107TH CONGRESS
2D SESSION

H. J. RES. 122

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 10, 2002

Mr. YOUNG of Florida introduced the following joint resolution

JOINT RESOLUTION

Making further continuing appropriations for the fiscal year 2003, and for other purposes.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That Public Law 107–229 is further amended by striking the date specified in section 107(c) and inserting "November 22, 2002".

SEC. 2. Section 101(2) of Public Law 107–229 is amended by striking "section 15" and all that follows through "(Public Law 103–236), and".

SEC. 3. Section 114 of Public Law 107–229 is amended by inserting before the colon at the end of the first proviso the following: ": *Provided further*, That section 3001 of the 21st Century Department of Justice Appropriations Authorization Act (H.R. 2215) is amended

1 by striking subsection (d), and such amendment shall take
2 effect as if included in such Act on the date of its enact-
3 ment".

4 SEC. 4. Section 117 of Public Law 107–229 is
5 amended to read as follows:

6 "SEC. 117. (a) The Congress finds that section 501
7 of title 44, United States Code, and section 207(a) of the
8 Legislative Branch Appropriations Act, 1993 (44 U.S.C.
9 501 note) require that (except as otherwise provided in
10 such sections) all printing, binding, and blankbook work
11 for Congress, the Executive Office, the Judiciary, other
12 than the Supreme Court of the United States, and every
13 executive department, independent office, and establish-
14 ment of the Government, shall be done at the Government
15 Printing Office.

16 "(b) No funds appropriated under this joint resolu-
17 tion or any other Act may be used—

18 "(1) to implement or comply with the Office of
19 Management and Budget Memorandum M–02–07,
20 'Procurement of Printing and Duplicating through
21 the Government Printing Office', issued May 3,
22 2002, or any other memorandum or similar opinion
23 reaching the same, or substantially the same, result
24 as such memorandum; or

"(2) to pay for the printing (other than by the Government Printing Office) of the budget of the United States Government submitted by the President of the United States under section 1105 of title 31, United States Code.".

SEC. 5. Public Law 107–229 is amended by adding at the end the following new sections:

"SEC. 120. For entitlements and other mandatory payments whose budget authority was provided in appropriations Acts for fiscal year 2002, and for activities under the Food Stamp Act of 1977, activities shall be continued at a rate to maintain program levels under current law, under the authority and conditions provided in the applicable appropriations Act for fiscal year 2002, to be continued through the date specified in section 107(c): *Provided*, That notwithstanding section 107, funds shall be available and obligations for mandatory payments due on or about November 1, and December 1, 2002, may continue to be made.

"SEC. 121. Notwithstanding any other provision of this joint resolution, the annual rate of operations for the Commodity Futures Trading Commission (CFTC) Salaries and Expenses Account shall not exceed $71,960,000 and shall include the cost of lease of office space for the

1 CFTC's New York regional office at an annual rate not
2 to exceed $1,949,000.

3 "SEC. 122. In addition to funds made available in
4 section 101, the Department of Justice may transfer to
5 the Immigration User Fee Account established by section
6 286(h) of the Immigration and Nationality Act (8 U.S.C.
7 1356(h)) such sums as may be necessary from unobligated
8 balances from funds appropriated to the Immigration and
9 Naturalization Service by Public Law 107–77 and division
10 B of Public Law 107–117, at a rate not to exceed
11 $90,000,000 for the first quarter, through the date speci-
12 fied in section 107(c): *Provided*, That the sums trans-
13 ferred under this section shall be reimbursed from the Im-
14 migration User Fee Account by not later than April 1,
15 2003.

16 "SEC. 123. Notwithstanding section 105(a)(2), in ad-
17 dition to amounts made available in section 101, and sub-
18 ject to sections 107(c) and 108, for purposes of calculating
19 the rate of operations of General Legal Activities (GLA)
20 in the Department of Justice, $7,300,000 available during
21 fiscal year 2002 from the Executive Office of the Presi-
22 dent shall be credited to GLA for purposes of administer-
23 ing the Victims Compensation Program.

24 "SEC. 124. Activities authorized by the Parole Com-
25 mission and Reorganization Act, P.L. 94–233, as amend-

1 ed, may continue through the date specified in section
2 107(c).

3 "SEC. 125. Notwithstanding any other provision of
4 this joint resolution, in addition to amounts made avail-
5 able in section 101, and subject to sections 107(c) and
6 108, such funds, from fee collections in fiscal year 2003,
7 shall be available for the Securities and Exchange Com-
8 mission to continue implementation of section 8 of Public
9 Law 107–123.

10 "SEC. 126. Notwithstanding any other provision of
11 this joint resolution, except section 107, the District of
12 Columbia may expend local funds at a rate in excess of
13 the rate under authority applicable prior to October 1,
14 2002 to cover payments that would be funded under the
15 heading 'Repayment of Loans and Interest'.

16 "SEC. 127. No funds appropriated in this joint reso-
17 lution or any other Act may be used to implement any
18 restructuring of the Civil Works Program of the US Army
19 Corps of Engineers which would involve the transfer of
20 Civil Works missions, functions, or responsibilities from
21 the US Army Corps of Engineers to any other executive
22 branch agency or department without explicit congres-
23 sional authorization.

