

107<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 5320

Making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2003, and for other purposes.

---

## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 4, 2002

Mr. YOUNG of Florida introduced the following bill; which was referred to the Committee on Appropriations

---

## A BILL

Making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2003, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*  
3 That the following sums are appropriated, out of any  
4 money in the Treasury not otherwise appropriated, for the  
5 Departments of Labor, Health and Human Services, and  
6 Education, and related agencies for the fiscal year ending  
7 September 30, 2003, and for other purposes, namely:

## 1 TITLE I—DEPARTMENT OF LABOR

## 2 EMPLOYMENT AND TRAINING

## 3 ADMINISTRATION

## 4 TRAINING AND EMPLOYMENT SERVICES

5 For necessary expenses of the Workforce Investment  
6 Act, including the purchase and hire of passenger motor  
7 vehicles, the construction, alteration, and repair of build-  
8 ings and other facilities, and the purchase of real property  
9 for training centers as authorized by the Workforce In-  
10 vestment Act and the Women in Apprenticeship and Non-  
11 traditional Occupations Act; \$2,512,763,000 plus reim-  
12 bursements, of which \$1,438,748,000 is available for obli-  
13 gation for the period July 1, 2003 through June 30, 2004;  
14 of which \$1,045,465,000 is available for obligation for the  
15 period April 1, 2003 through June 30, 2004, including  
16 \$1,000,965,000 to carry out chapter 4 of the Workforce  
17 Investment Act and \$44,500,000 to carry out section 169  
18 of such Act; and of which \$27,550,000 is available for the  
19 period July 1, 2003 through June 30, 2006 for necessary  
20 expenses of construction, rehabilitation, and acquisition of  
21 Job Corps centers: *Provided*, That notwithstanding the  
22 transfer limitation under section 133(b)(4) of the Work-  
23 force Investment Act, up to 40 percent of such funds may  
24 be transferred by a local board if approved by the Gov-  
25 ernor: *Provided further*, That notwithstanding sections

1 127(b)(1)(A) and 174(a)(2)(B) of such Act, no funds pro-  
2 vided herein shall be available to carry out section 167  
3 of such Act: *Provided further*, That no funds from any  
4 other appropriation shall be used to provide meal services  
5 at or for Job Corps centers.

6 For necessary expenses of the Workforce Investment  
7 Act, including the purchase and hire of passenger motor  
8 vehicles, the construction, alteration, and repair of build-  
9 ings and other facilities, and the purchase of real property  
10 for training centers as authorized by the Workforce In-  
11 vestment Act; \$2,463,000,000 plus reimbursements, of  
12 which \$2,363,000,000 is available for obligation for the  
13 period October 1, 2003 through June 30, 2004, and of  
14 which \$100,000,000 is available for the period October 1,  
15 2003 through June 30, 2006, for necessary expenses of  
16 construction, rehabilitation, and acquisition of Job Corps  
17 centers.

18 COMMUNITY SERVICE EMPLOYMENT FOR OLDER

19 AMERICANS

20 To carry out title V of the Older Americans Act of  
21 1965, as amended, \$440,200,000.

22 FEDERAL UNEMPLOYMENT BENEFITS AND ALLOWANCES

23 For payments during the current fiscal year of trade  
24 adjustment benefit payments and allowances under part  
25 I; and for training, allowances for job search and reloca-

1 tion, and related State administrative expenses under part  
2 II, subchapters B and D, chapter 2, title II of the Trade  
3 Act of 1974, as amended, \$415,650,000, together with  
4 such amounts as may be necessary to be charged to the  
5 subsequent appropriation for payments for any period sub-  
6 sequent to September 15 of the current year.

7 STATE UNEMPLOYMENT INSURANCE AND EMPLOYMENT  
8 SERVICE OPERATIONS

9 For authorized administrative expenses,  
10 \$156,452,000, together with not to exceed  
11 \$3,530,091,000 (including not to exceed \$1,228,000  
12 which may be used for amortization payments to States  
13 which had independent retirement plans in their State em-  
14 ployment service agencies prior to 1980), which may be  
15 expended from the Employment Security Administration  
16 Account in the Unemployment Trust Fund including the  
17 cost of administering section 51 of the Internal Revenue  
18 Code of 1986, as amended, section 7(d) of the Wagner-  
19 Peyser Act, as amended, the Trade Act of 1974, as  
20 amended, the Immigration Act of 1990, and the Immigra-  
21 tion and Nationality Act, as amended, and of which the  
22 sums available in the allocation for activities authorized  
23 by title III of the Social Security Act, as amended (42  
24 U.S.C. 502–504), and the sums available in the allocation  
25 for necessary administrative expenses for carrying out 5

1 U.S.C. 8501–8523, shall be available for obligation by the  
2 States through December 31, 2003, except that funds  
3 used for automation acquisitions shall be available for obli-  
4 gation by the States through September 30, 2005; of  
5 which \$156,452,000, together with not to exceed  
6 \$773,283,000 of the amount which may be expended from  
7 said trust fund, shall be available for obligation for the  
8 period July 1, 2003 through June 30, 2004, to fund ac-  
9 tivities under the Act of June 6, 1933, as amended, in-  
10 cluding the cost of penalty mail authorized under 39  
11 U.S.C. 3202(a)(1)(E) made available to States in lieu of  
12 allotments for such purpose: *Provided*, That to the extent  
13 that the Average Weekly Insured Unemployment (AWIU)  
14 for fiscal year 2003 is projected by the Department of  
15 Labor to exceed 4,096,000, an additional \$28,600,000  
16 shall be available for obligation for every 100,000 increase  
17 in the AWIU level (including a pro rata amount for any  
18 increment less than 100,000) from the Employment Secu-  
19 rity Administration Account of the Unemployment Trust  
20 Fund: *Provided further*, That funds appropriated in this  
21 Act which are used to establish a national one-stop career  
22 center system, or which are used to support the national  
23 activities of the Federal-State unemployment insurance  
24 programs, may be obligated in contracts, grants or agree-  
25 ments with non-State entities: *Provided further*, That

1 funds appropriated under this Act for activities authorized  
2 under the Wagner-Peyser Act, as amended, and title III  
3 of the Social Security Act, may be used by the States to  
4 fund integrated Employment Service and Unemployment  
5 Insurance automation efforts, notwithstanding cost alloca-  
6 tion principles prescribed under Office of Management  
7 and Budget Circular A-87.

8     ADVANCES TO THE UNEMPLOYMENT TRUST FUND AND  
9   OTHER FUNDS

10         For repayable advances to the Unemployment Trust  
11 Fund as authorized by sections 905(d) and 1203 of the  
12 Social Security Act, as amended, and to the Black Lung  
13 Disability Trust Fund as authorized by section 9501(c)(1)  
14 of the Internal Revenue Code of 1954, as amended; and  
15 for nonrepayable advances to the Unemployment Trust  
16 Fund as authorized by section 8509 of title 5, United  
17 States Code, and to the “Federal unemployment benefits  
18 and allowances” account, to remain available until Sep-  
19 tember 30, 2004, \$463,000,000.

20         In addition, for making repayable advances to the  
21 Black Lung Disability Trust Fund in the current fiscal  
22 year after September 15, 2003, for costs incurred by the  
23 Black Lung Disability Trust Fund in the current fiscal  
24 year, such sums as may be necessary.

## 1                               PROGRAM ADMINISTRATION

2           For expenses of administering employment and train-  
3 ing programs, \$121,451,000, of which \$4,711,000 is to  
4 administer welfare-to-work grants, together with not to ex-  
5 ceed \$50,610,000, which may be expended from the Em-  
6 ployment Security Administration Account in the Unem-  
7 ployment Trust Fund.

## 8                               PENSION AND WELFARE BENEFITS

## 9                                       ADMINISTRATION

## 10   SALARIES AND EXPENSES

11           For necessary expenses for the Pension and Welfare  
12 Benefits Administration, \$117,044,000.

## 13   PENSION BENEFIT GUARANTY CORPORATION

## 14    PENSION BENEFIT GUARANTY CORPORATION FUND

15           The Pension Benefit Guaranty Corporation is author-  
16 ized to make such expenditures, including financial assist-  
17 ance authorized by section 104 of Public Law 96-364,  
18 within limits of funds and borrowing authority available  
19 to such Corporation, and in accord with law, and to make  
20 such contracts and commitments without regard to fiscal  
21 year limitations as provided by section 104 of the Govern-  
22 ment Corporation Control Act, as amended (31 U.S.C.  
23 9104), as may be necessary in carrying out the program  
24 through September 30, 2003, for such Corporation: *Pro-*  
25 *vided*, That not to exceed \$13,050,000 shall be available

1 for administrative expenses of the Corporation: *Provided*  
2 *further*, That expenses of such Corporation in connection  
3 with the termination of pension plans, for the acquisition,  
4 protection or management, and investment of trust assets,  
5 and for benefits administration services shall be consid-  
6 ered as non-administrative expenses for the purposes here-  
7 of, and excluded from the above limitation.

8 EMPLOYMENT STANDARDS ADMINISTRATION  
9 SALARIES AND EXPENSES

10 For necessary expenses for the Employment Stand-  
11 ards Administration, including reimbursement to State,  
12 Federal, and local agencies and their employees for inspec-  
13 tion services rendered, \$378,728,000, together with  
14 \$2,029,000 which may be expended from the Special Fund  
15 in accordance with sections 39(c), 44(d) and 44(j) of the  
16 Longshore and Harbor Workers' Compensation Act: *Pro-*  
17 *vided*, That \$2,000,000 shall be for the development of  
18 an alternative system for the electronic submission of re-  
19 ports required to be filed under the Labor-Management  
20 Reporting and Disclosure Act of 1959, as amended, and  
21 for a computer database of the information for each sub-  
22 mission by whatever means, that is indexed and easily  
23 searchable by the public via the Internet: *Provided further*,  
24 That the Secretary of Labor is authorized to accept, re-  
25 tain, and spend, until expended, in the name of the De-



1 partment of Labor, all sums of money ordered to be paid  
2 to the Secretary of Labor, in accordance with the terms  
3 of the Consent Judgment in Civil Action No. 91–0027 of  
4 the United States District Court for the District of the  
5 Northern Mariana Islands (May 21, 1992): *Provided fur-*  
6 *ther*, That the Secretary of Labor is authorized to estab-  
7 lish and, in accordance with 31 U.S.C. 3302, collect and  
8 deposit in the Treasury fees for processing applications  
9 and issuing certificates under sections 11(d) and 14 of the  
10 Fair Labor Standards Act of 1938, as amended (29  
11 U.S.C. 211(d) and 214) and for processing applications  
12 and issuing registrations under title I of the Migrant and  
13 Seasonal Agricultural Worker Protection Act (29 U.S.C.  
14 1801 et seq.).

15 SPECIAL BENEFITS

16 (INCLUDING TRANSFER OF FUNDS)

17 For the payment of compensation, benefits, and ex-  
18 penses (except administrative expenses) accruing during  
19 the current or any prior fiscal year authorized by title 5,  
20 chapter 81 of the United States Code; continuation of ben-  
21 efits as provided for under the heading “Civilian War Ben-  
22 efits” in the Federal Security Agency Appropriation Act,  
23 1947; the Employees’ Compensation Commission Appro-  
24 priation Act, 1944; sections 4(c) and 5(f) of the War  
25 Claims Act of 1948 (50 U.S.C. App. 2012); and 50 per-

1 cent of the additional compensation and benefits required  
2 by section 10(h) of the Longshore and Harbor Workers'  
3 Compensation Act, as amended, \$163,000,000, together  
4 with such amounts as may be necessary to be charged to  
5 the subsequent year appropriation for the payment of  
6 compensation and other benefits for any period subse-  
7 quent to August 15 of the current year: *Provided*, That  
8 amounts appropriated may be used under section 8104 of  
9 title 5, United States Code, by the Secretary of Labor to  
10 reimburse an employer, who is not the employer at the  
11 time of injury, for portions of the salary of a reemployed,  
12 disabled beneficiary: *Provided further*, That balances of re-  
13 imbursements unobligated on September 30, 2002, shall  
14 remain available until expended for the payment of com-  
15 pensation, benefits, and expenses: *Provided further*, That  
16 in addition there shall be transferred to this appropriation  
17 from the Postal Service and from any other corporation  
18 or instrumentality required under section 8147(c) of title  
19 5, United States Code, to pay an amount for its fair share  
20 of the cost of administration, such sums as the Secretary  
21 determines to be the cost of administration for employees  
22 of such fair share entities through September 30, 2003:  
23 *Provided further*, That of those funds transferred to this  
24 account from the fair share entities to pay the cost of ad-  
25 ministration of the Federal Employees' Compensation Act,

1 \$37,657,000 shall be made available to the Secretary as  
2 follows: (1) for the operation of and enhancement to the  
3 automated data processing systems, including document  
4 imaging and conversion to a paperless office, \$24,928,000;  
5 (2) for medical bill review and periodic roll management,  
6 \$12,027,000; (3) for communications redesign, \$702,000;  
7 and (4) the remaining funds shall be paid into the Treas-  
8 ury as miscellaneous receipts: *Provided further*, That the  
9 Secretary may require that any person filing a notice of  
10 injury or a claim for benefits under chapter 81 of title  
11 5, United States Code, or 33 U.S.C. 901 et seq., provide  
12 as part of such notice and claim, such identifying informa-  
13 tion (including Social Security account number) as such  
14 regulations may prescribe.

