plans must be conducted prior to embarking fully upon the implementation of the initiative. In order to assess heavy lift capability needs, NASA shall report to the Committees on Appropriations of the House and Senate, no later than 180 days from the date of enactment of this Act, regarding NASA's heavy lift capability needs and plans to meet those needs immediately and in the future. NASA is encouraged to look at concepts currently being developed in the Falcon program with DARPA that could have an impact on future heavy lift program development.

The conferees are concerned about the implications of full cost accounting procedures on the operation of NASA's wind tunnels. Rates charged to U.S. airframe, engine and component manufacturers are significantly higher than facilities in Europe. The conferees are concerned that the impact of such high fees will drive U.S. com-

panies and jobs overseas and result in the closing of NASA's wind tunnels. Therefore, the conferees direct NASA to restructure the fees charged for use of the agency's wind tunnels to make them competitive with rates charged overseas and report back to the Committees on Appropriations of the House and Senate by March 1, 2005 on their plan to restructure the fee system. Furthermore, the conferees prohibit NASA from closing any wind tunnels during fiscal year 2005.

The conferees agree with the direction in the Senate report that NASA is to include the out-year budget impacts on all operating plan proposals. The operating plan and all resubmissions also shall include a separate accounting of all program/mission reserves.

The conferees agree with the Senate direction that NASA shall provide appropriate funds for the completion of the current NAPA review of NASA's organizational, programmatic, and personnel structures, including funds to review the recently announced NASA organization transformation and the recommendation contained in the Aldridge report for NASA to consider conversion of some NASA centers to Federally Funded Research and Development Centers.

The conferees are concerned that that sole source contracting can stifle competition and discourage new investment in space-related activities and should be avoided as much as practicable. The conferees direct NASA to submit to the Committees on Appropriations of the House and Senate, each intention by NASA to enter into a sole source contract no later than 10 days before a contract is awarded; this requirement shall apply to all new contracts and contract modifications of more than $500,000 where a new contractor is involved or a new activity is added to an existing contract.

The conferees agree that from within the funding provided, $291,000,000 is to be used for a servicing mission to the Hubble Space Telescope. The conferees believe a successful servicing mission to Hubble should be one of NASA's highest priorities and have provided a substantial increase in funding to accomplish this goal. The conferees direct NASA to report to the Committees on Appropriations of the House and Senate on the status of their plan to service Hubble and the recommendations of the National Academy of Sciences within 90 days of enactment of this Act.

Finally, the conferees note that NASA has requested and the conferees have provided unrestrained transfer authority between the Exploration Capabilities account and the Science, Aeronautics, and Exploration account. The conferees have taken this action because NASA needs flexibility as it completes its transition to full cost accounting. While this transfer authority can be used for purposes other than addressing full cost accounting issues, NASA is cautioned to do so with restraint.

SCIENCE, AERONAUTICS AND EXPLORATION

(INCLUDING TRANSFER OF FUNDS)

Appropriates $7,742,550,000 for science, aeronautics and exploration, instead of $7,621,169,000 as proposed by the House and $7,936,500,000 as proposed by the Senate. The Senate proposal included $200,000,000 in emergency funding.

The Federal investments in aeronautics research and development have delivered countless economic and societal benefits to the nation over the years. Challenges in dealing with the projected growth in air traffic as well as the need to reduce significantly the adverse environmental impacts of future aircraft will require that NASA remain deeply engaged in aeronautics research and development. The conferees direct NASA to develop a prioritized set of aeronautics goals through 2020, along with the annual funding requirements associated with achieving each goal. The plan should be provided to the Committees within 120 days. As part of NASA's investments in this area, the conferees direct NASA to provide $25,000,000 for Intelligent Propulsion System Foundation Technologies (Propulsion 21) to continue research by the existing coalition of NASA, state government, industry, and academia.

The conferees have included $28,200,000 for the National Space Grant College and Fellowship program. This amount is an increase of $9,100,000 to the fiscal year 2005 budget request. The amount provided will fund 40 states at $575,000 each and 12 states at $350,000 each as well as $1,000,000 for administrative expenses.

The conferees have included $12,000,000 for the Experimental Program to Stimulate Competitive Research (EPSCoR). The amount provided is $7,400,000 above the budget request of $4,600,000 and will fund the fourth year of current five-year research grants.

The conferees note the overall success of the Science, Engineering, Mathematics and Aerospace Academies program and direct NASA to fund the core program at no less than $4,800,000 in fiscal year 2005.

The conferees have provided $10,000,000 for the Lunar Reconnaissance Orbiter [LRO], a reduction of $60,000,000 from the budget request. NASA should continue with its announcement of opportunity for scientific instruments with these funds. However, in establishing the criteria for instrument selection, not less than 25 percent of the LRO's scientific instrumentation funding should be explicitly dedicated to building instruments focused solely on answering basic science questions. The conferees are concerned that the lunar measurement investigations to be carried out by the LRO mission, intended to characterize future robotic and human lunar landing sites, will forgo the opportunity for research and focus only on applied engineering assessments. The current proposed announcement of opportunity focuses solely on the human exploration objectives of the potential mission. Since the LRO is allocated against NASA's space science budget, the conferees believe that fundamental lunar science questions should be addressed in a significant fashion through instruments on this spacecraft. The conferees encourage NASA, as part of the LRO development, to consider the research instrumentation opportunities as well as technology qualification, navigation and communications capabilities, and resource identification technologies to maximize the opportunities of this first lunar mission.

The conferees share the concern of the Senate with regard to the proposed reductions to the Living With a Star [LWS] program and provide $681,100,000 for the program. To meet the original goals of the LWS program, which the Congress has endorsed, the

conferees are providing an additional $35,000,000 for the LWS theme in 2005 to be allocated as follows: $5,000,000 for the solar probe mission; $15,000,000 to begin implementation of Geospace and $5,000,000 for preliminary studies of solar sentinels; and $10,000,000 for Solar Terrestrial Probes for continued development of the Magnetospheric Multiscale (MMS) mission. Furthermore, the conferees agree with the Senate direction that NASA is to develop a plan to guarantee launch of Geospace and Solar Dynamic Observatory within one year of each other with solar sentinels to follow in a reasonable time thereafter.

The conferees agree to provide $2,000,000 for establishment of a NASA program office at the Applied Physics Laboratory [APL] for the purpose of administering all existing contracts between NASA and APL, including those under the LWS Program. The APL program office will report directly to the Associate Administrator for Science.

The conferees agree with the Senate direction that NASA is directed to undertake a detailed study of the feasibility for a New Horizons II mission, to be launched within the near-term, if the study results can justify the scientific return for such a follow-on mission, at a price considerably less than the original New Horizons mission. Such a study should have its results submitted to the Committee on Appropriations by April 15, 2005.

The conferees do not agree with the direction in the Senate report calling for the transfer of 10 FTE from the Office of the Associate Administrator for Science to the NASA field centers responsible for management of the Discovery and New Frontiers programs. NASA is directed to expeditiously address the concerns raised in the Senate report.

The conferees direct NASA to select competitively some of the scientific instruments for the Terrestrial Planet Finder mission as directed by the Senate. The conferees provide $15,000,000 for this effort.

The conferees agree to an increase of $15,000,000 above the President's request for fiscal year 2005 for the NASA Earth Science Applications Program. This funding increase will be used to support competitively-selected applications projects. These projects will integrate the results of NASA's earth observing systems and earth system models (using observations and predictions) into decision support tools to serve applications of national priority including, but not limited to, Homeland Security, Coastal Management, Agriculture Efficiency, Water Management and Disaster Management.

The conferees are supportive of continuation of the ECS/EMD Synergy Program, reflecting the success of NASA's EOS Data Information System [EOSDIS] and its core system [ECS]. The conferees are providing $15,000,000 for Synergy in fiscal year 2005 with $1,500,000 for the Battelle Pacific Northwest Laboratory's Infomart; not more than $1,500,000 to support the transition of Synergy Infomart activities to the ESE Application Division to be administered through a Cooperative Agreement [CAN] that will focus these funds toward meeting the needs of State, local and tribal governments; and $12,000,000 through the EOSDIS Maintenance and Development Contract to support an extension of the Synergy Data Pools to improve data distribution to climate change

models, expansion of data distribution to the user community and development of a pilot project using grid computing technology.

The conferees remain supportive of NASA's Columbia Project to upgrade its supercomputing capacity, but insists that NASA's total supercomputing capability should not reside at one location to protect the Agency from a potential single point of failure for mission critical and safety of flight analyses. Therefore, the conferees have provided $5,000,000 from within funds projected for the Columbia project to upgrade the Goddard Space Flight Center's Center for Computational Science [NCCS] to guarantee that it serves as NASA's backup supercomputing center with tier 1 system backup and disaster recovery functions, including full transfer capability in the event of a failure of the principal supercomputer facility.

Based on the success of the X–43 program, the conferees are providing $25,000,000 to continue design work being conducted for the X–43c as a follow-on to the X–43a program. The conferees encourage joint NASA and Air Force cooperation and collaboration in advancement of aeronautics technologies in the National interest.

