HR 4818

Consolidated Appropriations Act, 2005

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Sponsor

Name: Rep. Kolbe, Jim [R-AZ-8]
Party: Republican • **State:** AZ • **Chamber:** House

Cosponsors

No cosponsors are listed for this bill.

Committee Activity

Committee	Chamber	Activity	Date
Agriculture Committee	House	Bills of Interest - Exchange of Letters	Sep 9, 2004
Appropriations Committee	House	Reported Original Measure	Jul 13, 2004
Appropriations Committee	Senate	Discharged From	Sep 24, 2004

Subjects & Policy Tags

No subjects or policy tags are listed for this bill.

Related Bills

Bill	Relationship	Last Action
108 HCONRES 528	Related bill	**Dec 6, 2004:** Motion to reconsider laid on the table Agreed to without objection.
108 SJRES 42	Related bill	**Nov 24, 2004:** Message on Senate action sent to the House.
108 HRES 866	Related bill	**Nov 20, 2004:** Motion to reconsider laid on the table Agreed to without objection.
108 HCONRES 518	Related bill	**Oct 12, 2004:** Message on Senate action sent to the House.
108 HR 5151	Related bill	**Oct 4, 2004:** Executive Comment Requested from Interior.
108 HR 5025	Related bill	**Sep 29, 2004:** Received in the Senate. Read twice. Placed on Senate Legislative Calendar under General Orders. Calendar No. 743.
108 S 2848	Related bill	**Sep 27, 2004:** Read twice and referred to the Committee on Energy and Natural Resources.
108 S 2812	Related document	**Sep 23, 2004:** See also H.R. 4818.
108 HR 4755	Related bill	**Sep 21, 2004:** Ordered held at desk. as if a House message pursuant to the order of September 15, 2004, .
108 S 2666	Related bill	**Sep 21, 2004:** See also H.R. 4755.
108 S 2825	Related bill	**Sep 21, 2004:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 708.
108 S 2806	Related bill	**Sep 15, 2004:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 696.
108 S 2809	Related bill	**Sep 15, 2004:** Committee on Appropriations ordered to be reported an original measure.
108 S 2810	Related bill	**Sep 15, 2004:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 699.
108 S 2804	Related bill	**Sep 14, 2004:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 695.
108 HR 5006	Related bill	**Sep 10, 2004:** Received in the Senate.
108 HR 5041	Related bill	**Sep 9, 2004:** Placed on the Union Calendar, Calendar No. 413.
108 HR 4766	Related bill	**Jul 22, 2004:** Received in the Senate and Read twice and referred to the Committee on Appropriations.
108 HRES 715	Procedurally related	**Jul 15, 2004:** Motion to reconsider laid on the table Agreed to without objection.
108 HR 4754	Related bill	**Jul 9, 2004:** Received in the Senate and Read twice and referred to the Committee on Appropriations.
108 HR 4614	Related bill	**Jul 6, 2004:** Received in the Senate and Read twice and referred to the Committee on Appropriations.
108 HR 4568	Related bill	**Jun 21, 2004:** Received in the Senate and Read twice and referred to the Committee on Appropriations.

Summary (as of Dec 8, 2004)

Consolidated Appropriations Act, 2005 **- Division A: Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Programs Appropriations, 2005** - Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2005 - **Title I: Agricultural Programs -** Appropriates FY 2005 funds for the following Department of Agriculture (Department) programs and services: (1) Office of the Secretary of Agriculture (Secretary); (2) executive operations, including Homeland Security Staff; (3) Office of the Chief Information Officer; (4) Common Computing Environment; (5) Office of the Chief Financial Officer; (6) working capital fund; (7) Office of the Assistant Secretary for Civil Rights; (8) Office of Civil Rights; (9) Office of the Assistant Secretary for Administration; (10) agriculture buildings and facilities and rental payments; (11) hazardous materials management; (12) departmental administration; (13) Office of the Assistant Secretary for Congressional Relations; (14) Office of Communications; (15) Office of the Inspector General; (16) Office of the General Counsel; (17) Office of the Under Secretary for Research, Education, and Economics; (18) Economic Research Service; (19) National Agricultural Statistics Service; (20) Agricultural Research Service; (21) Cooperative State Research, Education, and Extension Service; (22) Office of the Under Secretary for Marketing and Regulatory Programs; (23) Animal and Plant Health Inspection Service; (24) Agricultural Marketing Service; (25) Grain Inspection, Packers and Stockyards Administration; (26) Office of the Under Secretary for Food Safety; (27) Food Safety and Inspection Service; (28) Office of the Under Secretary for Farm and Foreign Agricultural Services; (29) Farm Service Agency; (30) Risk Management Agency; (31) Federal Crop Insurance Corporation Fund; and (32) Commodity Credit Corporation Fund.

Title II: Conservation Programs - Appropriates funds for the following: (1) Office of the Under Secretary for Natural Resources and Environment; and (2) Natural Resources Conservation Service.

Title III: Rural Development Programs - Appropriates funds for the following: (1) Office of the Under Secretary for Rural Development; (2) rural development salaries and expenses; (3) Rural Housing Service; (4) Rural Business-Cooperative Service; and (5) Rural Utilities Service.

Title IV: Domestic Food Programs - Appropriates funds for the following: (1) Office of the Under Secretary for Food, Nutrition and Consumer Services; and (2) Food and Nutrition Service.

Title V: Foreign Assistance and Related Programs - Appropriates funds for the following: (1) Foreign Agricultural Service; (2) Agricultural Trade Development and Assistance Act of 1954 (P.L. 480) program account, title I ocean freight differential grants, and title II grants; and (3) McGovern-Dole international food for education and child nutrition program grants.

Title VI: Related Agencies and Food and Drug Administration - Appropriates funds for the following: (1) Food and Drug Administration (FDA); (2) Commodity Futures Trading Commission; and (3) Farm Credit Administration.

Title VII: General Provisions - Specifies certain uses and limits on or prohibitions against the use of funds appropriated by this Act.

(Sec. 710) Prohibits the use of funds under this Act to pay indirect costs charged against competitive agricultural research, education, or extension grant awards issued by the Cooperative State Research, Education, and Extension Service that exceed 20 percent of total Federal funds provided under each award.

(Sec. 715) Prohibits the use of funds under this Act for the Safe Meat and Poultry Inspection Panel.

(Sec. 720) Prohibits fund use for the initiative for future agriculture and food systems, with an exception for administration of prior grants and obligations.

(Sec. 722) Prohibits fund use to relocate a State Rural Development office until cost and operation effectiveness have been determined.

(Sec. 723) Makes additional appropriations for Bill Emerson and Mickey Leland Hunger Fellowships.

(Sec. 724) Provides that any balances and recoveries available to carry out title III of PL 480 may be used to carry out title II of such Act.

(Sec. 725) Amends the Consolidated Farm and Rural Development Act to increase obligated funding for the national sheep industry improvement center revolving fund.

(Sec. 726) Prohibits the use of funds under this Act to collect from the lender at the time of issuance a guarantee fee of less than two percent of the principal obligation of guaranteed single-family housing loans administered by the Rural Housing Service.

(Sec. 727) Considers until receipt of the 2010 Census: (1) Salinas, Watsonville, and Hollister, California, eligible for Rural Housing Service programs; (2) Horseshoe Beach, Wewahitchka, Southport, Resota Beach, Plantation, St. Cloud, and Lake County, Florida, eligible for the rural utilities program; (3) Creedmoor, North Carolina, the Cleburne County Water Authority of Alabama, and Coburg, Oregon, eligible for the rural utilities program; (4) Casa Grande, Arizona, eligible for the rural housing insurance fund program, the rural housing assistance grant program, and the rural utilities program (5) Coachella, California, eligible for the rural utilities program and the rural business and cooperative development program. (6) Springfield, Ohio; Lexington, Virginia; Clarksdale, Mississippi; Vicksburg, Mississippi; Cache, Oklahoma; and Elgin, Oklahoma, eligible for rural community programs in the rural community advancement program account; (7) Carbondale, Illinois, eligible for the rural housing insurance fund program and the rural housing assistance grants program; (8) St. Joseph, Missouri, eligible for certain farmer cooperative rural business and cooperative development programs; and (9) the fiber-to-premises broadband facilities in St. Lucie County, Florida, and Port St. Lucie, Florida, collectively, eligible for certain loans and loan guarantees under the Rural Electrification Act of 1936.

(Sec. 728) Obligates specified amounts of agricultural commodities to assist foreign countries mitigate the effects of HIV and AIDS, particularly for individuals caring for orphaned children.

(Sec. 729) Directs the Natural Resources Conservation Service to provide financial and technical assistance through the watershed and flood prevention operations program to: (1) the DuPage County, Illinois, Kress Creek Water Quality Enhancement Project; and (2) Rockhouse Creek Watershed, Leslie County, Kentucky.