15 ADMINISTRATIVE EXPENSES, ENERGY EMPLOYEES

16 OCCUPATIONAL ILLNESS COMPENSATION FUND

17 (INCLUDING TRANSFER OF FUNDS)

18 For necessary expenses to administer the Energy  
19 Employees Occupational Illness Compensation Act,  
20 \$104,867,000, to remain available until expended: *Pro-*  
21 *vided*, That the Secretary of Labor is authorized to trans-  
22 fer to any Executive agency with authority under the En-  
23 ergy Employees Occupational Illness Compensation Act,  
24 including within the Department of Labor, such sums as  
25 may be necessary in fiscal year 2003 to carry out those

1 authorities: *Provided further*, That the Secretary may re-  
2 quire that any person filing a claim for benefits under the  
3 Act provide as part of such claim, such identifying infor-  
4 mation (including Social Security account number) as may  
5 be prescribed.

6           BLACK LUNG DISABILITY TRUST FUND

7                   (INCLUDING TRANSFER OF FUNDS)

8           Beginning in fiscal year 2003 and thereafter, such  
9 sums as may be necessary from the Black Lung Disability  
10 Trust Fund, to remain available until expended, for pay-  
11 ment of all benefits authorized by section 9501(d)(1), (2),  
12 (4), and (7) of the Internal Revenue Code of 1954, as  
13 amended; and interest on advances, as authorized by sec-  
14 tion 9501(c)(2) of that Act. In addition, the following  
15 amounts shall be available from the Fund for fiscal year  
16 2003 for expenses of operation and administration of the  
17 Black Lung Benefits program, as authorized by section  
18 9501(d)(5): \$34,151,000 for transfer to the Employment  
19 Standards Administration, “Salaries and Expenses”;  
20 \$24,033,000 for transfer to Departmental Management,  
21 “Salaries and Expenses”; \$345,000 for transfer to De-  
22 partmental Management, “Office of Inspector General”;  
23 and \$356,000 for payments into miscellaneous receipts for  
24 the expenses of the Department of Treasury.

## 1 OCCUPATIONAL SAFETY AND HEALTH

## 2 ADMINISTRATION

## 3 SALARIES AND EXPENSES

4 For necessary expenses for the Occupational Safety  
5 and Health Administration, \$437,019,000, including not  
6 to exceed \$89,747,000 which shall be the maximum  
7 amount available for grants to States under section 23(g)  
8 of the Occupational Safety and Health Act (the “Act”),  
9 which grants shall be no less than 50 percent of the costs  
10 of State occupational safety and health programs required  
11 to be incurred under plans approved by the Secretary  
12 under section 18 of the Act; and, in addition, notwith-  
13 standing 31 U.S.C. 3302, the Occupational Safety and  
14 Health Administration may retain up to \$750,000 per fis-  
15 cal year of training institute course tuition fees, otherwise  
16 authorized by law to be collected, and may utilize such  
17 sums for occupational safety and health training and edu-  
18 cation grants: *Provided*, That, notwithstanding 31 U.S.C.  
19 3302, the Secretary of Labor is authorized, during the fis-  
20 cal year ending September 30, 2003, to collect and retain  
21 fees for services provided to Nationally Recognized Test-  
22 ing Laboratories, and may utilize such sums, in accord-  
23 ance with the provisions of 29 U.S.C. 9a, to administer  
24 national and international laboratory recognition pro-  
25 grams that ensure the safety of equipment and products

1 used by workers in the workplace: *Provided further*, That  
2 none of the funds appropriated under this paragraph shall  
3 be obligated or expended to prescribe, issue, administer,  
4 or enforce any standard, rule, regulation, or order under  
5 the Act which is applicable to any person who is engaged  
6 in a farming operation which does not maintain a tem-  
7 porary labor camp and employs 10 or fewer employees:  
8 *Provided further*, That no funds appropriated under this  
9 paragraph shall be obligated or expended to administer or  
10 enforce any standard, rule, regulation, or order under the  
11 Act with respect to any employer of 10 or fewer employees  
12 who is included within a category having an occupational  
13 injury lost workday case rate, at the most precise Stand-  
14 ard Industrial Classification Code for which such data are  
15 published, less than the national average rate as such  
16 rates are most recently published by the Secretary, acting  
17 through the Bureau of Labor Statistics, in accordance  
18 with section 24 of that Act (29 U.S.C. 673), except—

19           (1) to provide, as authorized by such Act, con-  
20           sultation, technical assistance, educational and train-  
21           ing services, and to conduct surveys and studies;

22           (2) to conduct an inspection or investigation in  
23           response to an employee complaint, to issue a cita-  
24           tion for violations found during such inspection, and  
25           to assess a penalty for violations which are not cor-

1       rected within a reasonable abatement period and for  
2       any willful violations found;

3               (3) to take any action authorized by such Act  
4       with respect to imminent dangers;

5               (4) to take any action authorized by such Act  
6       with respect to health hazards;

7               (5) to take any action authorized by such Act  
8       with respect to a report of an employment accident  
9       which is fatal to one or more employees or which re-  
10      sults in hospitalization of two or more employees,  
11      and to take any action pursuant to such investiga-  
12      tion authorized by such Act; and

13              (6) to take any action authorized by such Act  
14      with respect to complaints of discrimination against  
15      employees for exercising rights under such Act:

16 *Provided further,* That the foregoing proviso shall not  
17 apply to any person who is engaged in a farming operation  
18 which does not maintain a temporary labor camp and em-  
19 ploys 10 or fewer employees.

## 20 MINE SAFETY AND HEALTH ADMINISTRATION

### 21 SALARIES AND EXPENSES

22       For necessary expenses for the Mine Safety and  
23 Health Administration, \$254,323,000, including purchase  
24 and bestowal of certificates and trophies in connection  
25 with mine rescue and first-aid work, and the hire of pas-

1 senger motor vehicles; including up to \$1,000,000 for  
2 mine rescue and recovery activities, which shall be avail-  
3 able only to the extent that fiscal year 2003 obligations  
4 for these activities exceed \$1,000,000; in addition, not to  
5 exceed \$750,000 may be collected by the National Mine  
6 Health and Safety Academy for room, board, tuition, and  
7 the sale of training materials, otherwise authorized by law  
8 to be collected, to be available for mine safety and health  
9 education and training activities, notwithstanding 31  
10 U.S.C. 3302; and, in addition, the Mine Safety and Health  
11 Administration may retain up to \$1,000,000 from fees col-  
12 lected for the approval and certification of equipment, ma-  
13 terials, and explosives for use in mines, and may utilize  
14 such sums for such activities; the Secretary is authorized  
15 to accept lands, buildings, equipment, and other contribu-  
16 tions from public and private sources and to prosecute  
17 projects in cooperation with other agencies, Federal,  
18 State, or private; the Mine Safety and Health Administra-  
19 tion is authorized to promote health and safety education  
20 and training in the mining community through cooperative  
21 programs with States, industry, and safety associations;  
22 and any funds available to the department may be used,  
23 with the approval of the Secretary, to provide for the costs  
24 of mine rescue and survival operations in the event of a  
25 major disaster.



## 1 BUREAU OF LABOR STATISTICS

## 2 SALARIES AND EXPENSES

3 For necessary expenses for the Bureau of Labor Sta-  
4 tistics, including advances or reimbursements to State,  
5 Federal, and local agencies and their employees for serv-  
6 ices rendered, \$415,855,000, together with not to exceed  
7 \$72,029,000, which may be expended from the Employ-  
8 ment Security Administration Account in the Unemploy-  
9 ment Trust Fund; and \$10,280,000 which shall be avail-  
10 able for obligation for the period July 1, 2003 through  
11 June 30, 2004, for Occupational Employment Statistics.

## 12 OFFICE OF DISABILITY EMPLOYMENT POLICY

## 13 SALARIES AND EXPENSES

14 For necessary expenses for the Office of Disability  
15 Employment Policy to provide leadership, develop policy  
16 and initiatives, and award grants furthering the objective  
17 of eliminating barriers to the training and employment of  
18 people with disabilities, \$47,015,000.

## 19 DEPARTMENTAL MANAGEMENT

## 20 SALARIES AND EXPENSES

21 For necessary expenses for Departmental Manage-  
22 ment, including the hire of three sedans, and including  
23 the management or operation, through contracts, grants  
24 or other arrangements of Departmental activities con-  
25 ducted by or through the Bureau of International Labor

1 Affairs, including bilateral and multilateral technical as-  
2 sistance and other international labor activities,  
3 \$74,000,000, for the acquisition of Departmental informa-  
4 tion technology, architecture, infrastructure, equipment,  
5 software and related needs which will be allocated by the  
6 Department's Chief Information Officer in accordance  
7 with the Department's capital investment management  
8 process to assure a sound investment strategy;  
9 \$317,624,000; together with not to exceed \$310,000,  
10 which may be expended from the Employment Security  
11 Administration Account in the Unemployment Trust  
12 Fund: *Provided*, That no funds made available by this Act  
13 may be used by the Solicitor of Labor to participate in  
14 a review in any United States court of appeals of any deci-  
15 sion made by the Benefits Review Board under section 21  
16 of the Longshore and Harbor Workers' Compensation Act  
17 (33 U.S.C. 921) where such participation is precluded by  
18 the decision of the United States Supreme Court in Direc-  
19 tor, Office of Workers' Compensation Programs v. New-  
20 port News Shipbuilding, 115 S. Ct. 1278 (1995), notwith-  
21 standing any provisions to the contrary contained in Rule  
22 15 of the Federal Rules of Appellate Procedure: *Provided*  
23 *further*, That no funds made available by this Act may  
24 be used by the Secretary of Labor to review a decision  
25 under the Longshore and Harbor Workers' Compensation

1 Act (33 U.S.C. 901 et seq.) that has been appealed and  
2 that has been pending before the Benefits Review Board  
3 for more than 12 months: *Provided further*, That any such  
4 decision pending a review by the Benefits Review Board  
5 for more than 1 year shall be considered affirmed by the  
6 Benefits Review Board on the 1-year anniversary of the  
7 filing of the appeal, and shall be considered the final order  
8 of the Board for purposes of obtaining a review in the  
9 United States courts of appeals: *Provided further*, That  
10 these provisions shall not be applicable to the review or  
11 appeal of any decision issued under the Black Lung Bene-  
12 fits Act (30 U.S.C. 901 et seq.).

13 VETERANS EMPLOYMENT AND TRAINING

14 Not to exceed \$185,537,000 may be derived from the  
15 Employment Security Administration Account in the Un-  
16 employment Trust Fund to carry out the provisions of 38  
17 U.S.C. 4100–4110A, 4212, 4214, and 4321–4327, and  
18 Public Law 103–353, and which shall be available for obli-  
19 gation by the States through December 31, 2003. To  
20 carry out the Stewart B. McKinney Homeless Assistance  
21 Act and section 168 of the Workforce Investment Act of  
22 1998, \$24,800,000, of which \$7,300,000 shall be available  
23 for obligation for the period July 1, 2003 through June  
24 30, 2004.

## 1                   OFFICE OF INSPECTOR GENERAL

2           For salaries and expenses of the Office of Inspector  
3 General in carrying out the provisions of the Inspector  
4 General Act of 1978, as amended, \$56,659,000, together  
5 with not to exceed \$5,597,000, which may be expended  
6 from the Employment Security Administration Account in  
7 the Unemployment Trust Fund.

## 8                   GENERAL PROVISIONS

9           SEC. 101. None of the funds appropriated in this title  
10 for the Job Corps shall be used to pay the compensation  
11 of an individual, either as direct costs or any proration  
12 as an indirect cost, at a rate in excess of Executive Level  
13 II.

## 14                   (TRANSFER OF FUNDS)

15           SEC. 102. Not to exceed 3 percent of any discre-  
16 tionary funds (pursuant to the Balanced Budget and  
17 Emergency Deficit Control Act of 1985, as amended)  
18 which are appropriated for the current fiscal year for the  
19 Department of Labor in this Act may be transferred be-  
20 tween appropriations, but no such appropriation shall be  
21 increased by more than 10 percent by any such transfer:  
22 *Provided*, That the Appropriations Committees of both  
23 Houses of Congress are notified at least 15 days in ad-  
24 vance of any transfer.