24 "SEC. 128. Notwithstanding any other provision of
25 this joint resolution, during fiscal year 2003, direct loans

1 under section 23 of the Arms Export Control Act may be
2 made available for Poland, gross obligations for the prin-
3 cipal amounts of which shall not exceed $3,800,000,000:
4 *Provided*, That such loans shall be repaid in not more than
5 15 years, including a grace period of up to 8 years on
6 repayment of principal: *Provided further*, That no funds
7 are available for the subsidy costs of these loans: *Provided*
8 *further*, That the Government of Poland shall pay the full
9 cost, as defined in section 502 of the Federal Credit Re-
10 form Act of 1990, as amended, associated with the loans,
11 including the cost of any defaults: *Provided further*, That
12 any fees associated with these loans shall be paid by the
13 Government of Poland prior to any disbursement of loan
14 proceeds: *Provided further*, That no funds made available
15 to Poland under this joint resolution or any other Act may
16 be used for payment of any fees associated with these
17 loans.

18 "SEC. 129. Notwithstanding section 1(c) of Public
19 Law 103–428, as amended, sections 1(a) and (b) of Public
20 Law 103–428 shall remain in effect until the date speci-
21 fied in section 107(c).

22 "SEC. 130. Notwithstanding any other provision of
23 this joint resolution, there is hereby appropriated, out of
24 any money in the Treasury not otherwise appropriated,

1 for payment to John F. Mink, widower of Patsy Mink,
2 late a Representative from the State of Hawaii, $150,000.
3 "SEC. 131. Notwithstanding section 105(a)(2), in ad-
4 dition to amounts made available in section 101, and sub-
5 ject to sections 107(c) and 108, for purposes of calculating
6 the rate of operations for the Transportation Security Ad-
7 ministration (TSA) and the Federal Emergency Manage-
8 ment Agency (FEMA), the amount transferred by Public
9 Law 107–206 from TSA to FEMA shall be credited to
10 TSA, and such amount shall be deducted from FEMA.
11 "SEC. 132. Activities authorized by section 24 of the
12 United States Housing Act of 1937 (24 U.S.C. 1437v)
13 may continue through the date specified in section 107(c)
14 of this joint resolution.
15 "SEC. 133. (a) Each specified department or agency
16 shall, by December 6, 2002, submit directly to the Com-
17 mittees on Appropriations a report containing an evalua-
18 tion of the effect on the specified management areas of
19 operating through September 30, 2003, under joint reso-
20 lutions making continuing appropriations for fiscal year
21 2003 that fund programs and activities at not exceeding
22 the current rate of operations.
23 "(b) For purposes of subsection (a):
24 "(1) The term 'specified department or agency'
25 means a department or agency identified on page 49

1 or 50 of the Budget of the United States Govern-
2 ment, Fiscal Year 2003 (H. Doc. 107–159, Vol. I),
3 except for the Department of Defense.
4 "(2) The term 'specified management areas'
5 means the following management priorities described
6 in the President's Management Agenda (August
7 2001): strategic management of human capital, com-
8 petitive sourcing, improved financial performance,
9 expanded electronic government, and budget and
10 performance integration.
11 "SEC. 134. (a) The Director of the Office of Manage-
12 ment and Budget shall submit to the Committees on Ap-
13 propriations a monthly report on all departmental and
14 agency obligations made since the beginning of fiscal year
15 2003 while operating under joint resolutions making con-
16 tinuing appropriations for such fiscal year.
17 "(b) Each report required by subsection (a) shall set
18 forth obligations by account, and shall contain a compari-
19 son of such obligations to the obligations incurred during
20 the same period for fiscal year 2002.
21 "(c) Reports shall be submitted under subsection (a)
22 beginning 1 month after the enactment of this section, and
23 ending 1 month after the expiration of the period covered
24 by the final joint resolution making continuing appropria-
25 tions for fiscal year 2003.

1 "(d)(1) Each report required by subsection (a) shall
2 include a list of all executive branch accounts for which
3 departments and agencies are operating under apportion-
4 ments that provide for a rate of operations that is lower
5 than the current rate, within the meaning of sections 101
6 and 105. For each such account, the report shall include
7 an estimate of the current rate for the period covered by
8 this joint resolution and the estimate of obligations during
9 such period.

10 "(2) By December 6, 2002, the Comptroller General
11 shall submit to the Committees on Appropriations a report
12 identifying executive branch accounts for which apportion-
13 ments made from funds appropriated or authority granted
14 by this joint resolution provide for a rate of operations
15 that differs from the current rate, within the meaning of
16 sections 101 and 105.

17 "SEC. 135. Appropriations made by this joint resolu-
18 tion are hereby reduced, at an annual rate, by the amounts
19 specified and in the accounts identified for one-time, non-
20 recurring projects and activities in Attachment C of Office
21 of Management and Budget Bulletin No. 02–06, Supple-
22 ment No. 1, dated October 4, 2002.

23 "SEC. 136. Activities authorized for 2002 by sections
24 1902(a)(10)(E)(iv) and 1933 of the Social Security Act,
25 as amended, with respect to individuals described in sec-

1 tion 1902(a)(10)(E)(iv)(I) of such Act may continue
2 through 60 days after the date specified in section 107(c)
3 of Public Law 107–229, as amended.

4 "SEC. 137. Notwithstanding any other provision of
5 this joint resolution, except sections 107(c) and 108, dur-
6 ing fiscal year 2003, the annual rate of operations for the
7 Federal-aid highways program for fiscal year 2003 shall
8 be $31,799,104,000: *Provided*, That total obligations for
9 this program while operating under joint resolutions mak-
10 ing continuing appropriations for fiscal year 2003 shall
11 not exceed $27,700,000,000, unless otherwise specified in
12 a subsequent appropriations Act. This section shall not af-
13 fect the availability of unobligated balances carried for-
14 ward into fiscal year 2003 that would otherwise be avail-
15 able for obligation.".