(Sec. 730) Authorizes the Natural Resources Conservation Service to provide financial and technical assistance through the watershed and flood prevention operations program for: (1) the Kuhn Bayou project in Arkansas; (2) the Matanuska River erosion control project in Alaska; (3) the DuPage County watershed project in Illinois; and (4) the Coal Creek project in Utah.

(Sec. 731) Prohibits funds under this Act from being transferred to any Federal entity unless authorized by an appropriations Act.

(Sec. 732) Authorizes the Secretary to use up to 20 percent of competitive research funds under this Act for a competitive grants program similar to the initiative for future agriculture and food systems.

(Sec. 733) Prohibits the use of funds under this Act to carry out Commodity Credit Corporation (CCC)-funded rehabilitation of certain dams.

(Sec. 734) Prohibits the use of funds under this Act to close or relocate the FDA Division of Pharmaceutical Analysis in Saint Louis, Missouri, outside the city or county limits.

(Sec. 735) Prohibits fund use to carry out the rural strategic investment program.

(Sec. 736) Authorizes the Department to use any unobligated salaries and expense funds to reimburse the Office of General Counsel for representing its agencies and offices in employee complaints before the Equal Employment Opportunity Commission, the Federal Labor Relations Authority, or the Merit Systems Protection Board.

(Sec. 737) Prohibits fund use to carry out the rural firefighters and emergency personnel grant program.

(Sec. 738) States that the Agricultural Marketing Service and the Grain Inspection, Packers and Stockyards Administration shall not be required to establish obligations and outlays for purchases of interest bearing investments outside of the Treasury under specified circumstances.

(Sec. 739) Authorizes the Secretary to use specified food stamp funds for commodity processing, storage, transporting, and distribution.

(Sec. 740) Limits: (1) wetlands reserve program enrollment acreage for 2005; and (2) funds for the environmental quality incentives program.

(Sec. 742) Authorizes the Secretary to permit Department employees to carry and use firearms for personal protection in remote locations in the performance of their official duties.

(Sec. 743) Prohibits fund use for renewable energy system and energy efficiency improvements assistance.

(Sec. 744) Prohibits certain fund use for access to broadband telecommunications in rural areas, with an exception for funds provided in FY 2003.

(Sec. 745) Limits funds made available in FY 2005 or preceding fiscal years under the Agricultural Trade Development and Assistance Act of 1954 to reimburse CCC for the release of certain commodities under the Bill Emerson Humanitarian Trust Act.

(Sec. 746) Prohibits certain fund use to carry out the value-added market development grant program.

(Sec. 747) Directs the Secretary, with lender consent, to structure the annual fee payment schedule for rural electrification and telephone bond and loan guarantees so as not to exceed an average of 30 basis points per year for the term of the loan in order to ensure fund availability to pay related subsidy costs.

(Sec. 748) Authorizes the Natural Resources Conservation Service to provide financial and technical assistance to the Dry Creek project, Utah.

(Sec. 749) Limits fund use for: (1) the conservation security program; (2) the grazing, wildlife habitat incentive, source water protection, and Great Lakes Basin programs; and (3) the farmland protection program.

(Sec. 752) Directs the Secretary to provide assistance to commercial citrus and lime growers in Florida for tree

replacement and for lost production for certain trees removed to control citrus canker, and for certified citrus nursery stocks within the citrus canker quarantine areas.

(Sec. 753) Limits FY 2005 fund use to carry out the rural business investment program.

(Sec. 754) Prohibits the use of funds under this Act: (1) in violation of PL 105-264 (Travel and Transportation Reform Act of 1998); (2) to revise a proposed rule (July 8, 2003) respecting cost-sharing for animal and plant health emergency programs of the Animal and Plant Health Inspection Service; and (3) without specific congressional authorization, to study or enter into a contract with a private party for competitive sourcing activities relating to rural development or farm loan programs.

(Sec. 755) Limits funds use to carry out a ground and water surface conservation program.

(Sec. 758) Authorizes the Secretary to enter into cooperative aircraft lease agreements under the Animal and Plant Health Inspection Service.

(Sec. 759) Appropriates funds (to remain available through FY 2006) for the Northern Great Plains Regional Authority.

(Sec. 760) Limits fund use for the bioenergy program.

(Sec. 761) Amends the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Programs Appropriations, 2004 to make Delta Regional Authority grants available for any rural community advancement program purpose.

(Sec. 762) Rescinds specified funds from the: (1) rural housing assistance grant program; and (2) rural housing insurance fund program.

(Sec. 763) Authorizes Department agencies and offices to use available discretionary funds to prepare for final employment discrimination decisions.

(Sec. 765) States that in the case of a high cost isolated rural area that is not connected to a road system in Alaska, the maximum level for the single family housing assistance shall be 150 percent of the average income level in the metropolitan areas of the State and 115 percent of all other eligible areas of the State.

(Sec. 766) Makes specified FY 2002 through 2005 conservation program funds under the Food Security Act of 1985 available (but not for new obligations) until expended.

(Sec. 767) Appropriates funds to the Denali Commission to address solid waste disposal problems which threaten to contaminate rural drinking water supplies.

(Sec. 768) States that the Alaska Department of Community and Economic Development shall be: (1) eligible to receive a water and waste disposal grant for up to 75 percent of the cost of providing water and sewer service to the proposed hospital in the Matanuska-Susitna Borough, Alaska; and (2) allowed to pass the grant funds to the local government entity that will provide such service.

Makes the following construction projects eligible for community facilities grants (75 percent maximum): (1) the Tri-Valley Community Center addition in Healy, Alaska; (2) the Cold Climate Housing Research Center in Fairbanks, Alaska; and (3) the University of Alaska-Fairbanks Allied Health Learning Center skill labs/classrooms.

Considers Guymon, Shawnee, and Altus, Oklahoma; New Miami, Ohio; and Vicksburg, Mississippi, eligible for rural housing insurance fund loans and grants until receipt of the 2010 Census.

States that community facilities grants for Ellisville, and Waynesboro, Mississippi, shall be made without a non-Federal cost share requirement.

Considers Great Falls, Montana, a rural area for business and industry guaranteed loan eligibility until receipt of the 2010 Census.

Authorizes the Secretary to consider the Piedmont Municipal Power Agency of South Carolina eligible to participate in rural utilities service programs until receipt of the 2010 Census.

States that until receipt of the 2010 Census, for all rural development mission area programs in Honolulu County, Hawaii, the Secretary may designate any portion of the county as a rural area or eligible rural community, except for any area included in the Honolulu Census Designated Place as determined by the Secretary of Commerce.

(Sec. 769) Amends PL 480 to rename the John Ogonowski Farmer-to-Farmer program as the John Ogonowski and Doug Bereuter Farmer-to-Farmer program.

(Sec. 770) Authorizes community facility program borrowers and grantees to enter into service contracts with not-for-profit third parties.

(Sec. 771) Authorizes the Secretary to: (1) make funding and other assistance available through the emergency watershed protection program to repair and prevent damage to nonfederal land in watersheds that have been impaired by fires initiated by the Federal Government; and (2) waive related cost sharing requirements.

(Sec. 772) Prohibits the use of funds under this Act to: (1) provide agricultural credits or credit guarantees for commodities for use in Iraq in violation of specified credit restrictions under the Agricultural Trade Act of 1978; (2) make certain previously-enrolled land planted to hardwood trees ineligible for the conservation reserve program; and (3) restrict to prescription use a contraceptive that has been determined to be safe and effective.

(Sec. 776) Amends the Food Security Act of 1985 to provide privacy protection for certain farm product sellers by using a "unique identifier" selected by the Secretary of State using a selection system or method approved by the Secretary.

(Sec. 777) Amends the Equity in Educational Land Grant Status Act of 1994 to include Tohono O`odham Community College among the "1994 Institutions." (Makes such College eligible for land-grant college benefits as provided for by such Act.)

(Sec. 778) Rescinds specified unobligated funds in the agricultural conservation program account.

(Sec. 779) Makes funds available to the Dakota Value Capture Cooperative under the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2002 available until expended for a project conducted by the Dakota Value Capture Cooperative at South Dakota State University.

(Sec. 780) Prohibits fund use to pay the administrative expenses of a State agency that authorizes any new for-profit vendor to transact Special Supplemental Nutrition Program for Women, Infants, and Children (WIC) food instruments if more than 50 percent of the vendor's expected annual food sales will be derived from the sale of WIC-obtained supplemental foods. Permits such vendor's authorization to assure participant access to program benefits.

(Sec. 781) Rescinds specified unobligated funds: (1) under the Act of August 24, 1935; and (2) available to the Foreign Agricultural Service under title I of PL 480.

(Sec. 783) Authorizes the Secretary to use unobligated Rural Utilities Service carryover funds (not including rural community advancement program funds) to carry out 911 access expansion activities.

(Sec. 784) Prohibits fund use to reduce the Wildlife Habitat Management Institute in Mississippi as in existence on December 17, 2003.