1 TITLE II—DEPARTMENT OF HEALTH AND  
2 HUMAN SERVICES  
3 HEALTH RESOURCES AND SERVICES  
4 ADMINISTRATION  
5 HEALTH RESOURCES AND SERVICES

6 For carrying out titles II, III, IV, VII, VIII, X, XII,  
7 XIX, and XXVI of the Public Health Service Act, section  
8 427(a) of the Federal Coal Mine Health and Safety Act,  
9 title V, and sections 1128E and 1820 of the Social Secu-  
10 rity Act, the Health Care Quality Improvement Act of  
11 1986, as amended, the Native Hawaiian Health Care Act  
12 of 1988, as amended, the Cardiac Arrest Survival Act of  
13 2000, and the Poison Control Center Enhancement and  
14 Awareness Act, \$5,365,404,000, of which \$25,000,000  
15 from general revenues, notwithstanding section 1820(j) of  
16 the Social Security Act, shall be available for carrying out  
17 the Medicare rural hospital flexibility grants program  
18 under section 1820 of such Act: *Provided*, That of the  
19 funds made available under this heading, \$250,000 shall  
20 be available until expended for facilities renovations at the  
21 Gillis W. Long Hansen’s Disease Center: *Provided further*,  
22 That in addition to fees authorized by section 427(b) of  
23 the Health Care Quality Improvement Act of 1986, fees  
24 shall be collected for the full disclosure of information  
25 under the Act sufficient to recover the full costs of oper-

1 ating the National Practitioner Data Bank, and shall re-  
2 main available until expended to carry out that Act: *Pro-*  
3 *vided further*, That fees collected for the full disclosure of  
4 information under the “Health Care Fraud and Abuse  
5 Data Collection Program”, authorized by section  
6 1128E(d)(2) of the Social Security Act, shall be sufficient  
7 to recover the full costs of operating the program, and  
8 shall remain available until expended to carry out that  
9 Act: *Provided further*, That no more than \$25,000,000 is  
10 available for carrying out the provisions of Public Law  
11 104–73: *Provided further*, That of the funds made avail-  
12 able under this heading, \$265,275,000 shall be for the  
13 program under title X of the Public Health Service Act  
14 to provide for voluntary family planning projects: *Provided*  
15 *further*, That amounts provided to said projects under  
16 such title shall not be expended for abortions, that all  
17 pregnancy counseling shall be nondirective, and that such  
18 amounts shall not be expended for any activity (including  
19 the publication or distribution of literature) that in any  
20 way tends to promote public support or opposition to any  
21 legislative proposal or candidate for public office: *Provided*  
22 *further*, That \$639,000,000 shall be for State AIDS Drug  
23 Assistance Programs authorized by section 2616 of the  
24 Public Health Service Act: *Provided further*, That  
25 \$72,979,000 is available for special projects of regional

1 and national significance under section 501(a)(2) of the  
2 Social Security Act, which shall not be counted toward  
3 compliance with the allocation required in section  
4 502(a)(1) of such Act, and which shall be used only for  
5 making competitive grants to provide abstinence education  
6 (as defined in section 510(b)(2) of such Act) to adoles-  
7 cents and for evaluations (including longitudinal evalua-  
8 tions) of activities under the grants and for Federal costs  
9 of administering the grants: *Provided further*, That grants  
10 under the immediately preceding proviso shall be made  
11 only to public and private entities which agree that, with  
12 respect to an adolescent to whom the entities provide ab-  
13 stinence education under such grant, the entities will not  
14 provide to that adolescent any other education regarding  
15 sexual conduct, except that, in the case of an entity ex-  
16 pressly required by law to provide health information or  
17 services the adolescent shall not be precluded from seeking  
18 health information or services from the entity in a dif-  
19 ferent setting than the setting in which the abstinence  
20 education was provided: *Provided further*, That the funds  
21 expended for such evaluations may not exceed 3.5 percent  
22 of such amount.

1 HEALTH EDUCATION ASSISTANCE LOANS PROGRAM  
2 ACCOUNT

3 Such sums as may be necessary to carry out the pur-  
4 pose of the program, as authorized by title VII of the Pub-  
5 lic Health Service Act, as amended. For administrative ex-  
6 penses to carry out the guaranteed loan program, includ-  
7 ing section 709 of the Public Health Service Act,  
8 \$3,914,000.

9 VACCINE INJURY COMPENSATION PROGRAM TRUST  
10 FUND

11 For payments from the Vaccine Injury Compensation  
12 Program Trust Fund, such sums as may be necessary for  
13 claims associated with vaccine-related injury or death with  
14 respect to vaccines administered after September 30,  
15 1988, pursuant to subtitle 2 of title XXI of the Public  
16 Health Service Act, to remain available until expended:  
17 *Provided*, That for necessary administrative expenses, not  
18 to exceed \$2,991,000 shall be available from the Trust  
19 Fund to the Secretary of Health and Human Services.

20 CENTERS FOR DISEASE CONTROL AND  
21 PREVENTION

22 DISEASE CONTROL, RESEARCH, AND TRAINING

23 To carry out titles II, III, VII, XI, XV, XVII, XIX,  
24 XXI, and XXVI of the Public Health Service Act, sections  
25 101, 102, 103, 201, 202, 203, 301, and 501 of the Federal



1 Mine Safety and Health Act of 1977, sections 20, 21, and  
2 22 of the Occupational Safety and Health Act of 1970,  
3 title IV of the Immigration and Nationality Act, and sec-  
4 tion 501 of the Refugee Education Assistance Act of 1980;  
5 including insurance of official motor vehicles in foreign  
6 countries; and hire, maintenance, and operation of air-  
7 craft, \$4,058,444,000, of which \$143,763,000 for inter-  
8 national HIV/AIDS shall remain available until September  
9 30, 2004, and in addition, such sums as may be derived  
10 from authorized user fees, which shall be credited to this  
11 account: *Provided*, That in addition to amounts provided  
12 herein, up to \$46,982,000 shall be available from amounts  
13 available under section 241 of the Public Health Service  
14 Act to carry out the National Center for Health Statistics  
15 surveys: *Provided further*, That none of the funds made  
16 available for injury prevention and control at the Centers  
17 for Disease Control and Prevention may be used, in whole  
18 or in part, to advocate or promote gun control: *Provided*  
19 *further*, That the Director may redirect the total amount  
20 made available under authority of Public Law 101–502,  
21 section 3, dated November 3, 1990, to activities the Direc-  
22 tor may so designate: *Provided further*, That the Congress  
23 is to be notified promptly of any such transfer: *Provided*  
24 *further*, That not to exceed \$10,000,000 may be available

1 for making grants under section 1509 of the Public  
2 Health Service Act to not more than 15 States.

3 NATIONAL INSTITUTES OF HEALTH

4 NATIONAL CANCER INSTITUTE

5 For carrying out section 301 and title IV of the Pub-  
6 lic Health Service Act with respect to cancer,  
7 \$4,702,394,000.

8 NATIONAL HEART, LUNG, AND BLOOD INSTITUTE

9 For carrying out section 301 and title IV of the Pub-  
10 lic Health Service Act with respect to cardiovascular, lung,  
11 and blood diseases, and blood and blood products,  
12 \$2,791,411,000.

13 NATIONAL INSTITUTE OF DENTAL AND CRANIOFACIAL  
14 RESEARCH

15 For carrying out section 301 and title IV of the Pub-  
16 lic Health Service Act with respect to dental disease,  
17 \$372,167,000.

18 NATIONAL INSTITUTE OF DIABETES AND DIGESTIVE  
19 AND KIDNEY DISEASES

20 For carrying out section 301 and title IV of the Pub-  
21 lic Health Service Act with respect to diabetes and diges-  
22 tive and kidney disease, \$1,604,647,000.

1 NATIONAL INSTITUTE OF NEUROLOGICAL DISORDERS  
2 AND STROKE

3 For carrying out section 301 and title IV of the Pub-  
4 lic Health Service Act with respect to neurological dis-  
5 orders and stroke, \$1,439,405,000.

6 NATIONAL INSTITUTE OF ALLERGY AND INFECTIOUS  
7 DISEASES

8 (INCLUDING TRANSFER OF FUNDS)

9 For carrying out section 301 and title IV of the Pub-  
10 lic Health Service Act with respect to allergy and infec-  
11 tious diseases, \$3,990,473,000: *Provided*, That  
12 \$100,000,000 may be made available to International As-  
13 sistance Programs, “Global Fund to Fight HIV/AIDS,  
14 Malaria, and Tuberculosis”, to remain available until ex-  
15 pended, to further the Institute’s efforts to prevent and  
16 alleviate these diseases.

17 NATIONAL INSTITUTE OF GENERAL MEDICAL SCIENCES

18 For carrying out section 301 and title IV of the Pub-  
19 lic Health Service Act with respect to general medical  
20 sciences, \$1,879,984,000.

21 NATIONAL INSTITUTE OF CHILD HEALTH AND HUMAN  
22 DEVELOPMENT

23 For carrying out section 301 and title IV of the Pub-  
24 lic Health Service Act with respect to child health and  
25 human development, \$1,213,817,000.

## 1 NATIONAL EYE INSTITUTE

2 For carrying out section 301 and title IV of the Pub-  
3 lic Health Service Act with respect to eye diseases and  
4 visual disorders, \$629,990,000.

5 NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH  
6 SCIENCES

7 For carrying out sections 301 and 311 and title IV  
8 of the Public Health Service Act with respect to environ-  
9 mental health sciences, \$614,258,000.

## 10 NATIONAL INSTITUTE ON AGING

11 For carrying out section 301 and title IV of the Pub-  
12 lic Health Service Act with respect to aging,  
13 \$968,699,000.

14 NATIONAL INSTITUTE OF ARTHRITIS AND  
15 MUSCULOSKELETAL AND SKIN DISEASES

16 For carrying out section 301 and title IV of the Pub-  
17 lic Health Service Act with respect to arthritis and mus-  
18 culoskeletal and skin diseases, \$486,624,000.

19 NATIONAL INSTITUTE ON DEAFNESS AND OTHER  
20 COMMUNICATION DISORDERS

21 For carrying out section 301 and title IV of the Pub-  
22 lic Health Service Act with respect to deafness and other  
23 communication disorders, \$370,805,000.

1 NATIONAL INSTITUTE OF NURSING RESEARCH

2 For carrying out section 301 and title IV of the Pub-  
3 lic Health Service Act with respect to nursing research,  
4 \$130,438,000.

5 NATIONAL INSTITUTE ON ALCOHOL ABUSE AND  
6 ALCOHOLISM

7 For carrying out section 301 and title IV of the Pub-  
8 lic Health Service Act with respect to alcohol abuse and  
9 alcoholism, \$416,773,000.

10 NATIONAL INSTITUTE ON DRUG ABUSE

11 For carrying out section 301 and title IV of the Pub-  
12 lic Health Service Act with respect to drug abuse,  
13 \$964,613,000.

14 NATIONAL INSTITUTE OF MENTAL HEALTH

15 For carrying out section 301 and title IV of the Pub-  
16 lic Health Service Act with respect to mental health,  
17 \$1,353,088,000.

18 NATIONAL HUMAN GENOME RESEARCH INSTITUTE

19 For carrying out section 301 and title IV of the Pub-  
20 lic Health Service Act with respect to human genome re-  
21 search, \$465,137,000.

1 NATIONAL INSTITUTE OF BIOMEDICAL IMAGING AND  
2 BIOENGINEERING

3 For carrying out section 301 and title IV of the Pub-  
4 lic Health Service Act with respect to biomedical imaging  
5 and bioengineering research, \$121,200,000.

6 NATIONAL CENTER FOR RESEARCH RESOURCES

7 For carrying out section 301 and title IV of the Pub-  
8 lic Health Service Act with respect to research resources  
9 and general research support grants, \$1,090,272,000:  
10 *Provided*, That none of these funds shall be used to pay  
11 recipients of the general research support grants program  
12 any amount for indirect expenses in connection with such  
13 grants.

14 NATIONAL CENTER FOR COMPLEMENTARY AND  
15 ALTERNATIVE MEDICINE

16 For carrying out section 301 and title IV of the Pub-  
17 lic Health Service Act with respect to complementary and  
18 alternative medicine, \$113,249,000.

19 NATIONAL CENTER ON MINORITY HEALTH AND HEALTH  
20 DISPARITIES

21 For carrying out section 301 and title IV of the Pub-  
22 lic Health Service Act with respect to minority health and  
23 health disparities research, \$186,929,000.

## 1 JOHN E. FOGARTY INTERNATIONAL CENTER

2 For carrying out the activities at the John E.  
3 Fogarty International Center, \$63,380,000.

## 4 NATIONAL LIBRARY OF MEDICINE

5 For carrying out section 301 and title IV of the Pub-  
6 lic Health Service Act with respect to health information  
7 communications, \$310,299,000, of which \$4,000,000 shall  
8 be available until expended for improvement of informa-  
9 tion systems: *Provided*, That in fiscal year 2003, the Li-  
10 brary may enter into personal services contracts for the  
11 provision of services in facilities owned, operated, or con-  
12 structed under the jurisdiction of the National Institutes  
13 of Health.

## 14 OFFICE OF THE DIRECTOR

15 (INCLUDING TRANSFER OF FUNDS)

16 For carrying out the responsibilities of the Office of  
17 the Director, National Institutes of Health, \$255,074,000,  
18 of which \$58,040,000 shall be for the Office of AIDS Re-  
19 search: *Provided*, That funding shall be available for the  
20 purchase of not to exceed 29 passenger motor vehicles for  
21 replacement only: *Provided further*, That the Director may  
22 direct up to 1 percent of the total amount made available  
23 in this or any other Act to all National Institutes of  
24 Health appropriations to activities the Director may so  
25 designate: *Provided further*, That no such appropriation

1 shall be decreased by more than 1 percent by any such  
2 transfers and that the Congress is promptly notified of  
3 the transfer: *Provided further*, That the National Insti-  
4 tutes of Health is authorized to collect third party pay-  
5 ments for the cost of clinical services that are incurred  
6 in National Institutes of Health research facilities and  
7 that such payments shall be credited to the National Insti-  
8 tutes of Health Management Fund: *Provided further*, That  
9 all funds credited to the National Institutes of Health  
10 Management Fund shall remain available for 1 fiscal year  
11 after the fiscal year in which they are deposited.

12 BUILDINGS AND FACILITIES

13 (INCLUDING TRANSFER OF FUNDS)

14 For the study of, construction of, renovation of, and  
15 acquisition of equipment for, facilities of or used by the  
16 National Institutes of Health, including the acquisition of  
17 real property, \$632,800,000, to remain available until ex-  
18 pended.

19 SUBSTANCE ABUSE AND MENTAL HEALTH

20 SERVICES ADMINISTRATION

21 SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES

22 For carrying out titles V and XIX of the Public  
23 Health Service Act with respect to substance abuse and  
24 mental health services, the Protection and Advocacy for  
25 Mentally Ill Individuals Act of 1986, and section 301 of



1 the Public Health Service Act with respect to program  
2 management, \$3,193,086,000.

3 AGENCY FOR HEALTHCARE RESEARCH AND  
4 QUALITY  
5 HEALTHCARE RESEARCH AND QUALITY

6 For carrying out titles III and IX of the Public  
7 Health Service Act, and part A of title XI of the Social  
8 Security Act, amounts received from Freedom of Informa-  
9 tion Act fees, reimbursable and interagency agreements,  
10 and the sale of data shall be credited to this appropriation  
11 and shall remain available until expended: *Provided*, That  
12 the amount made available pursuant to section 927(c) of  
13 the Public Health Service Act shall not exceed  
14 \$250,000,000.