The conferees agree to the following specific funding increases in addition to any increases mentioned above:

Space Science

An increase of $250,000 for the Detroit Science Center;

An increase of $150,000 for the Coca-Cola Space Science Center in Columbus, Georgia to support the Space Science Center;

An increase of $2,100,000 for continued development of a lightweight carrier pallet to increase NASA's payload capacity for space shuttle servicing missions;

An increase of $500,000 for the Sacramento Space Science Center at California State University;

An increase of $1,000,000 for telescope construction at the Pisgah Astronomical Research Center;

An increase of $1,000,000 for University of Idaho for RTULP Electronics for Space Applications;

An increase of $1,000,000 for Utah State University in Logan, Utah for the Calibration Center;

An increase of $300,000 to the University of Missouri at Rolla for the Advanced Millimeter Wave Inspection System program;

An increase of $3,000,000 to New Mexico State University for the ultra-long balloon program to augment planned flights and technology development;

An increase of $1,500,000 to Montana State University to purchase clean room systems and basic process equipment related to the microdevice fabrication facility;

An increase of $1,000,000 for Texas Tech University Experimental Sciences Initiative, Lubbock, Texas to promote advanced and interdisciplinary research;

An increase of $1,000,000 to the Southern Methodist University Multifab Facility in Dallas, Texas to develop multifabrication manufacturing technology;

An increase of $1,000,000 to the University of Arkansas, Fayetteville, Arkansas for the Arkansas-Oklahoma Center for Space and Planetary Sciences;

An increase of $1,500,000 to Montana State University-Bozeman for the Center for Studying Life in Extreme Environments;

An increase of $2,500,000 to Marshall University in Bridgeport, West Virginia for the continuation of NASA related composites workforce development training at the Composites Technology Institute; and

An increase of $1,750,000 to the University of Maryland, Baltimore County for photonics research.

Earth Science

An increase of $500,000 to the Friends of the Museum of Natural Sciences in Raleigh, North Carolina for NASA Earth Science integration planning;

An increase of $500,000 for continuation of emerging research that applies remote sensing technologies to forest management practices at the State University of New York, College of Environmental Sciences and Forestry;

An increase of $1,000,000 for the Advanced Interactive Discovery Environment engineering research program at Syracuse University;

An increase of $3,000,000 for the Regional Application Center for the Northeast;

An increase of $15,900,000 for the Institute for Scientific Research, Inc. for development and construction of research facilities;

An increase of $1,500,000 for on-going activities of the Goddard Institute for Systems, Software, and Technology Research, including mission design tools, Earth Science analysis, and remote sensing instrumentation development;

An increase of $1,000,000 for the Goddard Space Flight Center's Clustering and Advanced Visual Environments Initiative;

An increase of $1,000,000 for the University of San Francisco Center for Science and the Environment;

An increase of $500,000 for hyper spectral remote sensing research and development at the Desert Research Institute;

An increase of $400,000 for Space Place;

An increase of $4,500,000 for the implementation of a remote data storage capability at the NASA IV&V Facility. Appropriated funds are for augmenting available data storage capacities; expanding remote data storage capabilities to the Goddard Space Flight Center and a second DAAC; and communications, facility and integration services at the IV&V Facility to support data backup, recovery, and on-line access capabilities for the Goddard Space Flight Center (GSFC) ECS program;

An increase of $3,000,000 to be transferred to the Air Force Research Laboratory to begin development of miniature synthetic radar technology;

An increase of $1,500,000 for Integrated Sensing Systems at the Rochester Institute of Technology;

An increase of $3,500,000 for Little River Canyon Field School;

An increase of $390,000 for Pearl River Community College in Mississippi for remote sensing, geographic information system and GPS training;

An increase of $1,000,000 for Idaho State University for the Temporal Landscape Change Research program;

An increase of $3,000,000 for the University of Alaska for weather and ocean research;

An increase of $1,000,000 to Utah State University in Logan, Utah for the Intermountain region Digital Image Archive and Processing Center;

An increase of $750,000 for the University of Northern Iowa for the GeoTREE project;

An increase of $1,000,000 for the University of Texas Mid-American Geospatial Information Center at the UT Center for Space Research in Austin, Texas to continue information collection through satellite imaging;

An increase of $500,000 to the Liberty Science Center, Jersey City, New Jersey for the Hudson Harbor and Estuary Ecological Learning Center;

An increase of $750,000 to the University of Connecticut for the Center for Land Use and Education Research;

An increase of $750,000 to the University of Vermont, Burlington for the Center for Advanced Computing;

An increase of $5,400,000 for the Wallops Island Flight Facility to be used for developing a standard small launch vehicle, universal FTS, doppler radar and launch modeling laboratory;

An increase of $2,000,000 to the University of North Dakota in Grand Forks for the Northern Great Plains Space Sciences and Technology Center; and

An increase of $2,000,000 to upgrade the High End Production Capability at the Goddard Space Flight Center to improve climate and weather research capabilities.

Biological and Physical Research

An increase of $3,000,000 for space radiation research at the Loma Linda University Medical Center;

An increase of $500,000 for the Northwestern University Institute for Proteomics and Nanobiotechnology;

An increase of $400,000 for Musculoskeletal Simulator for Injuries at the Cleveland Clinic;

An increase of $1,250,000 for the Michigan Research Institute;

An increase of $600,000 to the MCNC–Research and Development Institute (RDI) for continued funding for a Laboratory for Distributed Chemical and Biological Sensors;

An increase of $500,000 for gravitational space biology research at North Carolina State University;

An increase of $3,000,000 for the National Center of Excellence in Bioinfomatics in Buffalo, New York;

An increase of $1,000,000 for the Central New York Biotechnology Research Center in Syracuse, New York;

An increase of $900,000 for the State University of New York Downtown Medical Center in Brooklyn, New York for the Advanced Biotechnology Incubator project;

An increase of $1,500,000 to the University of Missouri at Columbia for the National Center for Gender Physiology studies on basic biomedical knowledge for the improvement of life on earth and solution of problems in human space flight;

An increase of $5,000,000 to the Marshall Space Flight Center for propulsion materials microgravity research;

An increase of $2,000,000 for the Alliance for Nanohealth, Houston, Texas to purchase equipment and conduct research on Nanotechnology and medicine;

An increase of $2,000,000 for the University of Louisville Space Flight Exploration: The Impact on Perception, Cognition, Sleep and Brain Physiology Project at the University of Louisville in Louisville, Kentucky;

An increase of $1,000,000 to the National Technology Transfer Center at Wheeling Jesuit University to transfer and adapt the Walter Reed Army Medical Center's HealthForces program, into medically underserved rural areas;

An increase of $1,000,000 to the State University of Buffalo Center for Bioinformatics, Erie, New York;

An increase of $3,000,000 to the Inland Northwest Space Alliance in Montana for the FreeFlyer program; and

An increase of $750,000 to the University of Montana in Missoula, Montana for the National Space Privatization Program.

Aeronautics

An increase of $350,000 for Validated Probabilistic Lifting Tools;

An increase of $500,000 for the Michigan Small Aircraft Transportation System;

An increase of $3,000,000 for the Virginia Institute for Performing Engineering and Research;

An increase of $700,000 to the Virtual Systems Laboratory of the National Aviation Technology Center, School of Aviation, Dowling College, New York;

An increase of $1,700,000 for the University of Toledo Turbine Institute;

An increase of $600,000 to the Research Triangle Institute, International for Synthetic Vision Systems/Combined Vision Systems;

An increase of $2,100,000 for Research on Advanced Wireless Communications for Airport Applications;

An increase of $2,700,000 to research Secure Automatic Dependent Surveillance Broadcast (ADS–B) Surveillance data link technology for enhanced aviation security and general aviation airspace access;

An increase of $5,000,000 for Project SOCRATES;

An increase of $1,000,000 for the National Aviation Technology Center at Dowling College, New York;

An increase of $500,000 for the development of an Aircraft Radio Guidance System (ARGUS) utilizing a new radio frequency interferometer that will provide two or three dimensional navigation guidance for airborne, space or surface vehicles;

An increase of $1,000,000 for the development of a Research Flight Computing System in support of the NASA Dryden Flight Research Center's Altair/Predator B UAV Technology Demonstrator Project;

An increase of $7,500,000 for the Hydrogen Research Initiative;

An increase of $1,000,000 to the Applied Polymer Technology Extension Consortium for research on polymers;

An increase of $850,000 for the Florida Institute of Technology in Melbourne, Florida for its Hydrogen, Fuel Cell & Sensor Technology Initiative;

An increase of $2,300,000 to the University of Missouri at Rolla for Aerospace Propulsion Particulate Emissions Reduction Program;

An increase of $1,000,000 for the National Institute of Aviation Research in Kansas for icing research;

An increase of $2,000,000 to Wichita State University in Wichita, Kansas for the National Center for Advanced Materials Performance for composite materials research;

An increase of $1,000,000 for the Glenn Research Center for the National Center for Communications, Navigation and Surveillance;

An increase of $4,000,000 for the Glenn Research Center for the commercial technology program;

An increase of $1,000,000 to Iowa State University for the Center for Nondestructive Evaluation; and

An increase of $3,000,000 to Chesapeake Information Based Aeronautics Consortium.

Education

An increase of $500,000 to the State of Alabama for the Alabama Math, Science, and Technology Initiative;

An increase of $250,000 for the Education Training Center at the U.S. Space and Rocket Center;

An increase of $2,000,000 to the Educational Advancement Alliance, to support the Alliance's K–12 math, science, and technology education enrichment program;

An increase of $400,000 for Albany State University/Darton College in Albany, Georgia for the Science, Engineering, Math and Aerospace Academy program;

An increase of $250,000 for South Georgia Technical College in Americus, Georgia for the Science, Engineering, Math and Aerospace Academy program;

An increase of $250,000 for Albany State University in Albany, Georgia for project 'JumpStart' for a Math, Science Education Enhancement program for pre-college students;

An increase of $250,000 for the Georgia Project/ABAC College, Tifton, Georgia to implement a K–12 program for Hispanic students in science, engineering, math and aerospace in SW Georgia who struggle with English as a Second Language;

An increase of $400,000 for the University System of Georgia—Board of Regents, Atlanta, Georgia for purchase and implementation of a pre-testing software for math and science educational and career-related standardized test;

An increase of $100,000 for Georgia Southwestern College in Americus, Georgia for grants and scholarships in math and science for students implemented through the Multicultural Affairs Program;

An increase of $4,000,000 for a new Science Center at St. Bonaventure's University in New York State;

An increase of $2,000,000 for the JASON Foundation;

An increase of $300,000 for a Science, Technology, Engineering, and Mathematics Center at Tennessee Tech University, Cookeville, Tennessee;

An increase of $250,000 for Hollins University for upgrades to its science infrastructure;

An increase of $250,000 for the University of New England Marine Science Center;

An increase of $500,000 for the Liberty Science Center;

An increase of $350,000 for Aerospace Education Center in Cleveland, Ohio;

An increase of $200,000 for Morehouse College in Atlanta, Georgia to support the technology center;

An increase of $1,000,000 for National Center for Air and Space Law at the University of Mississippi;

An increase of $1,000,000 for Tennessee Technological Institute for the development of a Challenger Learning Center;

An increase of $500,000 for the Christa McAuliffe Planetarium in New Hampshire for the construction of the Alan Shepard Discovery Center;

An increase of $500,000 to Southeast Missouri State University for the NASA–ERC Initiative;

An increase of $1,000,000 to the Texas A&M Space Engineering Institute in College Station, Texas to continue minority engineering outreach in conjunction with NASA;

An increase of $1,000,000 to Northern Kentucky University/University of Louisville for the Taking Astronomy to the Schools Project at Northern Kentucky University in Campbell County, Kentucky;

An increase of $750,000 for the US Space and Rocket Center in Huntsville, Alabama for education training equipment and the museum exhibit improvement program.