(Sec. 785) Includes elk, reindeer and bison in livestock assistance programs.

(Sec. 786) Appropriates funds for milk processing and packaging facilities in Alaska.

(Sec. 787) Appropriates grant funds to Alaska Village Initiatives for a private lands wildlife management program in Alaska.

(Sec. 788) Amends the Richard B. Russell National School Lunch Act, as amended by the Child Nutrition and WIC Reauthorization Act of 2004, to extend: (1) the summer food service rural transportation program through FY 2006; and (2) interim and final program report dates. Makes specified technical corrections.

(Sec. 789) Amends the Emergency Supplemental Appropriations for Hurricane Disasters Assistance Act, 2005 to provide assistance to producers and first handlers of the 2004 crop of cottonseed in counties declared a disaster due to hurricanes and tropical storms. (Current law provides assistance only for hurricane damage.)

(Sec. 790) Appropriates funds for: (1) the Ohio Livestock Expo Center in Springfield, Ohio; (2) the Virginia Horse Center in Lexington, Virginia; (3) the Wisconsin Federation of Cooperatives for pilot Wisconsin-Minnesota health care cooperative purchasing alliances; and (4) the Florida Department of Citrus.

(Sec. 792) Rescinds specified unobligated balances for: (1) the Great Plains conservation program; (2) the forestry incentives program; (3) the water bank program; and (4) the John's Creek, Tennessee, watershed and flood prevention operations project.

(Sec. 794) Amends the Food Security Act of 1985 to authorize the Secretary to enter into alternative funding arrangements with federally recognized Native American Indian Tribes and Alaska Native Corporations (including affiliated membership organizations) if program objectives will be met and statutory contract limitations with individual producers will not be exceeded.

(Sec. 796) Authorizes States administering the child and adult care food program to reallocate FY 2004 funds for participant-institution audits.

(Sec. 797) Amends the Food Security Act of 1985 with respect to the grassland reserve program to provide that if a private organization or State agency holding an easement on land dissolves or fails to enforce the terms of the easement, the easement shall revert to the Secretary. (Current law provides that the owner of the land shall reassign the easement to the Secretary or to a new private organization approved by the Secretary.)

Division B: Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 2005 - Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 2005 - **Title I: Department of Justice** - Department of Justice Appropriations Act, 2005 - Makes appropriations for the

Department of Justice for FY 2005 for: (1) general administration, including for a joint automated booking system, an integrated automated fingerprint identification system, office automation expenses of specified organizations, conversion to narrowband communications, administration of pardon and clemency petitions and immigration-related activities, the Federal Detention Trustee, and the Office of the Inspector General; (2) the U.S. Parole Commission; (3) legal activities, including reimbursement from the Vaccine Injury Compensation Trust Fund for processing cases under the National Childhood Vaccine Injury Act of 1986, for antitrust enforcement, the Offices of the U.S. Attorneys, the U.S. Trustee Program, the Foreign Claims Settlement Commission, the U.S. Marshals Service (including for construction of prisoner-holding space), fees and expenses of witnesses, the Community Relations Service, for certain uses of the Assets Forfeiture Fund, and payment to the Radiation Exposure Compensation Trust Fund; (4) interagency crime and drug enforcement; (5) the Federal Bureau of Investigation (FBI); (6) the Drug Enforcement Administration (DEA); (7) the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATFE); (8) the Federal Prison System, including for the construction of new buildings and facilities and for the Federal Prison Industries, Incorporated (subject to certain limitations on administrative expenses); (9) the Office on Violence Against Women for prevention and prosecution programs; and (10) the Office of Justice Programs, including State and local law enforcement assistance, the Weed and Seed Program Fund, community-oriented policing services, juvenile justice programs, and public safety officers benefits.

Specifies certain uses and limits on or prohibitions against the use of funds appropriated by this Act.

(Sec. 102) Prohibits the use of funds appropriated by this title to: (1) pay for an abortion, except where the life of the mother would be endangered if the fetus were carried to term, or in the case of rape; or (2) require any person to perform or facilitate an abortion.

(Sec. 104) Declares that nothing in the prohibition against the use of funds for abortions shall remove the obligation of the Director of the Bureau of Prisons to provide escort services necessary for a female inmate to receive an abortion outside of a Federal facility.

(Sec. 105) Declares that authorities contained in the 21st Century Department of Justice Appropriations Authorization Act (Public Law 107-273) shall remain in effect until the effective date of a subsequent Department of Justice Appropriations Authorization Act.

(Sec. 107) Continues in effect during FY 2005 the requirement that the Attorney General award posthumous citizenship to individuals with pending naturalization applications who died of injuries related to the terrorist attacks of September 11, 2001.

(Sec. 108) Makes funds available for Project Seahawk.

(Sec. 109) Authorizes the Attorney General to extend through FY 2006 the Personnel Management Demonstration Project for certain positions of the ATFE Bureau, without limitation on the number of employees or positions covered.

(Sec. 110) Prohibits the use of funds by the DEA to establish a procurement quota following approval of a new drug application or an abbreviated new drug application for a controlled substance.

(Sec. 111) Declares that the foregoing prohibition shall not apply to any new drug application or abbreviated new drug application for which the DEA has reviewed and provided public comments on labeling, promotion, risk management plans, and any other documents.

(Sec. 112) Amends Federal civil service law to authorize the Director of the FBI to delay the mandatory retirement age for

an FBI agent until the agent reaches age 65. (Currently the mandatory retirement age is 57 and the Director has authority to delay the age of retirement to 60.)

(Sec. 113) Authorizes the Director of the FBI to pay retention and relocation bonuses to FBI employees. Terminates such authority after calendar 2009.

(Sec. 114) Authorizes the Director of the FBI to establish a Federal Bureau of Investigation Reserve Service for temporary reemployment of employees in the FBI during periods of emergency.

(Sec. 115) Authorizes the FBI to designate certain intelligence-related positions as critical and to compensate them at level I of the Executive Schedule.

(Sec. 116) Authorizes certain appropriations to the ATFE Bureau for undercover operations necessary for the detection and prosecution of crimes against the United States.

(Sec. 117) Includes the Director of the ATFE Bureau within the class of Federal officers and employees eligible for passenger carrier transport between residence and place of employment.

(Sec. 118) Requires the Bureau of Prisons to: (1) submit a comprehensive financial plan to the House and Senate Appropriations Committees; and (2) implement a pilot program in the Southern District of Florida which would allow the Federal Public Defender to transfer computers to the local detention facility to review electronic discovery.

(Sec. 120) Prohibits the use of funds appropriated by this Act: (1) to transport a maximum or high security prisoner to a prison or other facility that is not appropriately secure for housing such a prisoner; or (2) for the purchase by Federal prisons of cable television services or other electronic equipment used primarily for recreational purposes.

(Sec. 122) Amends the Radiation Exposure Compensation Act to end appropriations for the Radiation Exposure Compensation Trust Fund with FY 2005. (Currently, appropriations are made through FY 2011.)

(Sec. 123) Amends the Prison Rape Elimination Act of 2003 to rename the National Prison Rape Reduction Commission as the National Prison Rape Elimination Commission.

(Sec. 124) Authorizes the President to award and present a 9/11 Heroes Medal of Valor to an appropriate representative of those members of public safety agencies killed in the terrorist attacks in the United States on September 11, 2001, as certified by the Attorney General by July 1, 2005, on behalf of such individuals.

Requires such presentation to be made as close as feasible to the 4th anniversary of the terrorist attacks.

Makes an individual eligible for such award if the individual was a public safety officer who: (1) was present in New York, Virginia, or Pennsylvania on September 11, 2001; (2) participated in the response that day to the terrorist attacks on the World Trade Center (WTO), the Pentagon, or that resulted in the crash of the fourth airplane in Pennsylvania; and (3) died as a result of such participation. Deems an individual who was killed in one of the attacks (for eligibility requirements) to have participated in the response.

Authorizes appropriations.

(Sec. 125) Directs the Attorney General to transfer, without reimbursement, to the Secretary of the Army a specified parcel of real property, including any improvements, located on River Road in Prince George County, Virginia. Transfers administrative jurisdiction of the property from the Bureau of Prisons to the Secretary of the Army, who shall assume

administrative and jurisdictional accountability over the property and include it as part of Fort Lee, Virginia.

(Sec. 126) Directs the Department of Justice to establish an Office of Justice for Victims of Overseas Terrorism.