15 CENTERS FOR MEDICARE AND MEDICAID  
16 SERVICES  
17 GRANTS TO STATES FOR MEDICAID

18 For carrying out, except as otherwise provided, titles  
19 XI and XIX of the Social Security Act, \$112,090,218,000,  
20 to remain available until expended.

21 For making, after May 31, 2003, payments to States  
22 under title XIX of the Social Security Act for the last  
23 quarter of fiscal year 2003 for unanticipated costs, in-  
24 curred for the current fiscal year, such sums as may be  
25 necessary.

1 For making payments to States or in the case of sec-  
2 tion 1928 on behalf of States under title XIX of the Social  
3 Security Act for the first quarter of fiscal year 2004,  
4 \$51,861,386,000, to remain available until expended.

5 Payment under title XIX may be made for any quar-  
6 ter with respect to a State plan or plan amendment in  
7 effect during such quarter, if submitted in or prior to such  
8 quarter and approved in that or any subsequent quarter.

#### 9 PAYMENTS TO HEALTH CARE TRUST FUNDS

10 For payment to the Federal Hospital Insurance and  
11 the Federal Supplementary Medical Insurance Trust  
12 Funds, as provided under section 1844 of the Social Secu-  
13 rity Act, sections 103(c) and 111(d) of the Social Security  
14 Amendments of 1965, section 278(d) of Public Law 97–  
15 248, and for administrative expenses incurred pursuant  
16 to section 201(g) of the Social Security Act,  
17 \$81,462,700,000.

#### 18 PROGRAM MANAGEMENT

19 For carrying out, except as otherwise provided, titles  
20 XI, XVIII, XIX, and XXI of the Social Security Act, titles  
21 XIII and XXVII of the Public Health Service Act, and  
22 the Clinical Laboratory Improvement Amendments of  
23 1988, not to exceed \$2,507,914,000, to be transferred  
24 from the Federal Hospital Insurance and the Federal Sup-  
25 plementary Medical Insurance Trust Funds, as authorized

1 by section 201(g) of the Social Security Act; together with  
2 all funds collected in accordance with section 353 of the  
3 Public Health Service Act and section 1857(e)(2) of the  
4 Social Security Act, and such sums as may be collected  
5 from authorized user fees and the sale of data, which shall  
6 remain available until expended, and together with admin-  
7 istrative fees collected relative to Medicare overpayment  
8 recovery activities, which shall remain available until ex-  
9 pended: *Provided*, That all funds derived in accordance  
10 with 31 U.S.C. 9701 from organizations established under  
11 title XIII of the Public Health Service Act shall be cred-  
12 ited to and available for carrying out the purposes of this  
13 appropriation: *Provided further*, That from amounts ap-  
14 propriated under this heading, \$3,000,000 for the man-  
15 aged care system redesign shall remain available until ex-  
16 pended: *Provided further*, That \$51,000,000, to remain  
17 available until September 30, 2004, is for contract costs  
18 for the Healthcare Integrated General Ledger Accounting  
19 System: *Provided further*, That the Secretary of Health  
20 and Human Services is directed to collect fees in fiscal  
21 year 2003 from Medicare + Choice organizations pursuant  
22 to section 1857(e)(2) of the Social Security Act and from  
23 eligible organizations with risk-sharing contracts under  
24 section 1876 of that Act pursuant to section  
25 1876(k)(4)(D) of that Act.

1 HEALTH MAINTENANCE ORGANIZATION LOAN AND LOAN  
2 GUARANTEE FUND

3 For carrying out subsections (d) and (e) of section  
4 1308 of the Public Health Service Act, any amounts re-  
5 ceived by the Secretary in connection with loans and loan  
6 guarantees under title XIII of the Public Health Service  
7 Act, to be available without fiscal year limitation for the  
8 payment of outstanding obligations. During fiscal year  
9 2003, no commitments for direct loans or loan guarantees  
10 shall be made.

11 ADMINISTRATION FOR CHILDREN AND FAMILIES

12 PAYMENTS TO STATES FOR CHILD SUPPORT

13 ENFORCEMENT AND FAMILY SUPPORT PROGRAMS

14 For making payments to States or other non-Federal  
15 entities under titles I, IV–D, X, XI, XIV, and XVI of the  
16 Social Security Act and the Act of July 5, 1960 (24  
17 U.S.C. ch. 9), \$2,475,800,000, to remain available until  
18 expended; and for such purposes for the first quarter of  
19 fiscal year 2004, \$1,100,000,000, to remain available until  
20 expended.

21 For making payments to each State for carrying out  
22 the program of Aid to Families with Dependent Children  
23 under title IV–A of the Social Security Act before the ef-  
24 fective date of the program of Temporary Assistance to  
25 Needy Families (TANF) with respect to such State, such

1 sums as may be necessary: *Provided*, That the sum of the  
2 amounts available to a State with respect to expenditures  
3 under such title IV–A in fiscal year 1997 under this ap-  
4 propriation and under such title IV–A as amended by the  
5 Personal Responsibility and Work Opportunity Reconcili-  
6 ation Act of 1996 shall not exceed the limitations under  
7 section 116(b) of such Act.

8       For making, after May 31 of the current fiscal year,  
9 payments to States or other non-Federal entities under  
10 titles I, IV–D, X, XI, XIV, and XVI of the Social Security  
11 Act and the Act of July 5, 1960 (24 U.S.C. ch. 9), for  
12 the last 3 months of the current fiscal year for unantici-  
13 pated costs, incurred for the current fiscal year, such sums  
14 as may be necessary.

15           LOW INCOME HOME ENERGY ASSISTANCE

16       For making payments under title XXVI of the Omni-  
17 bus Budget Reconciliation Act of 1981, \$1,400,000,000.

18       For making payments under title XXVI of the Omni-  
19 bus Budget Reconciliation Act of 1981, \$300,000,000:  
20 *Provided*, That these funds are for the unanticipated home  
21 energy assistance needs of one or more States, as author-  
22 ized by section 2604(e) of the Act, and notwithstanding  
23 the designation requirement of section 2602(e).

## 1                    REFUGEE AND ENTRANT ASSISTANCE

2            For making payments for refugee and entrant assist-  
3    ance activities authorized by title IV of the Immigration  
4    and Nationality Act and section 501 of the Refugee Edu-  
5    cation Assistance Act of 1980 (Public Law 96-422),  
6    \$442,724,000: *Provided*, That funds appropriated pursu-  
7    ant to section 414(a) of the Immigration and Nationality  
8    Act for fiscal year 2003 shall be available for the costs  
9    of assistance provided and other activities through Sep-  
10    tember 30, 2005: *Provided further*, That up to  
11    \$10,000,000 is available to carry out the Trafficking Vic-  
12    tims Protection Act of 2000.

13           For carrying out section 5 of the Torture Victims Re-  
14    lief Act of 1998 (Public Law 105-320), \$10,000,000.

## 15           PAYMENTS TO STATES FOR THE CHILD CARE AND

## 16                    DEVELOPMENT BLOCK GRANT

17           For carrying out sections 658A through 658R of the  
18    Omnibus Budget Reconciliation Act of 1981 (The Child  
19    Care and Development Block Grant Act of 1990),  
20    \$2,099,994,000 shall be used to supplement, not supplant  
21    state general revenue funds for child care assistance for  
22    low-income families: *Provided*, That \$19,120,000 shall be  
23    available for child care resource and referral and school-  
24    aged child care activities, of which \$1,000,000 shall be for  
25    the Child Care Aware toll free hotline: *Provided further*,

1 That, in addition to the amounts required to be reserved  
2 by the States under section 658G, \$272,672,000 shall be  
3 reserved by the States for activities authorized under sec-  
4 tion 658G, of which \$100,000,000 shall be for activities  
5 that improve the quality of infant and toddler care: *Pro-*  
6 *vided further*, That \$10,000,000 shall be for use by the  
7 Secretary for child care research, demonstration, and eval-  
8 uation activities.

9 SOCIAL SERVICES BLOCK GRANT

10 For making grants to States pursuant to section  
11 2002 of the Social Security Act, \$1,700,000,000.

12 CHILDREN AND FAMILIES SERVICES PROGRAMS

13 For carrying out, except as otherwise provided, the  
14 Runaway and Homeless Youth Act, the Developmental  
15 Disabilities Assistance and Bill of Rights Act, the Head  
16 Start Act, the Child Abuse Prevention and Treatment Act,  
17 sections 310 and 316 of the Family Violence Prevention  
18 and Services Act, as amended, the Native American Pro-  
19 grams Act of 1974, title II of Public Law 95–266 (adop-  
20 tion opportunities), the Adoption and Safe Families Act  
21 of 1997 (Public Law 105–89), sections 1201 and 1211  
22 of the Children’s Health Act of 2000, the Abandoned In-  
23 fants Assistance Act of 1988, sections 413, 429A, 1110,  
24 and 1115 of the Social Security Act, and sections 40155,  
25 40211, and 40241 of Public Law 103–322; for making

1 payments under the Community Services Block Grant Act,  
2 section 473A of the Social Security Act, and title IV of  
3 Public Law 105–285, and for necessary administrative ex-  
4 penses to carry out said Acts and titles I, IV, X, XI, XIV,  
5 XVI, and XX of the Social Security Act, the Act of July  
6 5, 1960 (24 U.S.C. ch. 9), the Omnibus Budget Reconcili-  
7 ation Act of 1981, title IV of the Immigration and Nation-  
8 ality Act, section 501 of the Refugee Education Assistance  
9 Act of 1980, section 5 of the Torture Victims Relief Act  
10 of 1998 (Public Law 105–320), sections 40155, 40211,  
11 and 40241 of Public Law 103–322, sections 310 and 316  
12 of the Family Violence Prevention and Services Act, as  
13 amended, and section 126 and titles IV and V of Public  
14 Law 100–485, \$8,593,364,000, of which \$43,000,000, to  
15 remain available until September 30, 2004, shall be for  
16 grants to States for adoption incentive payments, as au-  
17 thorized by section 473A of title IV of the Social Security  
18 Act (42 U.S.C. 670–679) and may be made for adoptions  
19 completed in fiscal years 2001 and 2002; of which  
20 \$640,325,000 shall be for making payments under the  
21 Community Services Block Grant Act; and of which  
22 \$6,667,533,000 shall be for making payments under the  
23 Head Start Act, of which \$1,400,000,000 shall become  
24 available October 1, 2003 and remain available through  
25 September 30, 2004: *Provided*, That to the extent Com-



1 munity Services Block Grant funds are distributed as  
2 grant funds by a State to an eligible entity as provided  
3 under the Act, and have not been expended by such entity,  
4 they shall remain with such entity for carryover into the  
5 next fiscal year for expenditure by such entity consistent  
6 with program purposes: *Provided further*, That all eligible  
7 entities currently in good standing in the Community  
8 Services Block Grant program shall receive an increase in  
9 funding proportionate to the increase provided in this Act  
10 for the Community Services Block Grant: *Provided fur-*  
11 *ther*, That \$88,133,000 shall be for activities authorized  
12 by the Runaway and Homeless Youth Act, notwith-  
13 standing the allocation requirements of section 388(a) of  
14 such Act, of which \$39,739,900 is for the transitional liv-  
15 ing program: *Provided further*, That \$100,000,000 is for  
16 a compassion capital fund to provide grants to charitable  
17 organizations to emulate model social service programs  
18 and to encourage research on the best practices of social  
19 service organizations: *Provided further*, That the Secretary  
20 shall establish procedures regarding the disposition of in-  
21 tangible property which permits grant funds, or intangible  
22 assets acquired with funds authorized under section 680  
23 of the Community Services Block Grant Act, as amended,  
24 to become the sole property of such grantees after a period  
25 of not more than 12 years after the end of the grant for

1 purposes and uses consistent with the original grant: *Pro-*  
2 *vided further*, That funds appropriated for section  
3 680(a)(2) of the Community Services Block Grant Act,  
4 as amended, shall be available for financing construction  
5 and rehabilitation and loans or investments in private  
6 business enterprises owned by community development  
7 corporations.

8 PROMOTING SAFE AND STABLE FAMILIES

9 For carrying out section 436 of the Social Security  
10 Act, \$305,000,000; for section 437, \$200,000,000; and  
11 for section 439, \$25,000,000.

12 PAYMENTS TO STATES FOR FOSTER CARE AND  
13 ADOPTION ASSISTANCE

14 For making payments to States or other non-Federal  
15 entities under title IV–E of the Social Security Act,  
16 \$4,855,000,000. In addition, for carrying out section  
17 477(i), \$60,000,000.

18 For making payments to States or other non-Federal  
19 entities under title IV–E of the Act, for the first quarter  
20 of fiscal year 2004, \$1,745,600,000.

21 For making, after May 31 of the current fiscal year,  
22 payments to States or other non-Federal entities under  
23 section 474 of title IV–E, for the last 3 months of the  
24 current fiscal year for unanticipated costs, incurred for the  
25 current fiscal year, such sums as may be necessary.

1                   ADMINISTRATION ON AGING  
2                   AGING SERVICES PROGRAMS

3           For carrying out, to the extent not otherwise pro-  
4 vided, the Older Americans Act of 1965, as amended, and  
5 section 398 of the Public Health Service Act,  
6 \$1,341,344,000, of which \$5,000,000 shall be available for  
7 activities regarding medication management, screening,  
8 and education to prevent incorrect medication and adverse  
9 drug reactions; and of which \$149,670,000 shall be allo-  
10 cated to States consistent with the formula in section 311  
11 of the Older Americans Act of 1965.