An increase of $250,000 for Sci-Quest, Northern Alabama Science Center for the interactive immersive-reality science laboratory;

An increase of $750,000 to the Delaware Aerospace Education Foundation in Kent County, Delaware;

An increase of $500,000 to the Chabot Space and Science Center in Oakland, California for The Future for Humans in Space Education Program;

An increase of $250,000 for Dominican University, San Rafael, California for the Center for Science and Technology for science teacher training and education;

An increase of $250,000 to Rowan University, Pomona, New Jersey for the Engineering and Technology Satellite Campus;

An increase of $250,000 to the Museum of Science and Industry in Chicago, Illinois for the Henry Crown Space Center;

An increase of $250,000 to Glendale Community College, California for the Cimmarusti Science Center's Teacher Training and Science Education Outreach Program;

An increase of $500,000 to the Science Center of Iowa in Des Moines, Iowa;

An increase of $2,000,000 for improvements to the Cooper Library at the University of South Carolina, Columbia, South Carolina;

An increase of $2,000,000 to the College of Charleston, South Carolina for the School of Science and Mathematics;

An increase of $1,000,000 to the Boston Museum of Science, Massachusetts for the National Center for Technology Literacy;

An increase of $750,000 to Space Education Initiative, Wisconsin for the Wisconsin Aerospace Education Initiative;

An increase of $1,750,000 to the Mitchell Institute, Portland, Maine for educational purposes;

An increase of $1,000,000 to the Virginia Air and Space Museum, Norfolk, Virginia;

An increase of $750,000 for the Griffith Observatory, Los Angeles, California; and

An increase of $4,000,000 to the University of Hawaii, Hilo for the Mauna Kea Astronomy Education Center;

EXPLORATION CAPABILITIES

(INCLUDING TRANSFER OF FUNDS)

Appropriates $8,425,850,000 for exploration capabilities, instead of $7,496,800,000 as proposed by the House and $8,411,100,000 as proposed by the Senate. The Senate proposal included $600,000,000 in emergency funding.

The conferees agree that the space shuttle remains the cornerstone of our Nation's heavy launch capability and is critical to the future of the International Space Station and scientific research. Therefore, the conferees have provided $4,319,200,000 for the space shuttle program, the same as the level within the request of the administration. Should additional resource needs associated with return-to-flight activities arise during this fiscal year, the regular order of the budget process allows for the Administration to submit a supplemental request for funding, which would be given full and fair consideration by Congress. Alternatively, NASA has flexibility under established operating plan procedures with the Committees on Appropriations of the House and Senate to propose funding adjustments to augment the budget for the space shuttle as necessary, contingent on Congressional approval of the proposed changes. The conferees believe that returning the shuttle fleet to flight, the first step in the Space Exploration Initiative, should be NASA's highest priority.

Within the funds provided, the conferees direct $10,000,000 for the Propulsion Research Laboratory at Marshall Space Flight Center to perform non-nuclear research on spacecraft engine systems that support nuclear thermal propulsion development. The conferees direct NASA to ensure that NASA facilities are utilized to the greatest extent possible by the Department of Energy in its role as a contractor for NASA under the Project Prometheus program.

The conferees do not agree with the termination of the commercial programs within the Innovative Technology Transfer Partnerships (ITTP) program as proposed in the budget submission, and have therefore provided an increase of $30,000,000 to this appropriation for the express purpose of continuing the commercial programs, including the activities of both NASA and associated personnel, as they existed in fiscal year 2003 and prior fiscal years. The conferees notes that the National Academy of Public Adminis-

tration (NAPA) has completed the first phase of an analysis of the ITTP program, which highlights a number of weaknesses that reduce the program's effectiveness at spin-in and spin-out of technology. The conferees direct NASA to fully address the recommendations of phases I and II of the NAPA study in the context of future budget submissions. The conferees support maintaining a vigorous ITTP program at NASA and strongly support maintaining the spin-out of NASA technology to the commercial world as an integral part of the program.

The conferees agree with direction contained in the Senate report that as soon as the Shuttle is available to provide access to the ISS, NASA is to provide the Committees on Appropriations of the House and Senate with a plan detailing the steps necessary to complete construction of the ISS. This plan may include completion of the ISS by only using the shuttle, or a combination of shuttle and unmanned flights for delivering components to the ISS. The cost implications associated with the revised schedule must be included in the plan that is submitted to the Committees within 30 days after the successful return-to-flight of the shuttle program. The report should also contain a timeline, in conjunction with the construction timetable for the ISS, for the eventual transition to a new manned launch vehicle.

The conferees are prepared to commit funds for development of a Crew Exploration Vehicle [CEV], but remain concerned that there has not been enough initial planning to determine what specific capabilities the CEV should have. The determination of the right capabilities should naturally come from a carefully thought-out plan and goals, which have yet to emerge from the implementation of the space exploration initiative. The current plan offered by NASA resembles a work-in-progress, rather than a firm definition of what is necessary to accomplish missions to the ISS, as well as future manned missions. The conferees expect NASA to provide a report to the Committees on Appropriations of the House and Senate that details the criteria and developmental goals the CEV must meet to accomplish the missions envisioned by NASA within 60 days of enactment of this Act. The report shall also include the internal and independent procedures that will be in place to ensure that the CEV will stay within its budget throughout its development.

As NASA begins to consider another manned vehicle program, the conferees do not want a repeat of the mistakes of the International Space Station, where poor management and lack of independent oversight resulted in major cost overruns. At this early stage in the development of the CEV, it is essential that these mistakes be avoided. Therefore, the conferees direct the Administrator of NASA to identify an independent oversight committee capable of examining the design, technology readiness, and most importantly the cost estimates for the CEV. The Administrator shall use available funds within the Exploration Capabilities account to provide sufficient resources for this independent committee. The chosen oversight committee shall report to the Administrator and the Committees on Appropriations of the House and Senate annually on their findings and recommendations.

The conferees have agreed to provide $10,000,000 for the Centennial Challenges program, subject to passage of authorizing legislation. NASA is to directed to submit a detailed implementation plan for this program to the Committees on Appropriations of the House and Senate as soon as practicable.

The conferees recognize that modeling and simulation will have an important role in assessing the overall system development and performance in the Space Exploration Initiative and provide $3,000,000 for this purpose. The conferees believe that simulated integrated systems, including testing and evaluation, will substantially reduce the total development costs of future space transportation systems by formulating and validating program requirements and by identifying and mitigating program risks as early as possible in the development process. The conferees direct the Office of Exploration Systems to develop and implement an integrated system simulation strategy to take full advantage of modeling, simulation, and evaluation tools.

The conferees direct NASA to keep the Committees on Appropriations of the House and Senate informed, in writing, of any movement of funds related to the shuttle program, as well as including the out-year impacts on all activities involved in the funding shifts. Finally, the conferees expect regular consultations by NASA on all proposed changes to investments in the Shuttle program. These consultations should occur before program decisions are finalized.

The conferees agree to the following specific funding increases in addition to any increases mentioned above:

An increase of $400,000 for the Glennan Microsystems Commercialization Initiative;

An increase of $300,000 for Garrett Morgan Commercial;

An increase of $900,000 for Simulation based acquisition for manned space flight vehicle, design and testing, MSFC;

An increase of $150,000 to the Technology Research & Development Authority of Central Florida for continuing investment in IT, and security technologies;

An increase of $2,000,000 for the Idaho National Engineering and Environmental Laboratory for development of performance, safety, and mission success tools for NASA programs;

An increase of $250,000 to the Alabama A&M University for Advanced Propulsion Materials Research;

An increase of $500,000 for the Nano and Micro Devices Laboratory at the University of Alabama in Huntsville;

An increase of $6,000,000 for the continuation of the Space Alliance Technology Outreach Program for business incubators in Florida and New York;

An increase of $1,000,000 for the National Center of Excellence in Wireless and Information Technology Programs at Stony Brook University, New York;

An increase of $1,000,000 for the National Center of Excellence in Small Scale Systems Packaging at the State University of New York at Binghamton;

An increase of $2,500,000 for NASA's Independent Verification and Validation Facility, of which $800,000 is available for continuation of the Code Level Metrics Data Program; $400,000 is avail-

able for continuation of IV & V of Neural Nets; and $400,000 is available for Software Legacy Research;

An increase of $600,000 to the MCNC-Research and Development Institute (RDI) for continued funding for a Laboratory for Distributed Chemical and Biological Sensors;

An increase of $1,000,000 for Cryogenic Power Electronics Development at the State University of New York at Albany;