Title II: Department of Commerce and Related Agencies - Department of Commerce and Related Agencies Appropriations Act, 2005 - Makes appropriations for the Department of Commerce for FY 2005 for: (1) the Office of the U.S. Trade Representative; (2) the National Intellectual Property Law Enforcement Coordination Council; (3) the International Trade Commission; (4) the International Trade Administration; (5) the Bureau of Industry and Security; (6) the Economic Development Administration; (7) the Minority Business Development Agency; (8) economic and statistical analysis programs; (9) the Bureau of the Census; (10) the National Telecommunications and Information Administration; (11) public telecommunications facilities planning and construction grants; (12) information infrastructure grants; (13) the U.S. Patent and Trademark Office; (14) the Under Secretary for Technology, Office of Technology Policy; (15) the National Institute of Standards and Technology (NIST), including amounts for the Manufacturing Extension Partnership and for construction of new research facilities; (16) the National Oceanic and Atmospheric Administration (NOAA), including transfer of funds, and an amount for procurement, acquisition, and construction of capital assets; (17) restoration of Pacific salmon populations; (18) the Coastal Zone Management Fund; (19) the Fishermen's Contingency Fund; (20) the fisheries finance program account; and (21) departmental management, including the U.S. Travel and Tourism Promotion Program and the Office of Inspector General.

Specifies certain uses and limits on or prohibitions against the use of funds appropriated by this Act.

(Sec. 205) Prohibits the use of funds to reimburse the Unemployment Trust Fund or any other account of the Treasury to pay unemployment compensation expenses with respect to temporary census workers.

(Sec. 206) Specifies amounts available to certain organizations, including the Alaska Fisheries Marketing Board, for the promotion and development of fishery products and research pertaining to American fisheries. Makes the Alaska Fisheries Marketing Board a nonprofit organization whose Executive Director may be a Department of Commerce employee appointed or designated by the Secretary of Commerce.

(Sec. 207) Authorizes the Secretary of Commerce to operate a marine laboratory in South Carolina in accordance with a specified memorandum of agreement.

(Sec. 208) Provides that funds made available to administer the Emergency Steel Loan Guarantee Program shall remain available until expended.

(Sec. 209) Provides for the financing of a fishing capacity reduction program for the Southeast Alaska purse seine fishery.

(Sec. 210) Places the Coordinator for International Intellectual Property Enforcement on the International Intellectual Property Law Enforcement Coordination Council.

(Sec. 211) Specifies funding levels for certain NIST projects.

(Sec. 212) Extends through FY 2007 funding for the environmental cleanup of the Pribilof Islands.

(Sec. 213) Authorizes the State of Hawaii to enforce its own laws (to the extent that they are no less restrictive than Federal law) for the operation in State waters of recreational and commercial vessels, for purposes of conservation and management of humpback whales.

(Sec. 214) Directs the Administrator of NOAA to establish and administer the Ernest F. Hollings Scholarship Program to award scholarships in oceanic and atmospheric science, research, technology, and education.

(Sec. 215) Terminates as of April 4, 2008, the U.S. reversionary right, title, and interest in the NOAA property known as the Tiburon Laboratory, located in Tiburon, California, which was conveyed to the Board of Trustees of the California State University.

(Sec. 216) Requires the Secretary to pay by March 1, 2005, $5 million to the National Marine Sanctuaries Foundation to capitalize a fund for ocean activities.

(Sec. 217) Subjects any funding provided under this title which is used to implement the Department's E-Government Initiatives to the procedures set forth in section 605 of this Act.

(Sec. 218) Provides for the financing of a fishing capacity reduction program for the: (1) Federal Gulf of Mexico Reef Fish Fishery Management Plan; and (2) non-pollock groundfish fishery in the Bering Sea and Aleutian Islands Management Area.

(Sec. 220) Bars the use of funds appropriated in this Act or any other Act to disqualify any community which was a participant in the Bering Sea Community Development Quota program on January 1, 2004, from continuing to receive quota allocations under that program.

(Sec. 221) Provides additional funding, to remain available until expended, for the Federal Credit Reform Act cost of a certain reduction loan under the Merchant Marine Act, 1936 (not to exceed an additional $25 million in principal) for the capacity reduction program for non-pollock groundfish fishery in the Bering Sea and Aleutian Islands Management Area.

Title III: The Judiciary - Judiciary Appropriations Act, 2005 - Makes appropriations for: (1) the U.S. Supreme Court, including for care of the court building and grounds; (2) the U.S. Court of Appeals for the Federal Circuit; (3) the U.S. Court of International Trade; (4) the courts of appeals, district courts, and other judicial services, including for defender services, fees of jurors and commissioners, and court security; (5) the Administrative Office of the U.S. Courts; (6) the Federal Judicial Center; (7) judicial retirement funds; and (8) the U.S. Sentencing Commission.

Specifies certain uses and limits on or prohibitions against the uses of funds appropriated by this Act.

(Sec. 304) Increases maximum compensation levels for court-appointed criminal defense attorneys and allowances for investigators, experts, and other services under the Criminal Justice Act.

(Sec. 305) Requires the Administrative Office of the U.S. Courts to submit to the House and Senate Appropriations Committees a comprehensive financial plan for the Judiciary.

(Sec. 306) Authorizes a salary adjustment for U.S. Justices and judges.

(Sec. 307) Increases certain filing fees in U.S. district courts and the amount of their disposition.

(Sec. 308) Requires fees collected for the processing of violations through the Central Violations Bureau cases as prescribed by the U.S. Judicial Conference to be deposited to the "Courts of Appeals, District Courts, and Other Judicial Services, Salaries and Expenses" appropriation.

Title IV: Department of State and Related Agency - Department of State and Related Agency Appropriations Act, 2005 - Makes appropriations for the Department of State for FY 2005 for: (1) administration of foreign affairs, diplomatic and

consular programs; (2) the Capital Investment Fund; (3) modernization of information technology systems and networks; (4) the Office of Inspector General; (5) educational and cultural exchange programs; (6) representation allowances; (7) protection of foreign missions and officials; (8) U.S. embassy security, construction, and maintenance; (9) emergencies in the diplomatic and consular service; (10) the repatriation loans program account; (11) the American Institute in Taiwan; (12) the Foreign Service Retirement and Disability Fund; (13) international organizations, peacekeeping, and commissions; (14) the International Boundary and Water Commission, United States and Mexico; (15) plan preparation and construction of authorized projects; (16) the International Joint Commission and the International Boundary Commission, United States and Canada; (17) international fisheries commissions; (18) the Asia Foundation; (19) the Center for Middle Eastern-Western Dialogue Trust Fund; (20) the Eisenhower Exchange Fellowships, Incorporated; (21) the Israeli Arab Scholarship Program; (22) the Center for Cultural and Technical Interchange Between East and West; and (23) the National Endowment for Democracy.

Makes appropriations for the Broadcasting Board of Governors for FY 2005 for international broadcasting operations and capital improvements.

Specifies certain uses and limits on or prohibitions against the use of funds appropriated by this Act.

(Sec. 403) Bars the use of funds under in this Act by the Department of State or the Broadcasting Board of Governors to provide assistance to the Palestinian Broadcasting Corporation.

(Sec. 404) Directs the Senior Policy Operating Group on Trafficking in Persons to coordinate policies related to international trafficking in persons, including traffickers and victims of severe forms of trafficking.

(Sec. 405) Amends the State Department Basic Authorities Act of 1956 to authorize the Secretary of State to pay a reward to any individual who furnishes information which leads to the disruption of financial mechanisms of a foreign terrorist organization, including the organization's use of illicit narcotics production or international narcotics trafficking. Increases the maximum amount of such award from $5 million to $25 million. Allows an increased award for information leading to the capture of the leader of a foreign terrorist organization.

Authorizes the Secretary to conduct media surveys in countries associated with acts of international terrorism and to disseminate information about the reward program.

(Sec. 406) Directs the Secretary of State to record the place of birth of a U.S. citizen who is born in Jerusalem as Israel.

(Sec. 407) Requires the Secretary of State to provide to a Member of the House or Senate Appropriations Committee a copy of each cable sent to a State Department employee pertaining to any topic specified by the requesting Member within 15 days after the Member's request, regardless of the cable's level of classification.

(Sec. 408) Establishes the Office of the Coordinator for Reconstruction and Stabilization within the Department of State. Sets forth the functions of such Office, including monitoring functions for the purpose of addressing crises in countries in conflict or civil strife.

(Sec. 409) Directs the Secretary of State to require each chief of mission to review, at least once every five years according to the NSDD-38 process, and report on every staff element of chief of mission authority, recommending approval or disapproval.

(Sec. 410) Authorizes the Department of State and the Broadcasting Board of Governors to obligate and expend funds notwithstanding certain statutory restrictions.

(Sec. 411) Adjusts the percentage limitations on the U.S. share of assessments for United Nation (UN) peacekeeping activities for 2005.

(Sec. 412) Amends the Foreign Service Act of 1980 to revise the Senior Foreign Service pay system.

(Sec. 413) Amends the State Department Basic Authorities Act of 1956 to authorize the Department of State to settle employee salary claims and other personnel grievances.