12                   OFFICE OF THE SECRETARY  
13                   GENERAL DEPARTMENTAL MANAGEMENT

14           For necessary expenses, not otherwise provided, for  
15 general departmental management, including hire of six  
16 sedans, and for carrying out titles III, XVII, and XX of  
17 the Public Health Service Act, and the United States-Mex-  
18 ico Border Health Commission Act, \$378,544,000, to-  
19 gether with \$5,851,000 to be transferred and expended  
20 as authorized by section 201(g)(1) of the Social Security  
21 Act from the Hospital Insurance Trust Fund and the Sup-  
22 plemental Medical Insurance Trust Fund; and  
23 \$52,951,000 to be transferred from the accounts of the  
24 National Institutes of Health and \$1,610,000 to be trans-  
25 ferred from “Healthcare Research and Quality” for car-

1 rying out public affairs and legislative affairs activities of  
2 the National Institutes of Health and the Agency for  
3 Healthcare Research and Quality, respectively: *Provided*,  
4 That of the funds made available under this heading for  
5 carrying out title XX of the Public Health Service Act,  
6 \$11,885,000 shall be for activities specified under section  
7 2003(b)(2), of which \$10,157,000 shall be for prevention  
8 service demonstration grants under section 510(b)(2) of  
9 title V of the Social Security Act, as amended, without  
10 application of the limitation of section 2010(c) of said title  
11 XX: *Provided further*, That of this amount, \$50,000,000  
12 is for minority AIDS prevention and treatment activities;  
13 and \$20,000,000 shall be for an Information Technology  
14 Security and Innovation Fund for Department-wide activi-  
15 ties involving cybersecurity, information technology secu-  
16 rity, and related innovation projects.

17 OFFICE OF INSPECTOR GENERAL

18 For expenses necessary for the Office of Inspector  
19 General in carrying out the provisions of the Inspector  
20 General Act of 1978, as amended, \$39,747,000: *Provided*,  
21 That, of such amount, necessary sums are available for  
22 providing protective services to the Secretary and inves-  
23 tigating non-payment of child support cases for which non-  
24 payment is a Federal offense under 18 U.S.C. 228.

## 1 OFFICE FOR CIVIL RIGHTS

2 For expenses necessary for the Office for Civil  
3 Rights, \$30,328,000, together with not to exceed  
4 \$3,314,000 to be transferred and expended as authorized  
5 by section 201(g)(1) of the Social Security Act from the  
6 Hospital Insurance Trust Fund and the Supplemental  
7 Medical Insurance Trust Fund.

## 8 POLICY RESEARCH

9 For carrying out, to the extent not otherwise pro-  
10 vided, research studies under section 1110 of the Social  
11 Security Act and title III of the Public Health Service Act,  
12 \$2,499,000: *Provided*, That in addition to amounts pro-  
13 vided herein, \$18,000,000 shall be available from amounts  
14 available under section 241 of the Public Health Service  
15 Act to carry out national health or human services re-  
16 search and evaluation activities: *Provided further*, That the  
17 expenditure of any funds available under section 241 of  
18 the Public Health Service Act are subject to the require-  
19 ments of section 205 of this Act.

## 20 MEDICAL BENEFITS FOR COMMISSIONED OFFICERS

21 For medical benefits of Public Health Service Com-  
22 missioned Officers as authorized by law, and for medical  
23 care of dependents and retired personnel under the De-  
24 pendants' Medical Care Act (10 U.S.C. ch. 55), such  
25 amounts as may be required during the current fiscal year.

1 HEALTH FACILITIES CONSTRUCTION AND MANAGEMENT  
2 FUND

3 For the study of, construction of, renovation of, and  
4 acquisition of equipment for, facilities of the Centers for  
5 Disease Control and Prevention and the National Insti-  
6 tutes of Health, including the acquisition of real property,  
7 as well as extramural facilities construction grants and se-  
8 curity improvements for Federal and non-Federal labora-  
9 tories, \$1,056,980,000, to remain available until ex-  
10 pended, of which \$632,800,000 shall be derived by trans-  
11 fer from the NIH Buildings and Facilities account,  
12 \$150,000,000 shall be derived by transfer from the Na-  
13 tional Institute of Allergy and Infectious Diseases account  
14 and is for extramural bioterrorism and infectious disease  
15 research facility construction and renovation: \$5,000,000  
16 shall be derived by transfer from the National Cancer In-  
17 stitute account; \$8,180,000 shall be derived by transfer  
18 from the National Center for Minority Health and Health  
19 Disparities account; and \$77,000,000 shall be derived by  
20 transfer from the National Center for Research Resources  
21 account: *Provided*, That after notice thereof is transmitted  
22 to Congress, the Secretary of HHS may transfer funds  
23 in this account among the purposes and activities of the  
24 account.

1 PUBLIC HEALTH AND SOCIAL SERVICES EMERGENCY

2 FUND

3 For expenses necessary to support activities related  
4 to countering potential biological, disease and chemical  
5 threats to civilian populations, \$2,295,184,000.

6 GENERAL PROVISIONS

7 SEC. 201. Funds appropriated in this title shall be  
8 available for not to exceed \$37,000 for official reception  
9 and representation expenses when specifically approved by  
10 the Secretary.

11 SEC. 202. The Secretary shall make available through  
12 assignment not more than 60 employees of the Public  
13 Health Service to assist in child survival activities and to  
14 work in AIDS programs through and with funds provided  
15 by the Agency for International Development, the United  
16 Nations International Children's Emergency Fund or the  
17 World Health Organization.

18 SEC. 203. None of the funds appropriated under this  
19 Act may be used to implement section 399F(b) of the Pub-  
20 lic Health Service Act or section 1503 of the National In-  
21 stitutes of Health Revitalization Act of 1993, Public Law  
22 103-43.

23 SEC. 204. None of the funds appropriated in this Act  
24 for the National Institutes of Health, the Agency for  
25 Healthcare Research and Quality, and the Substance

1 Abuse and Mental Health Services Administration shall  
2 be used to pay the salary of an individual, through a grant  
3 or other extramural mechanism, at a rate in excess of Ex-  
4 ecutive Level II.

5       SEC. 205. None of the funds appropriated in this Act  
6 may be expended pursuant to section 241 of the Public  
7 Health Service Act, except for funds specifically provided  
8 for in this Act, or for other taps and assessments made  
9 by any office located in the Department of Health and  
10 Human Services, prior to the Secretary's preparation and  
11 submission of a report to the Committee on Appropria-  
12 tions of the Senate and of the House detailing the planned  
13 uses of such funds.

14       SEC. 206. Notwithstanding section 241(a) of the  
15 Public Health Service Act, such portion as the Secretary  
16 shall determine, but not more than 1.25 percent, of any  
17 amounts appropriated for programs authorized under said  
18 Act shall be made available for the evaluation (directly,  
19 or by grants or contracts) of the implementation and effec-  
20 tiveness of such programs.

21       SEC. 207. The Director of the National Institutes of  
22 Health, jointly with the Director of the Office of AIDS  
23 Research, may transfer up to 3 percent among institutes,  
24 centers, and divisions from the total amounts identified  
25 by these two Directors as funding for research pertaining



1 to the human immunodeficiency virus: *Provided*, That the  
2 Congress is promptly notified of the transfer.

3       SEC. 208. Of the amounts made available in this Act  
4 for the National Institutes of Health, the amount for re-  
5 search related to the human immunodeficiency virus, as  
6 jointly determined by the Director of the National Insti-  
7 tutes of Health and the Director of the Office of AIDS  
8 Research, shall be made available to the “Office of AIDS  
9 Research” account. The Director of the Office of AIDS  
10 Research shall transfer from such account amounts nec-  
11 essary to carry out section 2353(d)(3) of the Public  
12 Health Service Act.

13       SEC. 209. None of the funds appropriated in this Act  
14 may be made available to any entity under title X of the  
15 Public Health Service Act unless the applicant for the  
16 award certifies to the Secretary that it encourages family  
17 participation in the decision of minors to seek family plan-  
18 ning services and that it provides counseling to minors on  
19 how to resist attempts to coerce minors into engaging in  
20 sexual activities.

21       SEC. 210. None of the funds appropriated by this Act  
22 (including funds appropriated to any trust fund) may be  
23 used to carry out the Medicare+Choice program if the  
24 Secretary denies participation in such program to an oth-  
25 erwise eligible entity (including a Provider Sponsored Or-

1 ganization) because the entity informs the Secretary that  
2 it will not provide, pay for, provide coverage of, or provide  
3 referrals for abortions: *Provided*, That the Secretary shall  
4 make appropriate prospective adjustments to the capita-  
5 tion payment to such an entity (based on an actuarially  
6 sound estimate of the expected costs of providing the serv-  
7 ice to such entity's enrollees): *Provided further*, That noth-  
8 ing in this section shall be construed to change the Medi-  
9 care program's coverage for such services and a  
10 Medicare+Choice organization described in this section  
11 shall be responsible for informing enrollees where to obtain  
12 information about all Medicare covered services.

13 SEC. 211. Notwithstanding any other provision of  
14 law, no provider of services under title X of the Public  
15 Health Service Act shall be exempt from any State law  
16 requiring notification or the reporting of child abuse, child  
17 molestation, sexual abuse, rape, or incest.

18 SEC. 212. (a) Except as provided by subsection (e)  
19 none of the funds appropriated by this Act may be used  
20 to withhold substance abuse funding from a State pursu-  
21 ant to section 1926 of the Public Health Service Act (42  
22 U.S.C. 300x-26) if such State certifies to the Secretary  
23 of Health and Human Services by May 1, 2003 that the  
24 State will commit additional State funds, in accordance  
25 with subsection (b), to ensure compliance with State laws

1 prohibiting the sale of tobacco products to individuals  
2 under 18 years of age.

3 (b) The amount of funds to be committed by a State  
4 under subsection (a) shall be equal to 1 percent of such  
5 State's substance abuse block grant allocation for each  
6 percentage point by which the State misses the retailer  
7 compliance rate goal established by the Secretary of  
8 Health and Human Services under section 1926 of such  
9 Act.

10 (c) The State is to maintain State expenditures in  
11 fiscal year 2003 for tobacco prevention programs and for  
12 compliance activities at a level that is not less than the  
13 level of such expenditures maintained by the State for fis-  
14 cal year 2002, and adding to that level the additional  
15 funds for tobacco compliance activities required under  
16 subsection (a). The State is to submit a report to the Sec-  
17 retary on all fiscal year 2002 State expenditures and all  
18 fiscal year 2003 obligations for tobacco prevention and  
19 compliance activities by program activity by July 31,  
20 2003.

21 (d) The Secretary shall exercise discretion in enforce-  
22 ing the timing of the State obligation of the additional  
23 funds required by the certification described in subsection  
24 (a) as late as July 31, 2003.

1 (e) None of the funds appropriated by this Act may  
2 be used to withhold substance abuse funding pursuant to  
3 section 1926 from a territory that receives less than  
4 \$1,000,000.

5 SEC. 213. In order for the Centers for Disease Con-  
6 trol and Prevention to carry out international health ac-  
7 tivities, including HIV/AIDS and other infectious disease,  
8 chronic and environmental disease, and other health ac-  
9 tivities abroad during fiscal year 2003, the Secretary of  
10 Health and Human Services is authorized to—

11 (1) utilize the authorities contained in sub-  
12 section 2(c) of the State Department Basic Authori-  
13 ties Act of 1956, as amended; and

14 (2) utilize the authorities contained in 22  
15 U.S.C. 291 and 292 and directly or through contract  
16 or cooperative agreement to lease, alter or renovate  
17 facilities in foreign countries, to carry out programs  
18 supported by this appropriation notwithstanding  
19 PHS Act section 307.

20 In exercising the authority set forth in paragraphs (1) and  
21 (2), the Secretary of Health and Human Services shall  
22 consult with the Department of State to assure that  
23 planned activities are within the legal strictures of the  
24 State Department Basic Authorities Act of 1956, as

1 amended, and other applicable parts of title 22, United  
2 States Code.

3 SEC. 214. The Division of Federal Occupational  
4 Health may utilize personal services contracting to employ  
5 professional management/administrative and occupational  
6 health professionals.

7 SEC. 215. Of funds appropriated in this Act and  
8 awarded to a State under the Public Health Service Act  
9 and title V of the Social Security Act, each State may  
10 transfer up to 20 percent of such funds between such  
11 grants: *Provided*, That funds for a single grant shall not  
12 be increased by more than 50 percent above the original  
13 grant award amount: *Provided further*, That a State exer-  
14 cising this transfer authority must notify the Secretary of  
15 Health and Human Services in writing at least 30 days  
16 prior to implementing such a transfer: *Provided further*,  
17 That the Secretary of Health and Human Services shall  
18 issue guidance to implement this transfer authority.

19 SEC. 216. With the funds appropriated to the Na-  
20 tional Institutes of Health in this Act, NIH is authorized  
21 to obligate in fiscal year 2003 the full multi-year cost of  
22 a grant or contract that is awarded in that year, and any  
23 funds which may be deobligated subsequently shall remain  
24 available until expended for the same purposes.

## (TRANSFER OF FUNDS)

1  
2 SEC. 217. Not to exceed 3 percent of any discre-  
3 tionary funds (pursuant to the Balanced Budget and  
4 Emergency Deficit Control Act of 1985, as amended)  
5 which are appropriated for the current fiscal year for the  
6 Department of Health and Human Services in this Act  
7 may be transferred between appropriations, but no such  
8 appropriation shall be increased by more than 10 percent  
9 by any such transfer: *Provided*, That the Appropriations  
10 Committees of both Houses of Congress are notified at  
11 least 15 days in advance of any transfer.