An increase of $200,000 for the National Center for Communication Navigation, and Surveillance at Glenn Research Center;

An increase of $400,000 for COM Simulation Architecture;

An increase of $300,000 for the Bowling Green State University Hybrid Engine project;

An increase of $500,000 to the University of Alabama in Huntsville for a Space Flight Guidance, Navigation, and Control Test Bed;

An increase of $3,000,000 for the National Center of Excellence in Infotonics in Rochester, New York;

An increase of $3,000,000 for the Computing, Information and Communications Technology Program (CICT) for High Information Density Approaches to Mobile Broadband Internet Communications;

An increase of $3,000,000 to the Mobile Broadband Network project, a joint effort between NASA and the Air Force Research Laboratory;

An increase of $3,000,000 to be transferred to the Air Force Research Laboratory to continue joint research between NASA and the Air Force on emerging areas of computing including grid computing, quantum and biomolecular information processing technology;

An increase of $4,000,000 for the Stennis Space Center for the commercial technology program;

An increase of $4,000,000 for the Marshall Space Flight Center for the commercial technology program;

An increase of $750,000 to Purdue University in West Lafayette, Indiana for the Advanced Manufacturing Institute;

An increase of $2,000,000 to Wheeling Jesuit University, West Virginia for continued operation of the National Technology Transfer Center;

An increase of $1,000,000 to the University of New Orleans, Louisiana for the Composites Research Center of Excellence and for the development of advanced metallic joining technologies at Michoud Space Center;

An increase of $1,750,000 to the University of Maryland, College Park for the nanotechnology institute; and

An increase of $2,000,000 to the SSME program office at Marshall for development of a knowledge management integrated data environment.

OFFICE OF INSPECTOR GENERAL

Appropriates $31,600,000 for the Office of Inspector General as proposed by the Senate, instead of $31,400,000 as proposed by the House. The amount provided includes $3,800,000 to conduct NASA's annual audit of NASA's financial statements.

The conferees remain concerned that NASA needs to reform its contracting process to ensure timely delivery of both services and hardware. The conferees direct the NASA Inspector General to issue a list of contracting 'trouble' areas with recommendations to address these areas. The conferees understand that this is no easy project, but expects NASA and the NASA IG to respond to these concerns with a package of proposed contracting reforms that can begin to be implemented in fiscal year 2005.

ADMINISTRATIVE PROVISIONS

The conferees have included three administrative provisions included in both the House and Senate bills. In addition, the conferees agree to language proposed by the Senate allowing the use of funds for prizes and language allowing for the transfer of funds between the exploration capabilities account and the science, aeronautics, and exploration account subject to established operating plan procedure. The conferees further agree to language proposed by the Senate as a General Provision, with some modifications, which will have the effect of incorporating projects and activities into the text of the bill by reference.

NATIONAL CREDIT UNION ADMINISTRATION

CENTRAL LIQUIDITY FACILITY

Provides limitation of $1,500,000,000 on CLF lending activities from borrowed funds as proposed by the House and Senate.

COMMUNITY DEVELOPMENT REVOLVING LOAN FUND

Appropriates $1,000,000 as proposed by the House and the Senate. Within this amount, $800,000 is provided for technical assistance to low-income and community development credit unions. Funds are available for two years as proposed by the House. The Senate had proposed that funds be available until expended. The conferees reiterate language proposed by the Senate encouraging NCUA to continue to develop technical assistance in rural areas.

NATIONAL SCIENCE FOUNDATION

The conferees agree that the language included in House Report 108–674 and Senate Report 108–353 is to be complied with unless specifically addressed to the contrary in this conference report and the statement of the managers.

The conferees agree that the National Science Foundation is to abide by the reprogramming requirements set forth in the House report requiring prior Committee approval for any transfers in excess of $500,000 or any change that could be construed as policy or a change in policy, instead of $250,000 as proposed in the Senate report.

The conferees agree that the National Science Foundation is to present its fiscal year 2006 budget justification submission in the traditional appropriations account structure with detailed information on program, project and activity funding levels and all proposed changes. The Foundation is directed not to format or integrate its strategic themes of "People," "Tools," and "Ideas" into the

detailed appropriations justifications but instead may provide them as supplementary information. The conferees direct the Foundation to submit a template for its fiscal year 2006 budget justification to the Committees on Appropriations of the House and Senate that complies with this direction no later than December 15, 2004.

RESEARCH AND RELATED ACTIVITIES

Appropriates $4,254,593,000 for research and related activities instead of $4,151,745,000 as proposed by the House and $4,402,320,000 as proposed by the Senate.

The conferees agree to continue funding for the costs of Foundation employees hired under the Intergovernmental Personnel Agreements (IPA) Act under this account instead of consolidating funding for such costs under the Salaries and Expenses account as proposed by the House. New language is included to limit the amount available for such purposes to the amount requested in the Foundation's budget for fiscal year 2005.

The conferees have included bill language that provides up to $350,000,000 for polar research and operations support, as proposed by the House and $95,000,000 for a comprehensive research initiative on plant genomes for economically significant crops, as proposed by the Senate. Language is also included as proposed by the Senate and carried in previous years regarding distribution of funding against statutory minimum and maximum levels. The House did not include similar language. Language proposed by the Senate is not included authorizing the payment of travel expenses from this account. The House did not include similar language as requested in the budget. The conferees understand that deletion of this language will not impact travel costs associated with Foundation staff hired under the IPA Act since such costs are eligible to be funded under this account.

Notwithstanding the language in the House and Senate reports designating the allocation of funds, the conferees have agreed that the allocation among programs and directorates is to be determined by the Director of the Foundation, unless specifically noted herein. The Foundation is to submit its proposed operating plan to the Committees on Appropriations of the House and the Senate within sixty days of enactment of this Act that addresses the Foundation's highest research priorities. In developing this plan, the Foundation is urged to maintain the proper balance between interdisciplinary research and single-issue research in core disciplines.

The conference agreement provides $95,000,000 for plant genome research on economically significant crops as proposed by the Senate. The House did not address this matter.

The conferees do not object to the allocation of not to exceed $6,000,000 for continued planning and design for the National Ecological Observatory Network if the Director of the Foundation determines such funding is warranted. The conferees reiterate the language in the House report regarding the National Research Council's recommendations regarding this project. The conferees concur that funding provided may be used for a new class of Science and Technology Centers if the Director of the Foundation determines such funding is warranted when measured against other priorities within the agreed upon total for this account.

The conferees do not object to the allocation of not to exceed $5,000,000 for completion of a design and development study for the Giant Segmented Mirror Telescope if the Director of the Foundation determines such funding is warranted based upon private sector interest and commitment, other astronomical science needs, and subject to approval by the National Science Board.

The conference agreement does not provide any funding for the new Workforce for the 21st Century program. The Foundation is encouraged to work with the Committees to develop a more refined and descriptive proposal for future consideration.

The conference agreement does not provide any funding for a new Innovation Fund.

The conferees understand that discussions between the National Science Foundation and the Smithsonian Institution are ongoing and have been productive. With respect to Smithsonian researchers' access to NSF funding, the Committees expect the Foundation to treat any proposal submitted by non-Federal employees of the Smithsonian whose salaries are not part of appropriated accounts in the same manner as any academic proposal.

The conferees reiterate the direction in the Senate report requiring NSF to include multi-year budget estimates and future budget impacts for multi-disciplinary and mid-level activities in the annual operating plan and in future budget requests.

MAJOR RESEARCH EQUIPMENT AND FACILITIES CONSTRUCTION

Appropriates $175,050,000 for major research equipment and facilities construction instead of $208,200,000 as proposed by the House and $130,420,000 as proposed by the Senate. Included within the appropriated amount is $49,700,000 for construction of the Atacama Large Millimeter Array aperture-synthesis radio telescope; $47,350,000 for EarthScope; $48,000,000 for continued research and development of the IceCube Neutrino Detector Observatory in Antarctica; $15,000,000 for the Integrated Ocean Drilling Program (IODP); and $15,000,000 for the Rare Symmetry Violating Processes Program.

Funding for the NEON program is addressed under the Research and Related Activities account.

EDUCATION AND HUMAN RESOURCES

Appropriates $848,207,000 for education and human resources instead of $842,985,000 as proposed by the House and $929,150,000 as proposed by the Senate.

The conferees agree to continue funding for the costs of Foundation employees hired under the Intergovernmental Personnel Agreements (IPA) Act under this account instead of consolidating funding for such costs under the Salaries and Expenses account as proposed by the House. New language is included to limit the amount available for such purposes to the amount requested in the Foundation's fiscal year 2005 budget. Language is also included as proposed by the Senate and carried in previous years regarding distribution of funding against statutory minimum and maximum levels. The House did not include similar language.

The conferees agree to the following funding levels and directives within this account:

Program	FY 2005 request	House	Senate	Conference agreement
Math & Science Partnership	$80,000,000	$82,500,000	$110,000,000	$80,000,000
EPSCoR	84,000,000	94,440,000	95,000,000	94,440,000
Elementary, Secondary & Informal Education	172,750,000	175,457,000	187,750,000	183,412,000
Undergraduate Education	158,850,000	160,301,000	162,430,000	154,905,000
Graduate Education	173,880,000	155,950,000	173,880,000	155,950,000
Human Resources Development	107,940,000	115,343,000	126,060,000	119,500,000
Research, Evaluation & Communication	73,940,000	64,494,000	73,940,000	60,000,000

Within this level of funding for Elementary, Secondary and Informal Education, $63,565,000 has been provided for the Informal Science program.

Of the amount appropriated for Undergraduate Education, $45,500,000 is for the Advanced Technological Education program; $25,485,000 is for the STEM Talent Expansion Program (STEP); and $7,950,000 is for the Robert Noyce Scholarship Program. No funds are provided for the Workforce for the 21st Century program.