Title V: Related Agencies - Makes appropriations for FY 2005 for: (1) the Antitrust Modernization Commission; (2) the Commission for the Preservation of America's Heritage Abroad; (3) the Commission on Civil Rights; (4) the U.S. Commission on International Religious Freedom; (5) the Commission on Security and Cooperation in Europe; (6) the Congressional-Executive Commission on the People's Republic of China; (7) the Equal Employment Opportunity Commission (EEOC); (8) the Federal Communications Commission (FCC); (9) the Federal Trade Commission (FTC); (10) the Helping Enhance the Livelihood of People (HELP) Around the Globe Commission; (11) the Legal Services Corporation, with specified restrictions; (12) the Marine Mammal Commission; (13) the National Veterans Business Development Corporation; (14) the Securities and Exchange Commission (SEC); (15) the Small Business Administration (SBA), including the Office of Inspector General, the Surety Bond Guarantees Revolving Fund, the Business Loans Program Account, and the Disaster Loans Program Account; (16) the State Justice Institute; (17) the United States-China Economic and Security Review Commission; (18) the U.S. Institute of Peace; and (19) the United States Senate-China Interparliamentary Group.

Title VI: General Provisions - Specifies certain uses and limits on or prohibitions against the use of funds appropriated by this Act.

(Sec. 601) Prohibits the use of funds for: (1) publicity or propaganda purposes not authorized by Congress; (2) construction, repair (other than emergency repair), overhaul, conversion, or modernization of NOAA vessels in shipyards outside the United States: or (3) the use of any guidelines similar to certain EEOC guidelines published in 1993 covering harassment based on religion.

(Sec. 608) Disqualifies any person from receiving a contract funded by this Act who intentionally affixes a fraudulent "Made in America" label to any product sold in or shipped to the United States.

(Sec. 609) Prohibits the use of funds under this Act for the funding of UN peacekeeping missions involving U.S. armed forces under the command of a foreign national unless sanctioned by the President.

(Sec. 610) Requires the Departments of Commerce, Justice, and State, the Judiciary, the FCC, the SEC, and the SBA to provide the House and Senate Appropriations Committees with a quarterly accounting of the cumulative balances of any unobligated funds made available to such agencies during any previous fiscal year.

(Sec. 611) Prohibits the use of funds under this Act for: (1) opening, operating, or expanding any U.S. diplomatic or consular post in the Socialist Republic of Vietnam that was not operating on July 11, 1995 or increasing the number of personnel assigned in that country; (2) promoting the sale or export of tobacco or tobacco products; (3) issuing visas to any individuals named or implicated in certain killings or murders in Haiti; or (4) implementing any tax or fee for the implementation of the national instant criminal background check system for firearms or any background check system that does not require the destruction of identifying information of any person who has been determined not to be prohibited from owning a firearm.

(Sec. 616) Provides that amounts deposited or available in the Crime Victims Fund in any fiscal year in excess of $625 million shall not be available for obligation until the following fiscal year.

(Sec. 617) Prohibits the use of funds under this Act for: (1) the use of Department of Justice funds to discriminate against or denigrate the religious or moral beliefs of students participating in certain programs, or their parents or legal guardians; or (2) the granting of visas to citizens of countries that deny or unreasonably delay accepting the return of their citizens under the Immigration and Nationality Act.

(Sec. 619) Earmarks specified additional SBA funds for certain entities.

(Sec. 620) Requires the SBA to administer all disaster loans issued in Alaska, and prohibits the sale of such loans.

(Sec. 622) Requires the Departments of Commerce, Justice, and State, the Judiciary, the SEC, and the SBA to certify that telecommuting opportunities are available to 100 percent of their eligible workforce, to make quarterly reports on the status of telecommuting programs, and to designate a Telework Coordinator.

(Sec. 623) Directs the Secretary of Commerce, with the President's consent, to represent the United States in negotiating and monitoring international agreements regarding fisheries, marine mammals, or sea turtles.

(Sec. 624) Requires the ATFE Bureau to include certain disclaimers in data releases on the limitations of data in firearms tracing studies with respect to firearms-related crime.

(Sec. 625) Prohibits the use of funds under this Act for: (1) violation of provisions of the Immigration and Nationality Act denying admissibility to aliens engaged in international child abduction; (2) the issuance of patents on claims directed to or encompassing a human organism; or (3) payment of expenses for any U.S. delegation to any UN specialized agency, body, or commission if such commission is chaired or presided over by a country that has provided support for acts of international terrorism.

(Sec. 628) Directs the Department of Justice, the Department of Homeland Security, and the Department of State to study and report to the House and Senate Appropriations Committees on all matters relating to interagency review of applications for nonimmigrant visas.

(Sec. 629) Amends the Secure Embassy Construction and Counterterrorism Act of 1999 to require all agencies (excluding the Marine Security Guard) with personnel overseas to participate and provide funding in advance for their share of the costs for providing new, safe, secure diplomatic facilities.

(Sec. 630) Prohibits a project to construct a U.S. diplomatic facility from including office space or other accommodations for an employee of a Federal agency or department if the Secretary of State determines that such department or agency has not provided to the Department the full amount of advanced funding for its share of the costs for such facility. Excludes the Marine Corps from such prohibition.

(Sec. 631) Expresses the sense of Congress that the Secretary of State, at the most immediate opportunity, should: (1) determine whether recent events in the Darfur region of Sudan constitute genocide; and (2) support the investigation and prosecution of war crimes and crimes in that region.

(Sec. 632) Prohibits the use of funds under this Act for the support or justification of the use of torture by any official or contract employee of the United States.

(Sec. 633) Amends the Department of Justice and Related Agencies Appropriations Act, 1993 to modify certain requirements relating to the DEA diversion control program.

Declares that reimbursement to DEA from the Diversion Control Fee Account for expenses of the diversion control program shall be made without distinguishing between expenses related to controlled substance activities and expenses related to chemical activities.

Defines diversion control program as DEA controlled substance and chemical diversion control activities (related to registration and control of the manufacture, distribution, dispensing, importation, and exportation of controlled substances and listed chemicals).

(Sec. 634) Prohibits the use of funds under this Act by the FCC to modify, amend, or change its rules or regulations for universal service support payments to implement the February 27, 2004, recommendations of the Federal-State Joint Board on Universal Service regarding single connection or primary line restrictions on universal service support payments.

(Sec. 635) Allows the unobligated balance under the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 2002 for the necessary expenses of the United States-Canada Alaska Rail Commission to be transferred as a direct lump-sum payment to the University of Alaska.

(Sec. 636) Amends the Small Business Act to declare that the National Veterans Business Development Corporation is a private entity and is not a Federal agency, instrumentality, authority, entity, or establishment.

(Sec. 637) Earmarks (out of amounts made available in this Act for the Departments of State, the Judiciary, and Commerce, the U.S. Trade Representative, and the Broadcasting Board of Governors) funds to implement the Capital Security Cost Sharing Program under section 629 of this Act.

(Sec. 638) Authorizes the FCC, in accordance with this Act, to sell the monitoring facilities in Honolulu, Hawaii, and Livermore, California, including all real property.

(Sec. 639) Prohibits the use of funds appropriated by this Act to contravene certain provisions of the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003 prohibiting: (1) promotion or advocacy of the legalization or practice of prostitution or sex trafficking; or (2) assistance to any group or organization that does not have a policy explicitly opposing prostitution and sex trafficking.

(Sec. 640) Rescinds 0.54 percent of the budget authority provided for in FY 2005 for any discretionary account in this Act.

Title VII: Rescissions - Rescinds specified unobligated balances available to: (1) the Department of Justice for the Working Capital Fund, the Asset Forfeiture Fund, and the Office of Justice Programs for State and local law enforcement assistance, community oriented policing services, and juvenile justice; and (2) the Department of Commerce for NIST for the Advanced Technology Program and the FCC.

Title VIII: Patent and Trademark Fees - (Sec. 801) Establishes patent and trademark fees for FY 2005 and 2006, including specified: (1) general patent fees; (2) patent maintenance fees; (3) patent search fees; and (4) fees for small entities.

(Sec. 802) Prescribes fees under the Trademark Act of 1946 for electronic and paper applications for trademark registration.

(Sec. 803) Sets forth effective dates, applicability, and transitional requirements for the revisions in patent and trademark fees under this title.

Title IX: Oceans and Human Health Act - Oceans and Human Health Act - (Sec. 902) Requires the President, through the National Science and Technology Council (NSTC), to coordinate and support a national research program to improve understanding of the role of the oceans in human health.

Directs the NSTC, through the Director of the Office of Science and Technology Policy, to coordinate and submit a plan to Congress for coordinated Federal activities under the program.

Declares that nothing in this title is intended to duplicate or supersede the activities of the Inter-Agency Task Force on Harmful Algal Blooms and Hypoxia established under the Harmful Algal Bloom and Hypoxia Research and Control Act of 1998.

Specifies the requirements and scope of the plan.

(Sec. 903) Authorizes the Secretary of Commerce, as part of the interagency oceans and human health research program, to establish an Oceans and Human Health Initiative (OHHI) to coordinate and implement research and activities of the NOAA related to the role of the oceans, the coasts, and the Great Lakes in human health.