## TITLE III—DEPARTMENT OF EDUCATION

## EDUCATION FOR THE DISADVANTAGED

12  
13  
14 For carrying out title I of the Elementary and Sec-  
15 ondary Education Act of 1965 (“ESEA”) and section  
16 418A of the Higher Education Act of 1965,  
17 \$13,385,400,000, of which \$5,842,199,000 shall become  
18 available on July 1, 2003, and shall remain available  
19 through September 30, 2004, and of which  
20 \$7,383,301,000 shall become available on October 1,  
21 2003, and shall remain available through September 30,  
22 2004, for academic year 2003–2004: *Provided*, That  
23 \$235,000,000 shall be available for comprehensive school  
24 reform grants under part F of the ESEA: *Provided fur-*  
25 *ther*, That \$7,172,971,000 shall be available for basic

1 grants under section 1124: *Provided further*, That up to  
2 \$3,500,000 of these funds shall be available to the Sec-  
3 retary of Education on October 1, 2002, to obtain updated  
4 local educational-agency-level census poverty data from  
5 the Bureau of the Census: *Provided further*, That  
6 \$1,365,031,000 shall be available for concentration grants  
7 under section 1124A: *Provided further*, That  
8 \$2,018,499,000 shall be available for targeted grants  
9 under section 1125: *Provided further*, That \$793,499,000  
10 shall be available for education finance incentive grants  
11 under section 1125A.

12 IMPACT AID

13 For carrying out programs of financial assistance to  
14 federally affected schools authorized by title VIII of the  
15 Elementary and Secondary Education Act of 1965,  
16 \$1,140,500,000, of which \$982,500,000 shall be for basic  
17 support payments under section 8003(b), \$50,000,000  
18 shall be for payments for children with disabilities under  
19 section 8003(d), \$45,000,000 shall be for construction  
20 under section 8007 and shall remain available through  
21 September 30, 2004, \$55,000,000 shall be for Federal  
22 property payments under section 8002, and \$8,000,000,  
23 to remain available until expended, shall be for facilities  
24 maintenance under section 8008.

## 1 SCHOOL IMPROVEMENT PROGRAMS

2 For carrying out school improvement activities au-  
3 thorized by titles II, IV, V, subpart 1 of part A of title  
4 VI, and parts B and C of title VII of the Elementary and  
5 Secondary Education Act of 1965 (“ESEA”); the McKin-  
6 ney-Vento Homeless Assistance Act; and the Civil Rights  
7 Act of 1964, \$6,784,484,000, of which \$500,000,000 shall  
8 become available October 1, 2002, and shall remain avail-  
9 able through September 30, 2004, of which  
10 \$3,579,517,000 shall become available on July 1, 2003,  
11 and remain available through September 30, 2004, and  
12 of which \$1,765,000,000 shall become available on Octo-  
13 ber 1, 2003, and shall remain available through September  
14 30, 2004, for academic year 2003–2004: *Provided*, That  
15 of the funds made available for subpart 2 of part A of  
16 title IV of the ESEA, \$10,000,000, to remain available  
17 until expended, shall be for the Project School Emergency  
18 Response to Violence program to provide education-related  
19 services to local educational agencies in which the learning  
20 environment has been disrupted due to a violent or trau-  
21 matic crisis: *Provided further*, That \$387,000,000 shall be  
22 for subpart 1 of part A of title VI of the ESEA.



## 1 INDIAN EDUCATION

2 For expenses necessary to carry out, to the extent  
3 not otherwise provided, title VII, part A of the Elementary  
4 and Secondary Education Act of 1965, \$122,368,000.

## 5 ENGLISH LANGUAGE ACQUISITION

6 For carrying out title III, part A of the ESEA,  
7 \$665,000,000, of which \$469,000,000 shall become avail-  
8 able on July 1, 2003, and shall remain available through  
9 September 30, 2004.

## 10 SPECIAL EDUCATION

11 For carrying out the Individuals with Disabilities  
12 Education Act, \$9,687,804,000, of which \$4,335,233,000  
13 shall become available for obligation on July 1, 2003, and  
14 shall remain available through September 30, 2004, and  
15 of which \$5,072,000,000 shall become available on Octo-  
16 ber 1, 2003, and shall remain available through September  
17 30, 2004, for academic year 2003–2004: *Provided*, That  
18 the amount for section 611(c) of the Act shall be equal  
19 to the amount available for that section in the Department  
20 of Education Appropriations Act, 2002, increased by the  
21 amount of inflation as specified in section 611(f)(1)(B)(ii)  
22 of the Act.

## 23 REHABILITATION SERVICES AND DISABILITY RESEARCH

24 For carrying out, to the extent not otherwise pro-  
25 vided, the Rehabilitation Act of 1973, the Assistive Tech-

1 nology Act of 1998, and the Helen Keller National Center  
2 Act, \$3,001,840,000, of which \$45,218,000 shall remain  
3 available through September 30, 2004, of which  
4 \$30,000,000 shall be used to make awards to State Voca-  
5 tional Rehabilitation agencies based on their performance  
6 under the Vocational Rehabilitation State Grants program  
7 as determined by the Secretary: *Provided*, That funds  
8 available under the Vocational Rehabilitation State Grants  
9 program may be used by State Vocational Rehabilitation  
10 agencies to pay for the fiscal year 2003 continuation costs  
11 of projects funded in fiscal year 2002 under title VI, Part  
12 A of the Rehabilitation Act: *Provided further*, That the  
13 funds provided for title I of the Assistive Technology Act  
14 of 1998 (“the AT Act”) shall be allocated notwithstanding  
15 section 105(b)(1) of the AT Act: *Provided further*, That  
16 each State shall be provided \$50,000 for activities under  
17 section 102 of the AT Act: *Provided further*, That  
18 \$15,218,000 shall be used to support grants for up to 3  
19 years to States under title III of the AT Act, of which  
20 the Federal share shall not exceed 75 percent in the first  
21 year, 50 percent in the second year, and 25 percent in  
22 the third year, and that the requirements in section  
23 301(c)(2) and section 302 of that Act shall not apply to  
24 such grants.

1           SPECIAL INSTITUTIONS FOR PERSONS WITH  
2                                   DISABILITIES  
3           AMERICAN PRINTING HOUSE FOR THE BLIND

4           For carrying out the Act of March 3, 1879, as  
5 amended (20 U.S.C. 101 et seq.), \$14,000,000.

6           NATIONAL TECHNICAL INSTITUTE FOR THE DEAF

7           For the National Technical Institute for the Deaf  
8 under titles I and II of the Education of the Deaf Act  
9 of 1986 (20 U.S.C. 4301 et seq.), \$52,014,000, of which  
10 \$1,600,000 shall be for construction and shall remain  
11 available until expended, and of which not less than  
12 \$1,000,000 shall be used for the endowment program as  
13 authorized under section 207: *Provided*, That such  
14 \$1,000,000 is available until expended.

15                                   GALLAUDET UNIVERSITY

16           For the Kendall Demonstration Elementary School,  
17 the Model Secondary School for the Deaf, and the partial  
18 support of Gallaudet University under titles I and II of  
19 the Education of the Deaf Act of 1986 (20 U.S.C. 4301  
20 et seq.), \$94,446,000, of which not less than \$1,000,000  
21 shall be used for the endowment program as authorized  
22 under section 207: *Provided*, That such \$1,000,000 is  
23 available until expended.

## 1 VOCATIONAL AND ADULT EDUCATION

2 For carrying out, to the extent not otherwise pro-  
3 vided, the Carl D. Perkins Vocational and Applied Tech-  
4 nology Education Act, and the Adult Education and Fam-  
5 ily Literacy Act, \$1,897,560,000 of which \$1,100,060,000  
6 shall become available on July 1, 2003 and shall remain  
7 available through September 30, 2004 and of which  
8 \$791,000,000 shall become available on October 1, 2003  
9 and shall remain available through September 30, 2004:  
10 *Provided*, That of the amount provided for Adult Edu-  
11 cation State Grants, \$70,000,000 shall be made available  
12 for integrated English literacy and civics education serv-  
13 ices to immigrants and other limited English proficient  
14 populations: *Provided further*, That of the amount re-  
15 served for integrated English literacy and civics education,  
16 notwithstanding section 211 of the Adult Education and  
17 Family Literacy Act, 65 percent shall be allocated to  
18 States based on a State's absolute need as determined by  
19 calculating each State's share of a 10-year average of the  
20 Immigration and Naturalization Service data for immi-  
21 grants admitted for legal permanent residence for the 10  
22 most recent years, and 35 percent allocated to States that  
23 experienced growth as measured by the average of the 3  
24 most recent years for which Immigration and Naturaliza-  
25 tion Service data for immigrants admitted for legal perma-

1 nent residence are available, except that no State shall be  
2 allocated an amount less than \$60,000: *Provided further*,  
3 That of the amounts made available for the Adult Edu-  
4 cation and Family Literacy Act, \$9,500,000 shall be for  
5 national leadership activities under section 243 and  
6 \$6,560,000 shall be for the National Institute for Literacy  
7 under section 242: *Provided further*, That of the amounts  
8 made available for title I of the Perkins Act, the Secretary  
9 may reserve up to 0.54 percent for incentive grants under  
10 section 503 of the Workforce Investment Act, without re-  
11 gard to section 111(a)(1)(C) of the Perkins Act: *Provided*  
12 *further*, That of the amounts made available for the Adult  
13 Education and Family Literacy Act, the Secretary may  
14 reserve up to 1.72 percent for incentive grants under sec-  
15 tion 503 of the Workforce Investment Act, without regard  
16 to section 211(a)(3) of the Adult Education and Family  
17 Literacy Act.

18                                   STUDENT FINANCIAL ASSISTANCE

19           For carrying out subparts 1, and 3 of part A, section  
20 428K, part C and part E of title IV of the Higher Edu-  
21 cation Act of 1965, as amended, \$12,767,500,000, which  
22 shall remain available through September 30, 2004.

23           The maximum Pell Grant for which a student shall  
24 be eligible during award year 2002–2003 shall be \$4,000:  
25 *Provided*, That notwithstanding section 401(b)(2)(A) and

1 401(g) of the Act, the Secretary shall, prior to the publica-  
2 tion of the Pell Grant payment schedule, establish the  
3 maximum Pell Grant award using the latest data satisfac-  
4 tory to the Secretary to determine the maximum award  
5 supportable by amounts available under this heading in  
6 this and prior appropriations Acts.

7 HIGHER EDUCATION

8 For carrying out, to the extent not otherwise pro-  
9 vided, section 121 and titles II, III, IV, V, VI, and VII  
10 of the Higher Education Act of 1965, as amended  
11 (“HEA”), and the Mutual Educational and Cultural Ex-  
12 change Act of 1961, \$1,883,053,000, of which \$3,000,000  
13 for interest subsidies authorized by section 121 of the  
14 HEA, shall remain available until expended: *Provided*,  
15 That \$10,000,000, to remain available through September  
16 30, 2004, shall be available to fund fellowships for aca-  
17 demic year 2004–2005 under part A, subpart 1 of title  
18 VII of said Act, under the terms and conditions of part  
19 A, subpart 1: *Provided further*, That \$1,000,000 is for  
20 data collection and evaluation activities for programs  
21 under the HEA, including such activities needed to comply  
22 with the Government Performance and Results Act of  
23 1993: *Provided further*, That notwithstanding any other  
24 provision of law, funds made available in this Act to carry  
25 out title VI of the HEA and section 102(b)(6) of the Mu-

1 tual Educational and Cultural Exchange Act of 1961 may  
2 be used to support visits and study in foreign countries  
3 by individuals who are participating in advanced foreign  
4 language training and international studies in areas that  
5 are vital to United States national security and who plan  
6 to apply their language skills and knowledge of these coun-  
7 tries in the fields of government, the professions, or inter-  
8 national development: *Provided further*, That up to one  
9 percent of the funds referred to in the preceding proviso  
10 may be used for program evaluation, national outreach,  
11 and information dissemination activities: *Provided further*,  
12 That the funds provided for title II of the HEA shall be  
13 allocated notwithstanding section 210 of the said Act: *Pro-*  
14 *vided further*, That the funds provided for part B of title  
15 VII of the HEA may be used, at the discretion of the Sec-  
16 retary of Education, to fund continuation awards under  
17 title VII, part D of said Act.

18                                   HOWARD UNIVERSITY

19           For partial support of Howard University (20 U.S.C.  
20 121 et seq.), \$237,474,000, of which not less than  
21 \$3,600,000 shall be for a matching endowment grant pur-  
22 suant to the Howard University Endowment Act (Public  
23 Law 98-480) and shall remain available until expended.

1 COLLEGE HOUSING AND ACADEMIC FACILITIES LOANS  
2 PROGRAM

3 For Federal administrative expenses authorized  
4 under section 121 of the Higher Education Act of 1965,  
5 \$762,000 to carry out activities related to existing facility  
6 loans entered into under the Higher Education Act of  
7 1965.

8 HISTORICALLY BLACK COLLEGE AND UNIVERSITY  
9 CAPITAL FINANCING PROGRAM ACCOUNT

10 The aggregate principal amount of outstanding bonds  
11 insured pursuant to section 344 of title III, part D of the  
12 Higher Education Act of 1965 shall not exceed  
13 \$357,000,000, and the cost, as defined in section 502 of  
14 the Congressional Budget Act of 1974, of such bonds shall  
15 not exceed zero.

16 For administrative expenses to carry out the Histori-  
17 cally Black College and University Capital Financing Pro-  
18 gram entered into pursuant to title III, part D of the  
19 Higher Education Act of 1965, as amended, \$208,000.