Within the funding level for Human Resource Development, $35,300,000 is provided for the Louis Stokes Alliances for Minority Participation program; $25,420,000 is provided for the Historically Black Colleges and Universities Undergraduates (HBCU) Program; $14,910,000 is provided for the Alliance for Graduate Education and the Professoriate; $16,000,000 is provided for the Centers of Research Excellence in Science and Technology (CREST) program and HBCU Research University Science and Technology (THRUST) initiative within CREST; $2,510,000 is provided for Model Institutions for Excellence; and $9,920,000 is provided for Tribal Colleges. While the conferees agree that eligibility for THRUST should not exclude CREST recipients, NSF is directed to first use fiscal year 2005 program funds to fully fund multi-year awards to recipients of THRUST.

SALARIES AND EXPENSES

Appropriates $225,000,000 for salaries and expenses instead of $249,970,000 as proposed by the House and $269,000,000 as proposed by the Senate.

At the request of the Foundation, the conferees have agreed to continue funding the costs of personnel employed by the Foundation under the Intergovernmental Personnel Act (IPA's) under the "Research and Related Activities" and the "Education and Human Resources" appropriations accounts. These costs have been set within each account at $25,954,000 and $5,500,000, respectively. No funding has been included in the "Salaries and Expenses" account for this purpose. The conferees note that the $31,454,000 provided for the IPA program in fiscal year 2005 is approximately a 10 percent increase over the fiscal year 2004 level for the program. The conferees are pleased that the Director has assured the Committees that the cost of the IPA program will be shown in a more transparent way in future budget submissions. As a part of this process the conferees expect the fiscal year 2006 budget justification materials to include a single consolidated schedule showing all personnel costs for the Foundation.

The conference agreement provides sufficient resources to maintain existing staffing levels at the Foundation. Within the

total amount provided for this account, the Director may, at his discretion, devote additional resources to address permanent staffing at the agency and address computer system needs, particularly for the FastLane system.

The conferees reiterate the direction in the Senate report regarding staffing support to the Deputy Director of Large Facilities and expect the fiscal year 2005 operating plan to identify the actions taken regarding this matter.

OFFICE OF THE NATIONAL SCIENCE BOARD

Appropriates $4,000,000 for the National Science Board as proposed by the Senate, instead of $3,950,000 as proposed by the House.

OFFICE OF INSPECTOR GENERAL

Appropriates $10,110,000 for the Office of Inspector General as proposed by both the House and the Senate.

The conferees request that the IG conduct a review of the portion of the Foundation's total budget devoted to administrative and other overhead expenses and how these costs compare to similar costs at other large research agencies.

NEIGHBORHOOD REINVESTMENT CORPORATION

PAYMENT TO THE NEIGHBORHOOD REINVESTMENT CORPORATION

Appropriates $115,000,000 for the Neighborhood Reinvestment Corporation as proposed by both the House and Senate.

Language is included in the bill which designates $5,000,000 to support the Corporation's multi-family rental housing program, as proposed by the Senate.

SELECTIVE SERVICE SYSTEM

SALARIES AND EXPENSES

Appropriates $26,300,000 for salaries and expenses as proposed by both the House and Senate. The conferees are in agreement that the Selective Service System should not use any of its funds to support the Corporation for National and Community Service.

WHITE HOUSE COMMISSION ON THE NATIONAL MOMENT OF REMEMBRANCE

Appropriates $250,000 for this account as proposed by the House. The Senate did not include a similar provision but instead included funding in another bill.

TITLE IV—GENERAL PROVISIONS

The conference agreement includes the following dispositions of General Provisions:

Retains sixteen general provisions proposed by both the House and the Senate, all of which were included in the fiscal year 2004 Act.

Includes modified language, similar to language proposed by the House and the Senate, amending Section 313 of the National Space Act of 1958 to implement new appropriations accounts.

Retains language proposed by the House and the Senate regarding outreach and marketing efforts to enroll veterans in the Veterans Health Administration.

Retains language proposed by the Senate expressing a Sense of the Congress that no veteran should wait more than thirty days for a doctor's appointment. The House did not include similar language.

Retains language proposed by the Senate prohibiting the use of any NASA funds to be used for voluntary separation incentive payments if those incentives result in the loss of skills related to the safety of the Space Shuttle or the International Space Station. The House did not include similar language.

Retains language proposed by the Senate recognizing the six Pioneer Homes in Alaska as eligible for per diem payments under the Department of Veterans Affairs state home program. The House did not include similar language.

Retains language proposed by the House and the Senate related to benefits to families of astronauts of the Space Shuttle Columbia.

Retains language proposed by the Senate to amend a provision included in the fiscal year 2004 Act regarding the regulation of engines under 50 horsepower. The House did not include similar language.

Deletes language proposed by the House providing for expansion of the NASA enhanced use lease demonstration program. The Senate did not include similar language.

Deletes language under this title proposed by the Senate regarding NASA expenditure of funds and instead includes the provision under NASA Administrative Provisions. The House did not include similar language.

Deletes language proposed by the Senate prohibiting the use of funds in this or any other Act to implement section 338 of the Department of the Interior appropriations bill. The House did not include similar language.

Deletes language proposed by the Senate amending section 1502 of the Farm Security and Rural Investment Act of 2002. The House did not include similar language.

Adds a provision appropriating funds for the reconstruction of Pier 86 in New York City.

Adds a provision providing compensation funds to the Department of Veterans Affairs.

Adds a provision exempting the Village of Chickasaw, Ohio from section 102(g)(2) of the Housing and Community Development Act of 1974.

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2004
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2005
(Amounts in thousands)

	FY 2004 Enacted	FY 2005 Request	Bill	Bill vs. Enacted	Bill vs. Request
TITLE I					
DEPARTMENT OF VETERANS AFFAIRS					
Veterans Benefits Administration					
Compensation and pensions	29,845,127	32,607,688	32,607,688	+2,762,561	---
Readjustment benefits	2,529,734	2,556,232	2,556,232	+26,498	---
Veterans insurance and indemnities	29,017	44,380	44,380	+15,363	---
Veterans housing benefit program fund program account (indefinite)	305,834	43,784	43,784	-262,050	---
(Limitation on direct loans)	(300)	---	(500)	(+200)	(+500)
Credit subsidy	---	-144,000	-144,000	-144,000	---
Administrative expenses	153,936	154,075	154,075	+139	---
Education loan fund program account	1	---	---	-1	---
(Limitation on direct loans)	(3)	---	---	(-3)	---
Administrative expenses	70	---	---	-70	---
Vocational rehabilitation loans program account	52	47	47	-5	---
(Limitation on direct loans)	(3,938)	(4,108)	(4,108)	(+170)	---
Administrative expenses	298	311	311	+13	---
Native American Veteran Housing Loan Program Account	568	571	571	+3	---
(Limitation on direct loans)	(50,000)	(50,000)	(50,000)	---	---
Total, Veterans Benefits Administration	32,864,637	35,263,088	35,263,088	+2,398,451	---

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2004
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2005
(Amounts in thousands)

	FY 2004 Enacted	FY 2005 Request	Bill	Bill vs. Enacted	Bill vs. Request
Veterans Health Administration					
Medical services	17,761,803	---	19,472,777	+1,736,797	+19,498,600
Two year funding	---	---	---	---	---
(Emergency appropriations)	---	---	---	---	---
Medical administration	4,970,500	---	4,705,000	-265,500	+4,705,000
Medical facilities	3,976,400	---	3,745,000	-231,400	+3,745,000
Medical and prosthetic research	405,593	769,540	405,593	-20,823	-384,770
Medical care	---	24,967,830	---	---	-24,967,830
Accelerated spending of balances, sec. 115	---	---	---	---	---
Two-year funding	---	1,396,000	---	---	-1,396,000
Rescission	-270,000	---	---	+270,000	---
Medical care cost recovery collections:					
Offsetting collections	-1,554,772	-2,002,000	-2,002,000	-447,228	---
Appropriations (indefinite)	1,554,772	2,002,000	2,002,000	+447,228	---
Accelerated spending of balances (Sec. 114b)	---	---	---	---	---
Total, Veterans Health Administration	26,844,296	27,133,370	28,328,370	+1,489,074	+1,200,000
Offsetting collections	(-1,554,772)	(-2,002,000)	(-2,002,000)	(-447,228)	---
Total available to VHA	(28,399,068)	(29,135,370)	(30,330,370)	(+1,936,302)	(+1,200,000)
Departmental Administration					
General operating expenses	1,275,701	1,324,753	1,324,753	+44,052	-5,000
National Cemetery Administration	143,352	148,925	148,925	+5,573	---
Office of Inspector General	61,634	64,711	69,711	+8,077	+5,000

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2004
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2005
(Amounts in thousands)

	FY 2004 Enacted	FY 2005 Request	Bill	Bill vs. Enacted	Bill vs. Request
Construction, major projects	271,081	458,800	458,800	+187,719	---
Ominbus Appropriations (P.L. 108-199) Sec.167	497	---	---	-497	---
Construction, minor projects	250,656	230,799	230,779	-19,857	---
Grants for construction of State extended care facilities	101,498	105,163	105,163	+3,665	---
Grants for the construction of State veterans cemeteries	31,811	32,000	32,000	+189	---
Total, Departmental Administration	2,136,230	2,365,151	2,370,131	+228,921	---
Total, title I, Department of Veterans Affairs	61,845,163	64,761,609	65,961,589	+4,116,446	+1,200,000
Appropriations	(63,669,935)	(65,367,609)	(67,963,589)	(+4,293,674)	(+2,596,000)
Rescissions	(-270,000)	---	---	(+270,000)	---
Emergency appropriations	---	---	---	---	---
Offsetting collections	(-1,554,772)	(-2,002,000)	(-2,002,000)	(-447,228)	---
(Limitation on direct loans)	(54,241)	(54,108)	(54,608)	(+367)	(+500)
Mandatory	(32,709,712)	(35,108,084)	(35,108,084)	(+2,398,372)	---
Net discretionary	(29,135,451)	(29,653,525)	(30,853,505)	(+1,718,074)	(+1,200,000)
Medical care collection fund	(1,554,772)	(2,002,000)	(2,002,000)	(+447,228)	---
Total discretionary available	(30,690,223)	(31,655,525)	(32,855,505)	(+2,165,302)	(+1,200,000)