Authorizes the OHHI to provide support for: (1) centralized program and research coordination; (2) an advisory panel; (3) one or more NOAA national centers of excellence; (4) research grants; and (5) distinguished scholars and traineeships.

Authorizes the Secretary to: (1) establish an oceans and human health advisory panel to assist in the development and implementation of the OHHI; (2) identify and provide financial support through a competitive process to develop, within the NOAA, for one or more centers of excellence that strengthen NOAA capabilities to carry out its programs and activities related to the oceans' role in human health; (3) provide grants of financial assistance (through a competitive peer-reviewed, merit-based process) to the scientific community for critical extramural research and projects that explore the relationship between the oceans and human health that complement or strengthen NOAA programs and activities related to such role; and (4) establish a program to provide traineeships, training, and experience to pre-doctoral and post-doctoral students and to scientists at the beginning of their careers who are interested in the oceans in human health research conducted under the NOAA initiative.

(Sec. 904) Requires the Secretary, in cooperation with the National Sea Grant program, to design and implement a program to disseminate information developed under the OHHI, including research, assessments, and findings regarding the relationship between oceans and human health, on both a regional and national scale.

(Sec. 905) Authorizes appropriations for FY 2005 through 2008.

Division C: Energy and Water Development Appropriations Act, 2005 - Energy and Water Development Appropriations Act, 2005 - **Title I: Department of Defense - Civil** - Makes FY 2005 appropriations for: (1) the U.S. Army Corps of Engineers (civil functions of the Department of the Army pertaining to rivers and harbors, flood control, shore protection and storm damage reduction, and aquatic ecosystem restoration); (2) general investigations (collection and study of basic information pertaining to rivers and harbors, flood control, shore protection, storm damage reduction, and related projects); (3) construction (river and harbor, flood control, shore protection, storm damage reduction, and related projects); (4) flood damage reduction for the Mississippi River alluvial valley below Cape Girardeau, Missouri; (5) operation and maintenance of existing river and harbor, flood and storm damage reduction, aquatic ecosystem

restoration, and related projects; (6) administration of laws pertaining to regulation of navigable waters and wetlands; (7) clean up of contamination at U.S. sites resulting from work performed as part of the Nation's early atomic energy program; (8) general administration and related civil works functions in the headquarters of the Corps, the offices of the Division Engineers, the Humphreys Engineer Center Support Activity, the Institute for Water Resources, the U.S. Army Engineer Research and Development Center, and the Corps Finance Center; and (9) the Office of Assistant Secretary of the Army (Civil Works).

(Sec. 101) Limits funds for agreements proposed by the Assistant Secretary of the Army for Civil Works or the Corps under specified project authorities to credits and reimbursements per project of up to $10 million in each fiscal year, and total credits and reimbursements for all applicable projects of up to $50 million in each fiscal year.

(Sec. 102) Prohibits the use of appropriated funds by the Corps to support activities related to the proposed Ridge Landfill in Tuscarawas County, Ohio.

(Sec. 103) Prohibits the use of appropriated funds to demonstrate or implement any plans divesting or transferring any Civil Works responsibilities of the Corps to other Government agencies without specific direction in a subsequent Act of Congress.

(Sec. 104) Modifies the project for flood protection at Alamogordo, New Mexico, to direct the Secretary to construct a flood detention basin to protect the north side of the City of Alamogordo, New Mexico, from flooding.

(Sec. 105) Prohibits the use of appropriated funds by the Corps to support activities related to the proposed Indian Run Sanitary Landfill in Sandy Township, Stark County, Ohio.

(Sec. 106) Bars the use of funds made available in this Act to carry out any activity relating to closure or removal of the St. Georges Bridge across the Intracoastal Waterway, Delaware River to Chesapeake Bay, Delaware and Maryland (including a hearing or any other activity relating to preparation of an environmental impact statement concerning the closure or removal).

(Sec. 107) Bars the use of funds made available in this Act to carry out any water reallocation project or component under the Wolf Creek Project, Lake Cumberland, Kentucky.

(Sec. 108) Authorizes the Secretary of the Army (Secretary for this title) to establish a program for providing environmental assistance to non-Federal, publicly owned interests in Lake Tahoe Basin. Sets the Federal share of project costs at 75 percent.

(Sec. 109) Amends the Water Resources Development Act of 1996, to allow work-in-kind as the non-Federal share of the cost to provide assistance for the Lake Tahoe watershed, California and Nevada, and Walker River Basin, Nevada.

(Sec. 110) Directs the Assistant Secretary to enter into an agreement with the Orange County Water District, Orange County, California, for purposes of water conservation storage and operations to provide at a minimum a conservation level up to elevation 498 feet mean sea level during the flood season, and up to elevation 505 feet mean sea level during the non-flood season at Prado Dam, California.

(Sec. 111) Authorizes the Secretary to: (1) construct a new Black Warrior-Tombigbee Rivers, Alabama, project management office at a location within the vicinity of Tuscaloosa, Alabama, at full Federal expense; and (2) transfer to the city of Tuscaloosa, Alabama, at fair market value, the land and structures associated with the existing project management office, if the city agrees to assume full responsibility for demolition of the existing project management

office. Authorizes appropriations.

(Sec. 112) Requires the Secretary to: (1) submit the Chief of Engineers Report on a water resources matter to the appropriate authorizing and appropriating congressional committees; and (2) report to Congress on any water resources matter on which the Chief of Engineers has reported.

(Sec. 114) Amends the Coastal Wetlands Planning, Protection, and Restoration Act to remove certain restrictions on the distribution of appropriations for: (1) coastal wetland conservation planning expenditures; (2) coastal wetlands conservation grants; and (3) North American wetlands conservation.

Amends the Dingell-Johnson Sport Fish Restoration Act to extend from 2009 to 2019 the availability of funds to implement the Coastal Wetlands Planning, Protection, and Restoration Act.

(Sec. 115) Directs the Secretary to design and construct a marina and associated facilities project capable of remaining in operation through extended drought conditions at Federal expense at Lake Sakakawea, North Dakota.

(Sec. 116) Authorizes the Secretary to undertake the Central City (Ft. Worth) River Project on the Trinity River and Tributaries, Texas, at specified Federal and non-Federal costs if the Secretary determines the work is technically sound and environmentally acceptable.

(Sec. 117) Authorizes the Secretary to implement, at full Federal expense, structural and non-structural projects for storm damage prevention and reduction, coastal erosion, and ice and glacial damage in Alaska, including relocation of affected communities and construction of replacement facilities.

(Sec. 118) Modifies the project for navigation improvements, Cook Inlet, Alaska (Anchorage Harbor), to direct the Secretary to construct a specified harbor depth at the Port of Anchorage intermodal marine facility at each phase of facility modification as such phases are completed and as the entire project is completed.

(Sec. 119) Amends the Miscellaneous Appropriations Act, 2001, to authorize Federal assistance for construction of certain navigation and inland harbor improvement and expansion projects in Northern Wisconsin.

(Sec. 120) Amends the Water Resources Development Act of 1992 to provide additional assistance for waste water infrastructure, St. Croix Falls, Wisconsin.

(Sec. 121) Directs the Secretary to: (1) dredge sediments, at 100 percent Federal cost, in the vicinity of the Bailey (NIPSCO) intake structure near the Burns Waterway Harbor Breakwater; (2) transfer to the Appalachian Regional Commission the unexpended balance of funds appropriated in FY 2003 and 2004 for the Duck River Water Supply Infrastructure Project, Cullman, Alabama; and (3) provide assistance to Yakutat, Alaska Dam.

(Sec. 124) Prohibits the Secretary, acting through the Chief of Engineers, from implementing changes to existing shoreline protection policies that have not been specifically authorized by Congress.

Title II: Department of the Interior - Makes FY 2005 appropriations for: (1) activities authorized by the Central Utah Project Completion Act, with specified funds deposited into the Utah Reclamation Mitigation and Conservation Account; (2) the Bureau of Reclamation; (3) management, development, and restoration of water and related natural resources and related activities, including participation in fulfilling related Federal responsibilities to Native Americans; (4) programs, projects, plans, habitat restoration, and acquisition provisions of the Central Valley Project Improvement Act; and (5) policy and administration in the Office of the Commissioner, the Denver (Colorado) office, and offices in the five regions

of the Bureau.

(Sec. 201) Prohibits the use of appropriated funds to determine the final point of discharge for the interceptor drain for the San Luis Unit until the Secretary of the Interior and the State of California have developed a plan which conforms to California water quality standards approved by the Administrator of the Environmental Protection Agency (EPA), in order to minimize any detrimental effect of the San Luis drainage waters. Declares that the costs of the Kesterson Reservoir Cleanup Program and the San Joaquin Valley Drainage Program shall be classified as reimbursable or nonreimbursable and collected until fully repaid. Makes any future obligations by the United States relating to drainage for that Unit fully reimbursable by Unit beneficiaries pursuant to Federal reclamation law.