20 EDUCATION RESEARCH, STATISTICS, AND ASSESSMENT

21 For carrying out activities authorized by the Edu-  
22 cational Research, Development, Dissemination, and Im-  
23 provement Act of 1994, including part E; the National  
24 Education Statistics Act of 1994, including sections 411  
25 and 412, \$432,887,000: *Provided*, That \$58,000,000 of



1 the amount available for the national education research  
2 institutes shall be allocated notwithstanding section  
3 912(m)(1)(B–F) and subparagraphs (B) and (C) of sec-  
4 tion 931(c)(2) of Public Law 103–227.

## 5 DEPARTMENTAL MANAGEMENT

### 6 PROGRAM ADMINISTRATION

7 For carrying out, to the extent not otherwise pro-  
8 vided, the Department of Education Organization Act, in-  
9 cluding rental of conference rooms in the District of Co-  
10 lumbia and hire of two passenger motor vehicles,  
11 \$411,795,000, of which \$12,795,000, to remain available  
12 until expended, shall be for building alterations and re-  
13 lated expenses for the modernization of the Mary E.  
14 Switzer Building in Washington, D.C.

### 15 OFFICE FOR CIVIL RIGHTS

16 For expenses necessary for the Office for Civil  
17 Rights, as authorized by section 203 of the Department  
18 of Education Organization Act, \$86,276,000.

### 19 OFFICE OF THE INSPECTOR GENERAL

20 For expenses necessary for the Office of the Inspector  
21 General, as authorized by section 212 of the Department  
22 of Education Organization Act, \$41,000,000.

### 23 STUDENT AID ADMINISTRATION

24 For Federal administrative expenses (in addition to  
25 funds made available under section 458), to carry out part  
26 D of title I, and subparts 1, 3, and 4 of part A, and parts

1 B, C, D, and E of title IV of the Higher Education Act  
2 of 1965, as amended, \$105,388,000.

3 GENERAL PROVISIONS

4 SEC. 301. No funds appropriated in this Act may be  
5 used for the transportation of students or teachers (or for  
6 the purchase of equipment for such transportation) in  
7 order to overcome racial imbalance in any school or school  
8 system, or for the transportation of students or teachers  
9 (or for the purchase of equipment for such transportation)  
10 in order to carry out a plan of racial desegregation of any  
11 school or school system.

12 SEC. 302. None of the funds contained in this Act  
13 shall be used to require, directly or indirectly, the trans-  
14 portation of any student to a school other than the school  
15 which is nearest the student's home, except for a student  
16 requiring special education, to the school offering such  
17 special education, in order to comply with title VI of the  
18 Civil Rights Act of 1964. For the purpose of this section  
19 an indirect requirement of transportation of students in-  
20 cludes the transportation of students to carry out a plan  
21 involving the reorganization of the grade structure of  
22 schools, the pairing of schools, or the clustering of schools,  
23 or any combination of grade restructuring, pairing or clus-  
24 tering. The prohibition described in this section does not  
25 include the establishment of magnet schools.

1 SEC. 303. No funds appropriated under this Act may  
2 be used to prevent the implementation of programs of vol-  
3 untary prayer and meditation in the public schools.

4 (TRANSFER OF FUNDS)

5 SEC. 304. Not to exceed 3 percent of any discre-  
6 tionary funds (pursuant to the Balanced Budget and  
7 Emergency Deficit Control Act of 1985, as amended)  
8 which are appropriated for the Department of Education  
9 in this Act may be transferred between appropriations, but  
10 no such appropriation shall be increased by more than 10  
11 percent by any such transfer: *Provided*, That the Appro-  
12 priations Committees of both Houses of Congress are noti-  
13 fied at least 15 days in advance of any transfer.

14 SEC. 305. (a) DISCRETIONARY FUNDING.—Section  
15 458(a)(1) of the Higher Education Act of 1965 (20 U.S.C.  
16 1087h(a)(1)), is amended—

17 (1) in the matter preceding subparagraph (A),  
18 by striking “there shall be available to the Secretary,  
19 from funds not otherwise appropriated, funds to be  
20 obligated for—” and inserting in lieu thereof, “there  
21 are authorized to be appropriated to carry out this  
22 section such sums as may be necessary, for—”; and

23 (2) in the flush language at the end thereof—  
24 (A) by striking “such”;  
25 (B) by inserting “and” after “2001,” and

1                   (C) by striking “, and \$795,000,000 in fis-  
2                   cal year 2003”.

3           (b) EFFECTIVE DATE.—The amendments made by  
4 subsection (a) shall be effective beginning in fiscal year  
5 2003.

6           SEC. 306. Section 1202 of the Elementary and Sec-  
7 ondary Education Act of 1965 is amended by inserting  
8 the following subsection at the end thereof:

9           “(g) SUPPLEMENT, NOT SUPPLANT.—State or local  
10 educational agency shall use funds received under this  
11 subpart only to supplement the level of non-Federal funds  
12 that, in the absence of funds under this subpart, would  
13 be expended for activities authorized under this subpart,  
14 and not to supplant those non-Federal funds.”.

#### 15                   TITLE IV—RELATED AGENCIES

##### 16                   ARMED FORCES RETIREMENT HOME

17           For expenses necessary for the Armed Forces Retire-  
18 ment Home to operate and maintain the Armed Forces  
19 Retirement Home—Washington and the Armed Forces  
20 Retirement Home—Gulfport, to be paid from funds avail-  
21 able in the Armed Forces Retirement Home Trust Fund,  
22 \$67,340,000 of which \$5,712,000 shall remain available  
23 until expended for construction and renovation of the  
24 physical plants at the Armed Forces Retirement Home—

1 Washington and the Armed Forces Retirement Home—  
2 Gulfport.

3           CORPORATION FOR NATIONAL AND  
4                           COMMUNITY SERVICE  
5 DOMESTIC VOLUNTEER SERVICE PROGRAMS, OPERATING  
6                           EXPENSES

7           For expenses necessary for the Corporation for Na-  
8 tional and Community Service to carry out the provisions  
9 of the Domestic Volunteer Service Act of 1973, as amend-  
10 ed, \$396,063,000.

11           CORPORATION FOR PUBLIC BROADCASTING

12           For payment to the Corporation for Public Broad-  
13 casting, \$25,000,000, for costs related to digital program  
14 production, development, and distribution, associated with  
15 the transition of public broadcasting to digital broad-  
16 casting, to be awarded as determined by the Corporation  
17 in consultation with public radio and television licensees  
18 or permittees, or their designated representations.

19           FEDERAL MEDIATION AND CONCILIATION  
20                           SERVICE

21                           SALARIES AND EXPENSES

22           For expenses necessary for the Federal Mediation  
23 and Conciliation Service to carry out the functions vested  
24 in it by the Labor Management Relations Act, 1947 (29  
25 U.S.C. 171–180, 182–183), including hire of passenger

1 motor vehicles; for expenses necessary for the Labor-Man-  
2 agement Cooperation Act of 1978 (29 U.S.C. 175a); and  
3 for expenses necessary for the Service to carry out the  
4 functions vested in it by the Civil Service Reform Act,  
5 Public Law 95–454 (5 U.S.C. ch. 71), \$40,718,000, in-  
6 cluding \$1,500,000, to remain available through Sep-  
7 tember 30, 2004, for activities authorized by the Labor-  
8 Management Cooperation Act of 1978 (29 U.S.C. 175a):  
9 *Provided*, That notwithstanding 31 U.S.C. 3302, fees  
10 charged, up to full-cost recovery, for special training ac-  
11 tivities and other conflict resolution services and technical  
12 assistance, including those provided to foreign govern-  
13 ments and international organizations, and for arbitration  
14 services shall be credited to and merged with this account,  
15 and shall remain available until expended: *Provided fur-*  
16 *ther*, That fees for arbitration services shall be available  
17 only for education, training, and professional development  
18 of the agency workforce: *Provided further*, That the Direc-  
19 tor of the Service is authorized to accept and use on behalf  
20 of the United States gifts of services and real, personal,  
21 or other property in the aid of any projects or functions  
22 within the Director’s jurisdiction.

1 FEDERAL MINE SAFETY AND HEALTH REVIEW  
2 COMMISSION

3 SALARIES AND EXPENSES

4 For expenses necessary for the Federal Mine Safety  
5 and Health Review Commission (30 U.S.C. 801 et seq.),  
6 \$7,127,000.

7 INSTITUTE OF MUSEUM AND LIBRARY SERVICES

8 For carrying out the Museum and Library Services  
9 Act, \$210,000,000.

10 MEDICARE PAYMENT ADVISORY COMMISSION

11 SALARIES AND EXPENSES

12 For expenses necessary to carry out section 1805 of  
13 the Social Security Act, \$8,250,000, to be transferred to  
14 this appropriation from the Federal Hospital Insurance  
15 and the Federal Supplementary Medical Insurance Trust  
16 Funds.

17 NATIONAL COUNCIL ON DISABILITY

18 SALARIES AND EXPENSES

19 For expenses necessary for the National Council on  
20 Disability as authorized by title IV of the Rehabilitation  
21 Act of 1973, as amended, \$2,830,000.

22 NATIONAL LABOR RELATIONS BOARD

23 SALARIES AND EXPENSES

24 For expenses necessary for the National Labor Rela-  
25 tions Board to carry out the functions vested in it by the

1 Labor-Management Relations Act, 1947, as amended (29  
2 U.S.C. 141–167), and other laws, \$233,223,000: *Pro-*  
3 *vided*, That no part of this appropriation shall be available  
4 to organize or assist in organizing agricultural laborers or  
5 used in connection with investigations, hearings, direc-  
6 tives, or orders concerning bargaining units composed of  
7 agricultural laborers as referred to in section 2(3) of the  
8 Act of July 5, 1935 (29 U.S.C. 152), and as amended  
9 by the Labor-Management Relations Act, 1947, as amend-  
10 ed, and as defined in section 3(f) of the Act of June 25,  
11 1938 (29 U.S.C. 203), and including in said definition em-  
12 ployees engaged in the maintenance and operation of  
13 ditches, canals, reservoirs, and waterways when main-  
14 tained or operated on a mutual, nonprofit basis and at  
15 least 95 percent of the water stored or supplied thereby  
16 is used for farming purposes.

17 NATIONAL MEDIATION BOARD

18 SALARIES AND EXPENSES

19 For expenses necessary to carry out the provisions  
20 of the Railway Labor Act, as amended (45 U.S.C. 151–  
21 188), including emergency boards appointed by the Presi-  
22 dent, \$11,203,000.



1 OCCUPATIONAL SAFETY AND HEALTH REVIEW  
2 COMMISSION  
3 SALARIES AND EXPENSES

4 For expenses necessary for the Occupational Safety  
5 and Health Review Commission (29 U.S.C. 661),  
6 \$9,577,000.

7 RAILROAD RETIREMENT BOARD  
8 DUAL BENEFITS PAYMENTS ACCOUNT

9 For payment to the Dual Benefits Payments Ac-  
10 count, authorized under section 15(d) of the Railroad Re-  
11 tirement Act of 1974, \$132,000,000, which shall include  
12 amounts becoming available in fiscal year 2003 pursuant  
13 to section 224(c)(1)(B) of Public Law 98-76; and in addi-  
14 tion an amount, not to exceed 2 percent of the amount  
15 provided herein shall be available proportional to the  
16 amount by which the product of recipients and the average  
17 benefit received exceeds \$132,000,000: *Provided*, That the  
18 total amount provided herein shall be credited in 12 ap-  
19 proximately equal amounts on the first day of each month  
20 in the fiscal year.

21 FEDERAL PAYMENTS TO THE RAILROAD RETIREMENT  
22 ACCOUNTS

23 For payment to the accounts established in the  
24 Treasury for the payment of benefits under the Railroad  
25 Retirement Act for interest earned on unnegotiated  
26 checks, \$150,000, to remain available through September

1 30, 2004, which shall be the maximum amount available  
2 for payment pursuant to section 417 of Public Law 98–  
3 76.

4                   LIMITATION ON ADMINISTRATION

5           For necessary expenses for the Railroad Retirement  
6 Board for administration of the Railroad Retirement Act  
7 and the Railroad Unemployment Insurance Act,  
8 \$97,720,000, to be derived in such amounts as determined  
9 by the Board from the railroad retirement accounts and  
10 from moneys credits to the railroad unemployment insur-  
11 ance administration fund.

12                   LIMITATION ON THE OFFICE OF INSPECTOR GENERAL

13           For expenses necessary for the Office of Inspector  
14 General for audit, investigatory and review activities, as  
15 authorized by the Inspector General Act of 1978, as  
16 amended, not more than \$6,300,000, to be derived from  
17 the railroad retirement accounts and railroad unemploy-  
18 ment insurance account: *Provided*, That none of the funds  
19 made available in any other paragraph of this Act may  
20 be transferred to the Office; used to carry out any such  
21 transfer; used to provide any office space, equipment, of-  
22 fice supplies, communications facilities or services, mainte-  
23 nance services, or administrative services for the Office;  
24 used to pay any salary, benefit, or award for any personnel  
25 of the Office; used to pay any other operating expense of

1 the Office; or used to reimburse the Office for any service  
2 provided, or expense incurred, by the Office.

3 SOCIAL SECURITY ADMINISTRATION

4 PAYMENTS TO SOCIAL SECURITY TRUST FUNDS

5 For payment to the Federal Old-Age and Survivors  
6 Insurance and the Federal Disability Insurance trust  
7 funds, as provided under sections 201(m), 228(g), and  
8 1131(b)(2) of the Social Security Act, \$20,400,000.

9 SPECIAL BENEFITS FOR DISABLED COAL MINERS

10 For carrying out title IV of the Federal Mine Safety  
11 and Health Act of 1977, \$300,177,000, to remain avail-  
12 able until expended.

13 For making, after July 31 of the current fiscal year,  
14 benefit payments to individuals under title IV of the Fed-  
15 eral Mine Safety and Health Act of 1977, for costs in-  
16 curred in the current fiscal year, such amounts as may  
17 be necessary.