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2004
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2005
(Amounts in thousands)

	FY 2004 Enacted	FY 2005 Request	Bill	Bill vs. Enacted	Bill vs. Request
TITLE II					
DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT					
Public and Indian Housing					
Housing Certificate Fund:					
Direct appropriation	15,081,970	14,265,800	---	-15,081,970	-14,265,800
Advance appropriations provided in previous acts	4,175,220	4,200,000	---	-4,175,220	-4,200,000
Subtotal, Housing certificate fund	19,257,190	18,465,800	---	-19,257,190	-18,465,800
Advance appropriations provided in current year	4,200,000	4,200,000	---	-4,200,000	-4,200,000
Total, Housing certificate fund	23,457,190	22,665,800	---	-23,457,190	-22,665,800
Tenant-based Rental Assistance:					
Direct appropriation	---	---	10,685,000	+10,477,055	+10,477,055
Advance appropriations provided in previous acts	---	---	4,200,000	+4,200,000	+4,200,000
Subtotal, Tenant-based rental assistance	---	---	14,885,000	+14,677,055	+14,677,055
Advance appropriations provided in current year	---	---	4,200,000	+4,200,000	+4,200,000
Total, Tenant-based rental assistance	---	---	19,085,000	+18,877,055	+18,877,055
Project-based rental assistance	---	---	5,341,000	+5,340,745	+5,340,745
Public housing capital fund	2,696,253	2,674,100	2,600,000	-116,253	-94,100
Public housing operating fund	3,578,760	3,573,000	2,458,000	-153,760	-148,000

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2004
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2005
(Amounts in thousands)

	FY 2004 Enacted	FY 2005 Request	Bill	Bill vs. Enacted	Bill vs. Request
Revitalization of severely distressed public housing..	149,115	---	144,000	-6,115	+143,000
Native American housing block grants.....	650,241	647,000	627,000	-28,241	-25,000
Indian housing loan guarantee fund program account....	5,269	1,000	5,000	-269	+4,000
(Limitation on guaranteed loans).....	(197,243)	(29,070)	(145,345)	(-51,898)	(+116,275)
Native Hawaiian housing block grant.....	---	9,500	---	---	-9,500
Native Hawaiian housing loan guarantee fund.....	1,029	1,000	1,000	-29	---
(Limitation on guaranteed loans).....	(39,712)	(37,403)	(37,403)	(-2,309)	---
Total, Public and Indian Housing.....	30,537,857	29,571,400	30,261,000	+455,943	+1,422,400
Current year advance appropriations.....	4,200,000	4,200,000	4,200,000	---	---
Net Total (excluding current year advances).....	26,337,857	25,371,400	26,061,000	+455,943	+1,422,400
Community Planning and Development					
Housing opportunities for persons with AIDS.....	294,751	294,800	284,000	-12,751	-12,800
Rural housing and economic development.....	24,853	---	24,000	-853	+24,000
Empowerment zones / enterprise communities.....	14,912	---	10,000	-662	+14,250
Community development fund.....	4,920,795	4,618,094	4,709,000	-209,795	+92,906
Ominbus Appropriations (P.L. 108-199) Sec.165.....	9,941	---	---	-9,941	---
Ominbus Appropriations (P.L. 108-199) Sec.167.....	2,992	---	---	-2,992	---
Section 108 loan guarantees:					
(Limitation on guaranteed loans).....	(275,000)	---	(275,000)	---	(+275,000)
Credit subsidy.....	6,288	---	6,000	-288	+6,000
Administrative expenses.....	994	---	1,000	+6	+1,000
Brownfields redevelopment.....	24,853	---	24,000	-853	+24,000
HOME investment partnerships program.....	2,005,597	2,084,200	1,915,000	-85,597	-164,200

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2004
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2005
(Amounts in thousands)

	FY 2004 Enacted	FY 2005 Request	Bill	Bill vs. Enacted	Bill vs. Request
Homeless assistance grants	1,259,525	1,282,400	1,250,515	-53,525	-76,400
Samaritan housing initiative (legislative proposal)	---	50,000	---	---	-50,000
Total, Community planning and development	8,565,501	8,329,494	8,223,515	-377,251	-141,244
Housing Programs					
Housing for the elderly	773,728	773,300	747,000	-32,728	-32,300
Housing for persons with disabilities	249,092	248,700	240,000	-11,092	-10,700
Housing counseling assistance	---	45,000	---	---	-45,000
Manufactured housing fees trust fund	12,923	13,000	13,000	+77	---
Offsetting collections	-12,923	-13,000	-13,000	-77	---
Total, housing programs	1,022,820	1,067,000	987,000	-43,820	-88,000
Federal Housing Administration					
FHA - Mutual mortgage insurance program account:					
(Limitation on guaranteed loans)	(185,000,000)	(185,000,000)	(185,000,000)	---	---
(Limitation on direct loans)	(50,000)	(50,000)	(50,000)	---	---
Administrative expenses	356,882	366,000	356,906	---	-9,118
Offsetting receipts	-2,921,000	-2,206,000	-2,206,000	+715,000	---
Offsetting receipts (legislative proposal)	---	-28,000	-28,000	---	+28,000
Administrative contract expenses	84,499	70,900	78,000	-6,499	+7,100
Additional contract expenses	1,000	1,000	1,000	---	---
FHA - General and special risk program account:					
(Limitation on guaranteed loans)	(25,000,000)	(35,000,000)	(35,000,000)	(+10,000,000)	---
(Limitation on direct loans)	(50,000)	(50,000)	(50,000)	---	---
Administrative expenses	227,649	234,000	227,767	---	-6,351

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2004
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2005
(Amounts in thousands)

	FY 2004 Enacted	FY 2005 Request	Bill	Bill vs. Enacted	Bill vs. Request
Offsetting receipts	-225,000	-240,000	-240,000	-15,000	---
Credit subsidy	14,912	10,000	10,000	-4,912	---
Non-overhead administrative expenses	93,227	81,600	86,000	-7,227	+4,400
Additional contract expenses	4,000	4,000	4,000	---	---
Total, Federal Housing Administration	-2,363,831	-1,706,500	-1,710,327	+681,362	+24,031
Government National Mortgage Association (GNMA)					
Guarantees of mortgage-backed securities loan guarantee program account:					
(Limitation on guaranteed loans)	(200,000,000)	(200,000,000)	(200,000,000)	---	---
Administrative expenses	10,695	10,986	10,695	---	-291
Offsetting receipts	-316,124	-368,000	-368,000	-51,876	---
Policy Development and Research					
Research and technology	46,723	46,700	45,500	-1,723	-1,700
Fair Housing and Equal Opportunity					
Fair housing activities	47,717	47,700	46,500	-1,717	-1,700
Office of Lead Hazard Control					
Lead hazard reduction	173,968	139,000	168,000	-6,968	+28,000

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2004
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2005
(Amounts in thousands)

	FY 2004 Enacted	FY 2005 Request	Bill	Bill vs. Enacted	Bill vs. Request
Management and Administration					
Salaries and expenses	543,773	591,579	547,197	---	-47,806
Transfer from:					
Limitation on FHA corporate funds	(560,672)	(576,000)	(560,673)	---	(-15,328)
GNMA	(10,695)	(10,986)	(10,695)	---	(-291)
Community Development Loan Guarantees Program	(1,000)	---	(1,000)	---	(+1,000)
Native American Housing Block Grants	(150)	(150)	(150)	---	---
Indian Housing Loan Guarantee Fund Program	(250)	(250)	(250)	---	---
Native Hawaiian Housing Loan Guarantees	(35)	(35)	(35)	---	---
Total, Salaries and expenses	(1,116,575)	(1,179,000)	(1,120,000)	---	(-62,425)
Working capital fund	233,614	234,000	270,000	-133,614	-134,000
Office of Inspector General	76,546	77,000	80,000	+454	---
(By transfer, limitation on FHA corporate funds)	(23,858)	(24,000)	(24,000)	---	(-142)
Total, Office of Inspector General	(100,404)	(101,000)	(104,000)	(+454)	(-142)
Office of Federal Housing Enterprise Oversight	39,680	59,209	59,209	+19,529	---
Offsetting receipts	-39,680	-59,209	-59,209	-19,529	---
Rescissions:					
Housing Certificate Fund	-2,844,000	-1,557,000	-1,557,000	+1,287,000	---
Public housing elimination grants	---	-5,000	-5,000	-5,000	---
Title VI credit subsidy	---	-21,000	-21,000	-21,000	---
Indian housing credit subsidy	---	-33,000	-33,000	-33,000	---

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2004
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2005
(Amounts in thousands)

	FY 2004 Enacted	FY 2005 Request	Bill	Bill vs. Enacted	Bill vs. Request
Urban development action grant	-30,000	---	---	+30,000	---
Rental housing assistance	-303,000	-675,000	-675,000	-372,000	---
GI/SRI credit subsidy	---	-30,000	-30,000	-30,000	---
Total Rescissions	-3,177,000	-2,321,000	-2,321,000	+856,000	---
Total, title II, Dept. of Housing and Urban Dev. grand net total, incl current year advance	35,402,259	35,719,359	36,240,080	+1,376,790	+1,059,690
Current year advance appropriations	4,200,000	4,200,000	4,200,000	---	---
Net total, excluding current year advance	31,202,259	31,519,359	32,040,080	+1,376,790	+1,059,690
Total Program Level (appropriation)	(37,893,986)	(36,754,568)	(37,275,289)	(-107,728)	(+1,031,690)
Rescissions	(-3,177,000)	(-2,321,000)	(-2,321,000)	(+856,000)	---
Offsetting receipts	(-3,462,124)	(-2,842,000)	(-2,842,000)	(+648,124)	(+28,000)
Offsetting collections	(-52,603)	(-72,209)	(-72,209)	(-19,606)	---
(Limitation on direct loans)	(100,000)	(100,000)	(100,000)	---	---
(Limitation on guaranteed loans)	(410,511,955)	(420,066,473)	(420,457,748)	(+9,945,793)	(+391,275)
(Limitation on corporate funds)	(596,660)	(611,421)	(596,803)	---	(-14,761)