(Sec. 202) Prohibits the use of appropriated funds to pay the salaries and expenses of personnel to purchase or lease water in the Middle Rio Grande or the Carlsbad Projects in New Mexico unless such purchase or lease complies with specified statutory purchase requirements.

(Sec. 203) Prohibits payment from the Lower Colorado River Basin Development Fund into the general fund of the Treasury until each provision is met of a specified Stipulation Regarding a Stay and for Ultimate Judgment Upon the Satisfaction of Conditions in Central Arizona Water Conservation District v. United States.

(Sec. 204) States that funds under this Act for Drought Emergency Assistance shall be made available primarily for leasing of water for specified drought related purposes from willing lessors, in compliance with existing State laws and administered under State water priority allocation.

(Sec. 205) Restricts conditions under which the Secretary of the Interior may obligate funds, or use discretion to restrict or reallocate water stored in Heron Reservoir (New Mexico) , or delivered pursuant to San Juan-Chama Project contracts, to meet the requirements of the Endangered Species Act.

(Sec. 206) Sets forth conditions under which the Secretary of the Interior may enter into grants and other agreements with irrigation or water districts and States to fund up to 50 percent of the cost of planning, designing, and constructing water project improvements.

(Sec. 207) Prescribes circumstances under which the Secretary of the Interior may forgive the obligation of certain Animas-La Plata non-Indian sponsors relative to a specified increase in estimated total project costs that occurred in 2003.

(Sec. 208) Authorizes the Secretary of the Interior to extend specified Montana water contracts.

Title III: Department of Energy - Makes FY 2005 appropriations for: (1) the Department of Energy (DOE) for plant and capital equipment, and other expenses necessary for energy supply activities; (2) plant and capital equipment necessary for non-defense environmental management site acceleration completion activities; (3) uranium enrichment facility decontamination, decommissioning, and remedial actions; (4) non-defense environmental services activities that indirectly support the accelerated cleanup and closure mission at environmental management sites; (5) science activities; (6) nuclear waste disposal; (7) salaries and expenses for departmental administration; and (8) the Office of Inspector General.

Makes FY 2005 appropriations for: (1) plant and capital equipment and other incidental expenses necessary for atomic energy defense weapons activities; (2) atomic energy defense nuclear nonproliferation activities; (3) naval reactors; (4) the Office of the Administrator in the National Nuclear Security Administration; (5) atomic energy defense site

acceleration completion activities; (6) defense-related environmental services activities; (7) atomic energy defense, other defense activities, and classified activities; and (8) defense nuclear waste disposal activities, including the acquisition of real property or facility construction or expansion.

Makes FY 2005 appropriations for: (1) the Bonneville Power Administration Fund; (2) operation and maintenance of power transmission facilities and marketing electric power and energy, subject to specified funding for the Southeastern, Southwestern, and Western Area Power Administrations; (3) operation, maintenance, and emergency costs for the hydroelectric facilities at the Falcon and Amistad Dams; and (4) the Federal Energy Re

Actions Timeline

- **Dec 8, 2004:** Signed by President.
- **Dec 8, 2004:** Became Public Law No: 108-447.
- **Dec 7, 2004:** Presented to President.
- **Dec 6, 2004:** Pursuant to the provisions of H. Con. Res. 528, enrollment corrections on H.R. 4818 have been made.
- **Nov 20, 2004:** Conference report filed: Conference report H. Rept. 108-792 filed.(text of conference report: CR H10235-10887)
- **Nov 20, 2004:** Conference report H. Rept. 108-792 filed. (text of conference report: CR H10235-10887)
- **Nov 20, 2004:** Conference committee actions: Conferees agreed to file conference report.
- **Nov 20, 2004:** Conferees agreed to file conference report.
- **Nov 20, 2004:** Mr. Young (FL) brought up conference report H. Rept. 108-792 for consideration under the provisions of H. Res. 866. (consideration: CR H10099-10208, H10208-10209)
- **Nov 20, 2004:** DEBATE - The House proceeded with one hour of debate on the conference report accompanying H.R. 4818.
- **Nov 20, 2004:** The previous question was ordered without objection. (consideration: CR H10208)
- **Nov 20, 2004:** POSTPONED PROCEEDINGS - At the conclusion of debate the yeas and nays were ordered and the Chair postponed further proceedings on adoption of the conference report until later in the legislative day.
- **Nov 20, 2004:** Conference report agreed to in House: On agreeing to the conference report Agreed to by the Yeas and Nays: 344 - 51, 1 Present (Roll no. 542).
- **Nov 20, 2004:** Motions to reconsider laid on the table Agreed to without objection.
- **Nov 20, 2004:** On agreeing to the conference report Agreed to by the Yeas and Nays: 344 - 51, 1 Present (Roll no. 542).
- **Nov 20, 2004:** Conference papers: Senate report and manager's statement and message on House action held at the desk in Senate.
- **Nov 20, 2004:** Conference report agreed to in Senate: Senate agreed to conference report by Yea-Nay Vote. 65 - 30. Record Vote Number: 215.(consideration: CR S11740-11767)
- **Nov 20, 2004:** Senate agreed to conference report by Yea-Nay Vote. 65 - 30. Record Vote Number: 215. (consideration: CR S11740-11767)
- **Nov 20, 2004:** Held at desk. pending adoption of H.Con.Res. 528, as amended, by the House.
- **Nov 20, 2004:** Message on Senate action sent to the House.
- **Nov 19, 2004:** Message on Senate action sent to the House.
- **Nov 17, 2004:** Conference committee actions: Conferees agreed to file conference report.
- **Nov 17, 2004:** Conferees agreed to file conference report.
- **Nov 17, 2004:** Senate appointed conferee(s) Cochran in lieu of Specter by unanimous consent.
- **Nov 16, 2004:** Mr. Kolbe asked unanimous consent that the House disagree to the Senate amendment, and agree to a conference. (consideration: CR H9698-9699)
- **Nov 16, 2004:** On motion that the House disagree to the Senate amendment, and agree to a conference Agreed to without objection.
- **Nov 16, 2004:** The Speaker appointed conferees from the Subcommittee on Foreign Operations, Export Financing, and Related Programs of the Committee on Appropriations, for consideration of the House bill and the Senate amendment, and modifications committed to conference: Kolbe, Knollenberg, Lewis (CA), Wicker, Bonilla, Vitter, Kirk, Crenshaw, Lowey, Jackson (IL), Kilpatrick, Rothman, and Kaptur.
- **Nov 16, 2004:** The Speaker appointed conferees - from the Committee on Appropriations for considertaion of the House bill and the Senate amendment, and modifications committed to conference: Young (FL), Regula, Hobson, Obey, and Visclosky.
- **Sep 28, 2004:** Message on Senate action sent to the House.
- **Sep 23, 2004:** Senate Committee on Appropriations discharged by Unanimous Consent.
- **Sep 23, 2004:** Measure laid before Senate by unanimous consent. (consideration: CR S9580-9594)
- **Sep 23, 2004:** Senate struck all after the Enacting Clause and substituted the language of S. 2812.
- **Sep 23, 2004:** Passed/agreed to in Senate: Passed Senate in lieu of S. 2812 with an amendment by Voice Vote.(text of measure as passed Senate: CR 9/27/2004 S9734-9756)
- **Sep 23, 2004:** Passed Senate in lieu of S. 2812 with an amendment by Voice Vote. (text of measure as passed Senate:

CR 9/27/2004 S9734-9756)