18 For making benefit payments under title IV of the  
19 Federal Mine Safety and Health Act of 1977 for the first  
20 quarter of fiscal year 2004, \$97,000,000, to remain avail-  
21 able until expended.

22 SUPPLEMENTAL SECURITY INCOME PROGRAM

23 For carrying out titles XI and XVI of the Social Se-  
24 curity Act, section 401 of Public Law 92-603, section 212  
25 of Public Law 93-66, as amended, and section 405 of

1 Public Law 95–216, including payment to the Social Secu-  
2 rity trust funds for administrative expenses incurred pur-  
3 suant to section 201(g)(1) of the Social Security Act,  
4 \$23,906,392,000, to remain available until expended: *Pro-*  
5 *vided*, That any portion of the funds provided to a State  
6 in the current fiscal year and not obligated by the State  
7 during that year shall be returned to the Treasury.

8 For making, after June 15 of the current fiscal year,  
9 benefit payments to individuals under title XVI of the So-  
10 cial Security Act, for unanticipated costs incurred for the  
11 current fiscal year, such sums as may be necessary.

12 For making benefit payments under title XVI of the  
13 Social Security Act for the first quarter of fiscal year  
14 2004, \$11,080,000,000, to remain available until ex-  
15 pended.

16 LIMITATION ON ADMINISTRATIVE EXPENSES

17 For necessary expenses, including the hire of two pas-  
18 senger motor vehicles, and not to exceed \$15,000 for offi-  
19 cial reception and representation expenses, not more than  
20 \$7,825,000 may be expended, as authorized by section  
21 201(g)(1) of the Social Security Act, from any one or all  
22 of the trust funds referred to therein: *Provided*, That not  
23 less than \$1,800,000 shall be for the Social Security Advi-  
24 sory Board: *Provided further*, That unobligated balances  
25 of funds provided under this paragraph at the end of fiscal

1 year 2003 not needed for fiscal year 2003 shall remain  
2 available through fiscal year 2004 to invest in the Social  
3 Security Administration information technology and tele-  
4 communications hardware and software infrastructure, in-  
5 cluding related equipment and non-payroll administrative  
6 expenses associated solely with this information technology  
7 and telecommunications infrastructure: *Provided further,*  
8 That reimbursement to the trust funds under this heading  
9 for expenditures for official time for employees of the So-  
10 cial Security Administration pursuant to section 7131 of  
11 title 5, United States Code, and for facilities or support  
12 services for labor organizations pursuant to policies, regu-  
13 lations, or procedures referred to in section 7135(b) of  
14 such title shall be made by the Secretary of the Treasury,  
15 with interest, from amounts in the general fund not other-  
16 wise appropriated, as soon as possible after such expendi-  
17 tures are made.

18 In addition, \$111,000,000 to be derived from admin-  
19 istration fees in excess of \$5.00 per supplementary pay-  
20 ment collected pursuant to section 1616(d) of the Social  
21 Security Act or section 212(b)(3) of Public Law 93-66,  
22 which shall remain available until expended. To the extent  
23 that the amounts collected pursuant to such section  
24 1616(d) or 212(b)(3) in fiscal year 2003 exceed  
25 \$111,000,000, the amounts shall be available in fiscal year

1 2004 only to the extent provided in advance in appropria-  
2 tions Acts.

3 From funds previously appropriated for this purpose,  
4 any unobligated balances at the end of fiscal year 2002  
5 shall be available to continue Federal-State partnerships  
6 which will evaluate means to promote Medicare buy-in pro-  
7 grams targeted to elderly and disabled individuals under  
8 titles XVIII and XIX of the Social Security Act.

9 OFFICE OF INSPECTOR GENERAL  
10 (INCLUDING TRANSFER OF FUNDS)

11 For expenses necessary for the Office of Inspector  
12 General in carrying out the provisions of the Inspector  
13 General Act of 1978, as amended, \$21,000,000, together  
14 with not to exceed \$62,000,000, to be transferred and ex-  
15 pended as authorized by section 201(g)(1) of the Social  
16 Security Act from the Federal Old-Age and Survivors In-  
17 surance Trust Fund and the Federal Disability Insurance  
18 Trust Fund.

19 In addition, an amount not to exceed 3 percent of  
20 the total provided in this appropriation may be transferred  
21 from the "Limitation on Administrative Expenses", Social  
22 Security Administration, to be merged with this account,  
23 to be available for the time and purposes for which this  
24 account is available: *Provided*, That notice of such trans-

1 fers shall be transmitted promptly to the Committees on  
2 Appropriations of the House and Senate.

3 UNITED STATES INSTITUTE OF PEACE

4 OPERATING EXPENSES

5 For necessary expenses of the United States Institute  
6 of Peace as authorized in the United States Institute of  
7 Peace Act, \$16,200,000.

8 TITLE V—GENERAL PROVISIONS

9 SEC. 501. The Secretaries of Labor, Health and  
10 Human Services, and Education are authorized to transfer  
11 unexpended balances of prior appropriations to accounts  
12 corresponding to current appropriations provided in this  
13 Act: *Provided*, That such transferred balances are used for  
14 the same purpose, and for the same periods of time, for  
15 which they were originally appropriated.

16 SEC. 502. No part of any appropriation contained in  
17 this Act shall remain available for obligation beyond the  
18 current fiscal year unless expressly so provided herein.

19 SEC. 503. (a) No part of any appropriation contained  
20 in this Act shall be used, other than for normal and recog-  
21 nized executive-legislative relationships, for publicity or  
22 propaganda purposes, for the preparation, distribution, or  
23 use of any kit, pamphlet, booklet, publication, radio, tele-  
24 vision, or video presentation designed to support or defeat  
25 legislation pending before the Congress or any State legis-

1 lature, except in presentation to the Congress or any State  
2 legislature itself.

3 (b) No part of any appropriation contained in this  
4 Act shall be used to pay the salary or expenses of any  
5 grant or contract recipient, or agent acting for such recipi-  
6 ent, related to any activity designed to influence legislation  
7 or appropriations pending before the Congress or any  
8 State legislature.

9 SEC. 504. The Secretaries of Labor and Education  
10 are authorized to make available not to exceed \$23,000  
11 and \$20,000, respectively, from funds available for sala-  
12 ries and expenses under titles I and III, respectively, for  
13 official reception and representation expenses; the Direc-  
14 tor of the Federal Mediation and Conciliation Service is  
15 authorized to make available for official reception and rep-  
16 resentation expenses not to exceed \$2,500 from the funds  
17 available for "Salaries and expenses, Federal Mediation  
18 and Conciliation Service"; and the Chairman of the Na-  
19 tional Mediation Board is authorized to make available for  
20 official reception and representation expenses not to ex-  
21 ceed \$2,500 from funds available for "Salaries and ex-  
22 penses, National Mediation Board".

23 SEC. 505. Notwithstanding any other provision of  
24 this Act, no funds appropriated under this Act shall be  
25 used to carry out any program of distributing sterile nee-



1 dles or syringes for the hypodermic injection of any illegal  
2 drug.

3 SEC. 506. (a) It is the sense of the Congress that,  
4 to the greatest extent practicable, all equipment and prod-  
5 ucts purchased with funds made available in this Act  
6 should be American-made.

7 (b) In providing financial assistance to, or entering  
8 into any contract with, any entity using funds made avail-  
9 able in this Act, the head of each Federal agency, to the  
10 greatest extent practicable, shall provide to such entity a  
11 notice describing the statement made in subsection (a) by  
12 the Congress.

13 (c) If it has been finally determined by a court or  
14 Federal agency that any person intentionally affixed a  
15 label bearing a “Made in America” inscription, or any in-  
16 scription with the same meaning, to any product sold in  
17 or shipped to the United States that is not made in the  
18 United States, the person shall be ineligible to receive any  
19 contract or subcontract made with funds made available  
20 in this Act, pursuant to the debarment, suspension, and  
21 ineligibility procedures described in sections 9.400 through  
22 9.409 of title 48, Code of Federal Regulations.

23 SEC. 507. When issuing statements, press releases,  
24 requests for proposals, bid solicitations and other docu-  
25 ments describing projects or programs funded in whole or

1 in part with Federal money, all grantees receiving Federal  
2 funds included in this Act, including but not limited to  
3 State and local governments and recipients of Federal re-  
4 search grants, shall clearly state: (1) the percentage of the  
5 total costs of the program or project which will be financed  
6 with Federal money; (2) the dollar amount of Federal  
7 funds for the project or program; and (3) percentage and  
8 dollar amount of the total costs of the project or program  
9 that will be financed by non-governmental sources.

10 SEC. 508. (a) None of the funds appropriated under  
11 this Act, and none of the funds in any trust fund to which  
12 funds are appropriated under this Act, shall be expended  
13 for any abortion.

14 (b) None of the funds appropriated under this Act,  
15 and none of the funds in any trust fund to which funds  
16 are appropriated under this Act, shall be expended for  
17 health benefits coverage that includes coverage of abor-  
18 tion.

19 (c) The term “health benefits coverage” means the  
20 package of services covered by a managed care provider  
21 or organization pursuant to a contract or other arrange-  
22 ment.

23 SEC. 509. (a) The limitations established in the pre-  
24 ceding section shall not apply to an abortion—

1           (1) if the pregnancy is the result of an act of  
2           rape or incest; or

3           (2) in the case where a woman suffers from a  
4           physical disorder, physical injury, or physical illness,  
5           including a life-endangering physical condition  
6           caused by or arising from the pregnancy itself, that  
7           would, as certified by a physician, place the woman  
8           in danger of death unless an abortion is performed.

9           (b) Nothing in the preceding section shall be con-  
10          strued as prohibiting the expenditure by a State, locality,  
11          entity, or private person of State, local, or private funds  
12          (other than a State's or locality's contribution of Medicaid  
13          matching funds).

14          (c) Nothing in the preceding section shall be con-  
15          strued as restricting the ability of any managed care pro-  
16          vider from offering abortion coverage or the ability of a  
17          State or locality to contract separately with such a pro-  
18          vider for such coverage with State funds (other than a  
19          State's or locality's contribution of Medicaid matching  
20          funds).

21          SEC. 510. (a) None of the funds made available in  
22          this Act may be used for—

23                 (1) the creation of a human embryo or embryos  
24                 for research purposes; or

1           (2) research in which a human embryo or em-  
2           bryos are destroyed, discarded, or knowingly sub-  
3           jected to risk of injury or death greater than that  
4           allowed for research on fetuses in utero under 45  
5           CFR 46.208(a)(2) and section 498(b) of the Public  
6           Health Service Act (42 U.S.C. 289g(b)).

7           (b) For purposes of this section, the term “human  
8           embryo or embryos” includes any organism, not protected  
9           as a human subject under 45 CFR 46 as of the date of  
10          the enactment of this Act, that is derived by fertilization,  
11          parthenogenesis, cloning, or any other means from one or  
12          more human gametes or human diploid cells.

13          SEC. 511. (a) None of the funds made available in  
14          this Act may be used for any activity that promotes the  
15          legalization of any drug or other substance included in  
16          schedule I of the schedules of controlled substances estab-  
17          lished by section 202 of the Controlled Substances Act (21  
18          U.S.C. 812).

19          (b) The limitation in subsection (a) shall not apply  
20          when there is significant medical evidence of a therapeutic  
21          advantage to the use of such drug or other substance or  
22          that federally sponsored clinical trials are being conducted  
23          to determine therapeutic advantage.

1       SEC. 512. None of the funds made available in this  
2 Act may be obligated or expended to enter into or renew  
3 a contract with an entity if—

4           (1) such entity is otherwise a contractor with  
5 the United States and is subject to the requirement  
6 in section 4212(d) of title 38, United States Code,  
7 regarding submission of an annual report to the Sec-  
8 retary of Labor concerning employment of certain  
9 veterans; and

10          (2) such entity has not submitted a report as  
11 required by that section for the most recent year for  
12 which such requirement was applicable to such enti-  
13 ty.

14       SEC. 513. None of the funds made available in this  
15 Act may be used to promulgate or adopt any final stand-  
16 ard under section 1173(b) of the Social Security Act (42  
17 U.S.C. 1320d–2(b)) providing for, or providing for the as-  
18 signment of, a unique health identifier for an individual  
19 (except in an individual’s capacity as an employer or a  
20 health care provider), until legislation is enacted specifi-  
21 cally approving the standard.

22       SEC. 514. (a) In this section the term “qualified mag-  
23 istrate judge” means any person who—

24           (1) retired as a magistrate judge before Novem-  
25 ber 15, 1988; and

1           (2) on the date of filing an election under sub-  
2           section (b)—

3                   (A) is serving as a recalled magistrate  
4                   judge on a full-time basis under section 636(h)  
5                   of title 28, United States Code; and

6                   (B) has completed at least 5 years of full-  
7                   time recall service.

8           (b) The Director of the Administrative Office of the  
9           United States Courts may accept the election of a quali-  
10          fied magistrate judge to—

11                   (1) receive an annuity under section 377 of title  
12                   28, United States Code; and

13                   (2) come within the purview of section 376 of  
14                   such title.

15          (c) Full-time recall service performed by a qualified  
16          magistrate judge shall be credited for service in calculating  
17          an annuity elected under this section.

18          (d) The Director of the Administrative Office of the  
19          United States Courts may promulgate regulations to carry  
20          out this section.

21          SEC. 515. None of the funds made available in this  
22          Act may be transferred to any department, agency, or in-  
23          strumentality of the United States Government, except  
24          pursuant to a transfer made by, or transfer authority pro-  
25          vided in, this Act or any other appropriation Act.

1           This Act may be cited as the “Departments of Labor,  
2 Health and Human Services, and Education, and Related  
3 Agencies Appropriations Act, 2003”.

○