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2004
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2005
(Amounts in thousands)

	FY 2004 Enacted	FY 2005 Request	Bill	Bill vs. Enacted	Bill vs. Request
TITLE III					
INDEPENDENT AGENCIES					
American Battle Monuments Commission					
Salaries and expenses	41,056	41,100	41,100	+44	---
Foreign currency fluxuation	---	---	12,000	+9,000	+9,000
Total American Battle Monuments Commission	41,056	41,100	53,100	+9,044	+9,000
Chemical Safety and Hazard Investigation Board					
Salaries and expenses	8,201	9,451	9,100	+1,250	---
Emergency fund	447	400	400	-47	---
Total	8,648	9,851	9,500	+1,203	---
Department of the Treasury					
Community Development Financial Institutions					
Community development financial institutions fund program account	60,640	48,403	55,522	---	+12,237
Consumer Product Safety Commission					
Salaries and expenses	59,646	62,650	62,650	+3,004	---

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2004
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2005
(Amounts in thousands)

	FY 2004 Enacted	FY 2005 Request	Bill	Bill vs. Enacted	Bill vs. Request
Corporation for National and Community Service					
National and community service programs operating expenses	549,961	636,232	545,884	-8,961	-95,232
Salaries and expenses	24,853	---	26,000	+147	+25,000
Office of Inspector General	6,213	6,000	6,000	-213	---
Total	581,027	642,232	577,884	-9,027	-70,232
U.S. Court of Appeals for Veterans Claims					
Salaries and expenses	15,844	17,623	17,250	+881	-898
Department of Defense - Civil					
Cemeterial Expenses, Army					
Salaries and expenses	28,829	29,600	29,600	+771	---
Department of Health and Human Services					
National Institute of Health					
National Institute of Environmental Health Sciences	78,309	80,486	80,486	+2,177	---
Centers for Disease Control and Prevention					
Agency for Toxic Substances and Disease Registry					

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2004
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2005
(Amounts in thousands)

	FY 2004 Enacted	FY 2005 Request	Bill	Bill vs. Enacted	Bill vs. Request
Toxic substances and environmental public health.....	73,034	76,654	76,654	+3,620	---
Total, Department of Health and Human Services..	151,343	157,140	157,140	+5,797	---
Environmental Protection Agency					
Science and Technology.....	781,685	689,185	750,061	-52,656	+39,844
Transfer from Hazardous Substance Superfund.....	44,433	36,097	36,097	-8,336	---
Subtotal, Science and Technology.....	826,118	725,282	786,158	-60,992	+39,844
Environmental Programs and Management.....	2,280,046	2,316,959	2,313,409	-38,570	-75,483
Office of Inspector General.....	37,336	37,997	38,000	-336	-997
Transfer from Hazardous Substance Superfund.....	13,136	13,214	13,000	-136	-214
Subtotal, OIG.....	50,472	51,211	51,000	-472	-1,211
Buildings and facilities.....	39,764	42,918	39,000	-764	-3,918
Hazardous Substance Superfund.....	1,257,537	1,381,416	1,257,537	---	-123,879
Transfer to Office of Inspector General.....	-13,136	-13,214	-13,000	+136	+214
Transfer to Science and Technology.....	-44,434	-36,097	-36,097	+8,337	---
Subtotal, Hazardous Substance Superfund.....	1,199,967	1,332,105	1,208,440	+8,473	-123,665

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2004
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2005
(Amounts in thousands)

	FY 2004 Enacted	FY 2005 Request	Bill	Bill vs. Enacted	Bill vs. Request
Leaking Underground Storage Tank Program	75,552	72,545	70,000	-1,552	+1,455
Oil spill response	16,113	16,425	16,000	-113	-425
Pesticide registration fund	---	19,400	19,400	+19,400	---
Pesticide registration fees	---	-19,400	-19,400	-19,400	---
State and Tribal Assistance Grants	2,705,543	1,979,500	2,458,425	-508,143	+217,900
Ominbus Appropriations (P.L. 108-199) Sec.167	3,976	---	---	-3,976	---
Categorical grants	1,168,266	1,252,300	1,145,757	-6,639	-90,673
Subtotal, STAG	3,877,785	3,231,800	3,604,182	-518,758	+127,227
Total, EPA	8,365,817	7,789,245	8,088,189	-612,748	-36,176
Executive Office of the President					
Office of Science and Technology Policy	6,986	7,081	6,379	+95	---
Council on Environmental Quality and Office of Environmental Quality	3,219	3,284	3,284	+65	---
Total	10,205	10,365	9,663	+160	---
Federal Deposit Insurance Corporation					
Office of Inspector General (transfer)	(30,125)	(30,125)	(30,125)	---	---

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2004
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2005
(Amounts in thousands)

	FY 2004 Enacted	FY 2005 Request	Bill	Bill vs. Enacted	Bill vs. Request
General Services Administration					
Federal Citizen Information Center Fund	13,917	14,907	14,907	+990	---
U.S. Interagency Council on Homelessness					
Operating expenses	1,491	1,500	1,500	+9	---
National Aeronautics and Space Administration					
Science, aeronautics and exploration	7,883,114	7,760,000	7,742,550	-261,945	-138,831
(Emergency appropriations)	---	---	---	---	---
Exploration capabilities	7,467,779	8,456,400	8,125,850	+29,021	-959,600
(Emergency appropriations)	---	---	---	---	---
Office of Inspector General	27,139	27,600	31,600	+4,261	+3,800
Total, NASA	15,378,032	16,244,000	15,900,000	-228,663	-1,094,631
National Credit Union Administration					
Central liquidity:					
(Limitation on direct loans)	(1,500,000)	(1,500,000)	(1,500,000)	---	---
(Limitation on administrative expenses, corporate funds)	(310)	(310)	(310)	---	---
Community Development Revolving Loan Fund	1,193	1,000	1,000	-193	---
National Science Foundation					
Research and related activities (non-defense)	4,183,769	4,384,000	4,186,593	-100,024	-300,255

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2004
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2005
(Amounts in thousands)

	FY 2004 Enacted	FY 2005 Request	Bill	Bill vs. Enacted	Bill vs. Request
Defense function	67,599	68,000	68,000	+401	---
Research and related activities /1,2	4,251,368	4,452,000	4,254,593	-99,623	-300,255
Major research equipment and facilities construction	154,980	213,270	175,050	+53,220	-5,070
Education and human resources /1,2	938,977	771,360	848,207	-95,992	+71,625
Salaries and expenses /1	218,702	294,000	225,000	+31,268	-44,030
National Science Board	3,877	3,950	4,000	+73	---
Office of Inspector General	9,941	10,110	10,110	+169	---
Total, NSF	5,577,845	5,744,690	5,516,960	-110,885	-277,730

/1 Recommended reflects transfer of $31.5M in admin costs to the S&E account funded in FY04 in R&RA ($26M) and EHR ($5.5M). The budget did not propose this transfer

/2 Recommended does not adopt proposed transfer of $80M for MSP to R&RA from EHR

Neighborhood Reinvestment Corporation					
Payment to the Neighborhood Reinvestment Corporation	114,322	115,000	115,000	+678	---
Selective Service System					
Salaries and expenses	26,153	26,300	26,300	+147	---
White House Commission on the National Moment of Rememberance	---	250	250	+250	---

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2004
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2005
(Amounts in thousands)

	FY 2004 Enacted	FY 2005 Request	Bill	Bill vs. Enacted	Bill vs. Request
Total, title III, Independent agencies	30,436,008	30,955,856	30,636,415	-938,582	-1,458,430
Appropriations	(30,436,008)	(30,955,856)	(30,636,415)	(-938,582)	(-1,458,430)
Emergency appropriations	---	---	---	---	---
(By transfer)	(30,125)	(30,125)	(30,125)	---	---
(Limitation on direct loans)	(1,500,000)	(1,500,000)	(1,500,000)	---	---
(Limitation on corporate funds)	(310)	(310)	(310)	---	---
TITLE IV					
GENERAL PROVISIONS					
DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT					
Community Planning and Development					
Community development fund (sec. 424)	---	---	31,000	---	---
Total, title IV, General Provisions	---	---	31,000	---	---

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2004
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2005
(Amounts in thousands)

	FY 2004 Enacted	FY 2005 Request	Bill	Bill vs. Enacted	Bill vs. Request
Grand total	127,683,430	131,436,824	132,869,084	+4,554,654	+801,260
Current year advances (housing cert. fund)	4,200,000	4,200,000	4,200,000	---	---
Net grand total	123,483,430	127,236,824	128,669,084	+4,554,654	+801,260
Appropriations	(131,999,929)	(133,078,033)	(135,906,293)	(+3,247,364)	(+2,169,260)
Rescissions	(-3,447,000)	(-2,321,000)	(-2,321,000)	(+1,126,000)	---
Emergency appropriations	---	---	---	---	---
Offsetting receipts	(-3,462,124)	(-2,842,000)	(-2,842,000)	(+648,124)	(+28,000)
Offsetting collections	(-1,607,375)	(-2,074,209)	(-2,074,209)	(-466,834)	---
(By transfer)	(30,125)	(30,125)	(30,125)	---	---
(Limitation on direct loans)	(1,654,241)	(1,654,108)	(1,654,608)	(+367)	(+500)
(Limitation on guaranteed loans)	(410,511,955)	(420,066,473)	(420,457,748)	(+9,945,793)	(+391,275)
(Limitation on corporate funds)	(596,970)	(611,731)	(597,113)	---	(-14,761)