- **Sep 23, 2004:** Senate insists on its amendment, asks for a conference, appoints conferees McConnell; Specter; Gregg; Shelby; Bennett; Campbell; Bond; DeWine; Stevens; Leahy; Inouye; Harkin; Mikulski; Durbin; Johnson; Landrieu; Byrd.
- **Sep 23, 2004:** See also S. 2812.
- **Jul 19, 2004:** Received in the Senate and Read twice and referred to the Committee on Appropriations.
- **Jul 15, 2004:** Rule H. Res. 715 passed House.
- **Jul 15, 2004:** Considered under the provisions of rule H. Res. 715. (consideration: CR H5804-5825, H5825-5826; text of Title I as reported in House: CR H5822-5823; text of Title II as reported in House: CR H5823, H5826-5830; text of Title III as reported in House: CR H5830; text of Title IV as reported in House: CR H5830; text of Title V as reported in House: CR H5831-5840)
- **Jul 15, 2004:** Rule provides for consideration of H.R. 4818 with 1 hour of general debate. Previous question shall be considered as ordered without intervening motions except motion to recommit with or without instructions. Measure will be read by paragraph. Bill is open to amendments.
- **Jul 15, 2004:** House resolved itself into the Committee of the Whole House on the state of the Union pursuant to H. Res. 715 and Rule XVIII.
- **Jul 15, 2004:** The Speaker designated the Honorable Mac Thornberry to act as Chairman of the Committee.
- **Jul 15, 2004:** GENERAL DEBATE - The Committee of the Whole proceeded with one hour of general debate on H.R. 4818.
- **Jul 15, 2004:** DEBATE - Pursuant to a unanimous consent agreement, the Committee of the Whole proceeded with 20 minutes of debate on the Sherman amendment.
- **Jul 15, 2004:** POSTPONED PROCEEDINGS - At the conclusion of debate on the Sherman amendment, the Chair put the question on adoption of the amendment and by voice vote, announced that the noes had prevailed. Mr. Sherman demanded a recorded vote and the Chair postponed further proceedings on the question of adoption of the amendment until later in the legislative day.
- **Jul 15, 2004:** Committee of the Whole House on the state of the Union rises leaving H.R. 4818 as unfinished business.
- **Jul 15, 2004:** ORDER OF PROCEDURE - (In the House) Mr. Kolbe asked unanimous consent to limit the universe of amendments to be offered to H.R. 4818 during further consideration and pursuant to H. Res. 715, with a list that has been submitted to the desk. Agreed to without objection.
- **Jul 15, 2004:** Considered as unfinished business. (consideration: CR H5826-5875)
- **Jul 15, 2004:** The House resolved into Committee of the Whole House on the state of the Union for further consideration.
- **Jul 15, 2004:** Mr. Goodlatte raised a point of order against the content of the measure. Mr. Goodlatte stated that section 565(a)(3) constituted legislation in an appropriations bill. The Chair sustained the point of order.
- **Jul 15, 2004:** DEBATE - Pursuant to a previous order of the House, the Committee of the Whole proceeded with 30 minutes of debate on the Lee amendment, pending reservation of a point of order.
- **Jul 15, 2004:** DEBATE - Pursuant to a previous order of the House, the Committee of the Whole proceeded with 40 minutes of debate on the Lantos amendment.
- **Jul 15, 2004:** POSTPONED PROCEEDINGS - At the conclusion of debate on the Lantos amendment, the Chair put the question on adoption of the amendment and by voice vote, announced that the noes had prevailed. Mr. Lantos demanded a recorded vote and the Chair postponed further proceedings on the question of adoption of the amendment until later in the legislative day.
- **Jul 15, 2004:** DEBATE - Pursuant to a previous order of the House, the Committee of the Whole proceeded with 20 minutes of debate on the Kennedy (MN) amendment.
- **Jul 15, 2004:** POSTPONED PROCEEDINGS - At the conclusion of debate on the Kennedy (MN) amendment, the Chair put the question on adoption of the amendment and by voice vote, announced that the noes had prevailed. Mr. Kennedy (MN) demanded a recorded vote and the Chair postponed further proceedings on the question of adoption of the amendment until later in the legislative day.
- **Jul 15, 2004:** DEBATE - Pursuant to a previous order of the House, the Committee of the Whole proceeded with 10 minutes of debate on the Blumenauer amendment.
- **Jul 15, 2004:** DEBATE - Pursuant to a previous order of the House, the Committee of the Whole proceeded with 20 minutes of debate on the Paul amendment.
- **Jul 15, 2004:** POSTPONED PROCEEDINGS - At the conclusion of debate on the Paul amendment, the Chair put the question on adoption of the amendment and by voice vote, announced that the noes had prevailed. Mr. Paul demanded a recorded vote and the Chair postponed further proceedings on the question of adoption of the

amendment until later in the legislative day.

- **Jul 15, 2004:** DEBATE - Pursuant to a previous order of the House, the Committee of the Whole proceeded with 10 minutes of debate on the Garrett amendment.
- **Jul 15, 2004:** UNFINISHED BUSINESS - The Chair announced that the unfinished business was adoption of specified amendments which had been debated earlier and on which further proceedings had been postponed.
- **Jul 15, 2004:** DEBATE - Pursuant to a previous order of the House, the Committee of the Whole proceeded with 20 minutes of debate on the Kilpatrick amendment.
- **Jul 15, 2004:** DEBATE - Pursuant to a previous order of the House, the Committee of the Whole proceeded with 20 minutes of debate on the Buyer amendment.
- **Jul 15, 2004:** WORDS TAKEN DOWN - During the course of debate on the Buyer amendment exception was made to comments uttered by a Member.
- **Jul 15, 2004:** Considered as unfinished business. (consideration: CR H5875-5895)
- **Jul 15, 2004:** POSTPONED PROCEEDINGS - At the conclusion of debate on the Buyer amendment, the Chair put the question on adoption of the amendment and by voice vote, announced that the ayes had prevailed. Mr. Buyer demanded a recorded vote and the Chair postponed further proceedings on the question of adoption of the amendment until later in the legislative day.
- **Jul 15, 2004:** DEBATE - Pursuant to a previous order of the House, the Committee of the Whole proceeded with 40 minutes of debate on the Farr amendment.
- **Jul 15, 2004:** DEBATE - Pursuant to a previous order of the House, the Committee of the Whole proceeded with 10 minutes of debate on the Otter amendment, pending reservation of a point of order.
- **Jul 15, 2004:** DEBATE - Pursuant to a previous order of the House, the Committee of the Whole proceeded with 40 minutes of debate on the Sanders amendment.
- **Jul 15, 2004:** POSTPONED PROCEEDINGS - At the conclusion of debate on the Sanders amendment, the Chair put the question on adoption of the amendment and by voice vote, announced that the noes had prevailed. Mr. Sanders demanded a recorded vote and the Chair postponed further proceedings on the question of adoption of the amendment until later in the legislative day.
- **Jul 15, 2004:** DEBATE - Pursuant to a previous order of the House, the Committee of the Whole proceeded with 20 minutes of debate on the Deal amendment.
- **Jul 15, 2004:** DEBATE - Pursuant to a previous order of the House, the Committee of the Whole proceeded with 10 minutes of debate on the Nethercutt amendment.
- **Jul 15, 2004:** POSTPONED PROCEEDINGS - At the conclusion of debate on the Nethercutt amendment, the Chair put the question on adoption of the amendment and by voice vote, announced that the noes had prevailed. Mr. Nethercutt demanded a recorded vote and the Chair postponed further proceedings on the question of adoption of the amendment until later in the legislative day.
- **Jul 15, 2004:** DEBATE - Pursuant to a previous order of the House, the Committee of the Whole proceeded with 10 minutes of debate on the Jackson-Lee (TX) amendment.
- **Jul 15, 2004:** POSTPONED PROCEEDINGS - At the conclusion of debate on the Jackson-Lee (TX) amendment Chair put the question on adoption of the amendment and by voice vote, announced that the noes had prevailed. Ms. Jackson-Lee (TX) demanded a recorded vote and the Chair postponed further proceedings on the question of adoption of the amendment until later in the legislative day.
- **Jul 15, 2004:** DEBATE - Pursuant to a previous order of the House, the Committee of the Whole proceeded with 30 minutes of debate on the Weiner amendment.
- **Jul 15, 2004:** POSTPONED PROCEEDINGS - At the conclusion of debate on the Weiner amendment, the Chair put the question on adoption of the amendment and by voice vote, announced that the noes had prevailed. Mr. Weiner demanded a recorded vote and the Chair postponed further proceedings on the question of adoption of the amendment until later in the legislative day.
- **Jul 15, 2004:** DEBATE - Pursuant to a previous order of the House, the Committee of the Whole proceeded with 10 minutes of debate on the Schiff amendment.
- **Jul 15, 2004:** UNFINISHED BUSINESS - The Chair announced that the unfinished business was the question of adoption of amendments which had been debated earlier and on which further proceedings had been postponed.
- **Jul 15, 2004:** The House rose from the Committee of the Whole House on the state of the Union to report H.R. 4818.
- **Jul 15, 2004:** The previous question was ordered pursuant to the rule.
- **Jul 15, 2004:** The House adopted the amendments en gross as agreed to by the Committee of the Whole House on the state of the Union.

Jul 15, 2004: Passed/agreed to in House: On passage Passed by the Yeas and Nays: 365 - 41 (Roll no. 390).

- **Jul 15, 2004:** On passage Passed by the Yeas and Nays: 365 - 41 (Roll no. 390).
- **Jul 15, 2004:** Motion to reconsider laid on the table Agreed to without objection.
- **Jul 14, 2004:** Rules Committee Resolution H. Res. 715 Reported to House. Rule provides for consideration of H.R. 4818 with 1 hour of general debate. Previous question shall be considered as ordered without intervening motions except motion to recommit with or without instructions. Measure will be read by paragraph. A specified amendment is in order.
- **Jul 13, 2004:** Introduced in House
- **Jul 13, 2004:** The House Committee on Appropriations reported an original measure, H. Rept. 108-599, by Mr. Kolbe.
- **Jul 13, 2004:** Placed on the Union Calendar, Calendar No. 359.

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