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2004
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2005
(Amounts in thousands)

	FY 2004 Enacted	FY 2005 Request	Bill	Bill vs. Enacted	Bill vs. Request
TITLE I - Department of Veterans Affairs					
Veterans Benefits Administration	32,864,637	35,263,088	35,263,088	+2,398,451	---
Veterans Health Administration	26,844,296	27,133,370	28,328,370	+1,489,074	+1,200,000
Departmental administration	2,136,230	2,365,151	2,370,131	+228,921	---
Total, Title I - Deparment of Veterans Affairs	61,845,163	64,761,609	65,961,589	+4,116,446	+1,200,000
TITLE II - Dept. of Housing and Urban Dev					
Public and indian housing (excluding CY advances)	26,337,857	25,371,400	26,061,000	+455,943	+1,422,400
Community and planning development	8,565,501	8,329,494	8,223,515	-377,251	-141,244
Housing programs	1,022,820	1,067,000	987,000	-43,820	-88,000
Federal Housing Administration	-2,363,831	-1,706,500	-1,710,327	+681,362	+24,031
Government National Mortgage Association (GNMA)	-305,429	-357,014	-357,305	-51,876	-291
Policy development and research	46,723	46,700	45,500	-1,723	-1,700
Fair housing and equal opportunity activities	47,717	47,700	46,500	-1,717	-1,700
Office of lead hazard control	173,968	139,000	168,000	-6,968	+28,000
Management and administration	1,116,575	1,179,000	1,120,000	---	-62,425
Working capital fund	233,614	234,000	270,000	-133,614	-134,000
Office of Inspector General	100,404	101,000	104,000	+454	-142
Total, Title II - Dept. of Housing and Urban Development (excluding CY advances)	31,202,259	31,519,359	32,040,080	+1,376,790	+1,059,690

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2004
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2005
(Amounts in thousands)

	FY 2004 Enacted	FY 2005 Request	Bill	Bill vs. Enacted	Bill vs. Request
TITLE III - Independent Agencies					
American Battle Monuments Commission	41,056	41,100	41,100	+44	---
Chemical Safety and Hazard Investigation Board	8,648	9,851	9,500	+1,203	---
Community development financial institutions fund (Department of Treasury)	60,640	48,403	55,522	---	+12,237
Consumer Product Safety Commission	59,646	62,650	62,650	+3,004	---
Corporation for National and Community Service	581,027	642,232	577,884	-9,027	-70,232
U.S. Court of Appeals for Veterans Claims	15,844	17,623	17,250	+881	-898
Cemeterial expenses, Army	28,829	29,600	29,600	+771	---
HHS/(NIH-Institute of Environmental Health Sciences) and (CDC-Toxic Subtances and Disease Registry)	151,343	157,140	157,140	+5,797	---
Environmental Protection Agency	8,365,817	7,789,245	8,088,189	-612,748	-36,176
EOP/Office of Science and Technology Policy, Council Environmental Qual, and Office of Environmental Qual	10,205	10,365	9,663	+160	---
Federal Deposit Insurance Corp	30,125	30,125	30,125	---	---
GSA/ Federal Consumer Information Center	13,917	14,907	14,907	+990	---
Interagency Council on the Homeless	1,491	1,500	1,500	+9	---
National Aeronautics and Space Administration	15,378,032	16,244,000	15,900,000	-228,663	-1,094,631
National Credit Union Administration	1,193	1,000	1,000	-193	---
National Science Foundation	5,577,845	5,744,690	5,516,960	-110,885	-277,730
Neighborhood Reinvestment Corporation	114,322	115,000	115,000	+678	---
Selective Service System	26,153	26,300	26,300	+147	---
Commission on National Day of Rememberance	---	250	250	+250	---
Total Title III - Independent Agencies	30,436,008	30,955,856	30,636,415	-938,582	-1,458,430

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2004
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2005
(Amounts in thousands)

	FY 2004 Enacted	FY 2005 Request	Bill	Bill vs. Enacted	Bill vs. Request
TITLE IV - General Provisions					
Community development fund (sec. 424).....	---	---	31,000	---	---
Total Title IV - General Provisions.....	---	---	31,000	---	---
Grand total.....	127,683,430	131,436,824	132,869,084	+4,554,654	+801,260
Current year advances (housing cert. fund)....	4,200,000	4,200,000	4,200,000	---	---
Net grand total.....	123,483,430	127,236,824	128,638,084	+4,554,654	+801,260
Mandatory.....	(32,709,712)	(35,108,084)	(35,108,084)	(+2,398,372)	---
Discretionary.....	(90,773,718)	(92,128,740)	(93,561,000)	(+2,156,282)	(+801,260)

CONFERENCE TOTAL—WITH COMPARISONS

The total new budget (obligational) authority for the fiscal year 2005 recommended by the Committee of Conference, with comparisons to the fiscal year 2004 amount, the 2005 budget estimates, and the House and Senate bills for 2005 follow:

[In thousands of dollars]

New budget (obligational) authority, fiscal year 2004	$127,683,430
Budget estimates of new (obligational) authority, fiscal year 2005	131,436,824
House bill, fiscal year 2005	132,238,084
Senate bill, fiscal year 2005	134,238,029
Conference agreement, fiscal year 2005	132,869,084
Conference agreement compared with:	
New budget (obligational) authority, fiscal year 2004	+5,185,654
Budget estimates of new (obligational) authority, fiscal year 2005	+1,432,260
House bill, fiscal year 2005	+631,000
Senate bill, fiscal year 2005	−1,368,945

DIVISION J—OTHER MATTERS

TITLE I—MISCELLANEOUS PROVISIONS AND OFFSETS

Sec. 101. The conference agreement provides $230,000,000 for the weatherization assistance program of the Department of Energy.

Sec. 102. The conferees have included a new general provision which amends section 1201(a) of Public Law 108–375.

Sec. 103. The conference agreement includes language in section 103 amending Public Law 108–335 the District of Columbia Appropriations Act, 2005 to allow the following: (1) Permits the District of Columbia Department of Transportation to allocate funds from the rights-of-way fund for road, sidewalk, and alley repairs; (2) makes technical corrections to section 340(a) dealing with charter school lease guarantees; (3) repeals section 342(a) and (b) dealing with charter school conversions; (4) modifies section 342(c) dealing with the leasing and acquisition of surplus property by charter schools; and (5) makes technical corrections to section 347 dealing with charter school contracting.

Sec. 104. The conferees include a new provision requiring the Coast Guard to transfer up to $40,000,000 from the Rescue 21 project to the HH–65 re-engining project. The Rescue 21 project is experiencing significant delays due to software and technical difficulties. The HH–65 re-engining project is a critical safety issue. The Coast Guard has indicated that additional funding is required to accelerate the re-engining project and complete the work by the end of calendar year 2006. Bill language requires the Coast Guard to notify the House and Senate Committees on Appropriations 15 days prior to the transfer occurring.

Sec. 105. The conferees include a new provision extending the authorization of the National Pre-Disaster Mitigation program to December 31, 2005.

Sec. 106. The conferees include a new provision clarifying how funding shall be spent by the Transportation Security Administration's maritime and land security program in fiscal year 2005.

Sec. 107. The conference agreement includes the following technical correction to the Military Construction Appropriations Act, 2005:

Mississippi

Navy: Gulfport, Vehicle Maintenance Facility	−$4,350,000
Naval Reserve: Gulfport, Vehicle Maintenance Facility	+4,350,000

Sec. 108. The conferees agree to include a new general provision, section 108, which provides the Department of the Navy with $2,000,000 to acquire an historic vessel, with Coast Guard registration number 225115.

Sec. 122. The conference agreement includes a 0.83 percent across-the-board rescission to discretionary budgetary resources provided in fiscal year 2005 regular appropriations Act (except Defense, Military Construction, and Homeland Security), as well as to any previously enacted fiscal year 2005 advance appropriation and to any contract authority subject to limitation.

TAPS QUALITY BANK

Congress has concerns regarding the Federal Energy Regulatory Commission Administrative Law Judge's decision dated August 31, 2004 in Docket No. OR89–2–017; Docket No. OR96–14–006; Docket No. OR98–24–002; Docket No. ISO3–137–001; Docket No. ISO3–141–001; Docket No. ISO3–142–001; Docket No. ISO3–143–001; Docket No. ISO3–144–001. Considering the specific equities of this case, the general importance of continued domestic refinery activity in order to protect national fuel supplies and the need to limit business uncertainty associated with the use of the Trans Alaska Pipeline System, Congress expects the Federal Energy Regulatory Commission to evaluate carefully the disputed Resid valuation and related retroactive Resid refund matter affecting the TAPS Quality Bank Adjustments. Except where the parties have otherwise stipulated, Congress is particularly concerned about the equity of assigning retroactive refunds beyond a term of 15 months.

The term "TAPS Quality Bank Adjustments" means monetary adjustments paid by or to shippers of oil on the Trans Alaska Pipeline System through the operation of a quality bank to compensation for the value of the shippers' oil commingled in the pipeline.

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JERRY LEWIS,
ROGER F. WICKER,
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ANDER CRENSHAW,
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Managers on the Part of the House.

MITCH MCCONNELL,
THAD COCHRAN,
JUDD GREGG,
RICHARD C. SHELBY,
ROBERT F. BENNETT,
BEN NIGHTHORSE CAMPBELL,
CHRISTOPHER S. BOND,
MIKE DEWINE,
TED STEVENS,
Managers on the Part of the Senate.

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