

Calendar No. 568

104TH CONGRESS
2^D SESSION

H. R. 3814

[Report No. 104-353]

AN ACT

Making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 1997, and for other purposes.

AUGUST 27, 1996

Reported under authority of the order of the Senate
August 2, 1996 with amendments

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104TH CONGRESS
2^D SESSION**H. R. 3814****[Report No. 104-353]**

IN THE SENATE OF THE UNITED STATES

JULY 25, 1996

Received; read twice and referred to the Committee on Appropriations

AUGUST 27, 1996

Reported under authority of the order of the Senate of August 2, 1996 by
Mr. GREGG, with amendments[Omit the part struck through and insert the part printed in *italie*]

AN ACT

Making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 1997, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the following sums are appropriated, out of any
4 money in the Treasury not otherwise appropriated, for the
5 fiscal year ending September 30, 1997, and for other pur-
6 poses, namely:

1 TITLE I—DEPARTMENT OF JUSTICE

2 GENERAL ADMINISTRATION

3 SALARIES AND EXPENSES

4 For expenses necessary for the administration of the
5 Department of Justice, \$71,493,000; of which not to ex-
6 ceed \$3,317,000 is for the Facilities Program 2000, to
7 remain available until expended: *Provided*, That not to ex-
8 ceed 43 permanent positions and 44 full-time equivalent
9 workyears and \$7,477,000 shall be expended for the De-
10 partment Leadership Program only for the Offices of the
11 Attorney General and the Deputy Attorney General, exclu-
12 sive of augmentation that occurred in these offices in fiscal
13 year 1996: *Provided further*, That not to exceed 71 perma-
14 nent positions and 85 full-time equivalent workyears and
15 \$8,987,000 shall be expended for the Offices of Legislative
16 Affairs, Public Affairs and Policy Development: *Provided*
17 *further*, That the latter three aforementioned offices shall
18 not be augmented by personnel details, temporary trans-
19 fers of personnel on either a reimbursable or non-reim-
20 bursable basis or any other type of formal or informal
21 transfer or reimbursement of personnel or funds on either
22 a temporary or long-term basis.

23 *For expenses necessary for the administration of the*
24 *Department of Justice, \$70,653,000; of which not to exceed*
25 *\$3,317,000 is for the Facilities Program 2000, to remain*

1 *available until expended: Provided, That not to exceed 43*
 2 *permanent positions and 44 full-time equivalent workyears*
 3 *and \$7,477,000 shall be expended for the Department Lead-*
 4 *ership Program exclusive of augmentation that occurred in*
 5 *these offices in fiscal year 1996: Provided further, That not*
 6 *to exceed 41 permanent positions and 48 full-time equiva-*
 7 *lent workyears and \$4,660,000 shall be expended for the Of-*
 8 *fices of Legislative Affairs and Public Affairs: Provided fur-*
 9 *ther, That the latter two aforementioned offices shall not*
 10 *be augmented by personnel details, temporary transfers of*
 11 *personnel on either a reimbursable or non-reimbursable*
 12 *basis or any other type of formal or informal transfer or*
 13 *reimbursement of personnel or funds on either a temporary*
 14 *or long-term basis.*

15 ~~In addition, for reimbursement of expenses associated~~
 16 ~~with implementation of drug testing initiatives for persons~~
 17 ~~arrested and convicted of Federal offenses, \$7,000,000, to~~
 18 ~~remain available until expended.~~

19 COUNTERTERRORISM FUND

20 *(INCLUDING TRANSFER OF FUNDS)*

21 For necessary expenses, as determined by the Attor-
 22 ney General, ~~\$9,450,000~~ \$40,000,000, to remain available
 23 until expended, to reimburse any Department of Justice
 24 organization for (1) the costs incurred in reestablishing
 25 the operational capability of an office or facility which has
 26 been damaged or destroyed as a result of the bombing of

1 the Alfred P. Murrah Federal Building in Oklahoma City
2 or any domestic or international terrorist incident, (2) the
3 costs of providing support to counter, investigate or pros-
4 ecute domestic or international terrorism, including pay-
5 ment of rewards in connection with these activities, and
6 (3) the costs of conducting a terrorism threat assessment
7 of Federal agencies and their facilities: *Provided, That not-*
8 *withstanding any other provision of law, of the total*
9 *amount provided under this heading, \$8,400,000 shall be*
10 *made available to “Department of State, Diplomatic and*
11 *Consular Programs” for security enhancements at overseas*
12 *posts: Provided further, That notwithstanding any other*
13 *provision of law, of the total amount provided under this*
14 *heading, \$2,500,000 shall be made available to “Depart-*
15 *ment of Commerce, Bureau of Export Administration” for*
16 *increased on-board criminal investigator staff: Provided*
17 *further, That notwithstanding any other provision of law,*
18 *of the total amount provided under this heading, \$4,000,000*
19 *shall be made available to the Judiciary “Courts of Appeals,*
20 *District Courts, and Other Judicial Services, Court Secu-*
21 *rity” for enhanced court security: Provided further, That*
22 *notwithstanding any other provision of law, of the total*
23 *amount provided under this heading, \$3,000,000 shall be*
24 *made available to “United States Information Agency,*
25 *International Broadcasting Operations” for increased*

1 *broadcasting operations targeting State sponsors of terror-*
2 *ism: Provided further,* That funds provided under this
3 heading shall be available only after the Attorney General
4 notifies the Committees on Appropriations of the House
5 of Representatives and the Senate in accordance with sec-
6 tion 605 of this Act.

7 ADMINISTRATIVE REVIEW AND APPEALS

8 For expenses necessary for the administration of par-
9 don and clemency petitions and immigration related activi-
10 ties, ~~\$64,000,000~~ \$59,909,000.

11 VIOLENT CRIME REDUCTION PROGRAMS, ADMINISTRATIVE
12 REVIEW AND APPEALS

13 For activities authorized by section 130005 of the
14 Violent Crime Control and Law Enforcement Act of 1994
15 (Public Law 103–322), as amended, \$48,000,000, to re-
16 main available until expended, which shall be derived from
17 the Violent Crime Reduction Trust Fund.

18 OFFICE OF INSPECTOR GENERAL

19 For necessary expenses of the Office of Inspector
20 General in carrying out the provisions of the Inspector
21 General Act of 1978, as amended, \$31,960,000; including
22 not to exceed \$10,000 to meet unforeseen emergencies of
23 a confidential character, to be expended under the direc-
24 tion of, and to be accounted for solely under the certificate
25 of, the Attorney General; and for the acquisition, lease,
26 maintenance, and operation of motor vehicles, without re-

1 gard to the general purchase price limitation for the cur-
2 rent fiscal year.

3 UNITED STATES PAROLE COMMISSION

4 SALARIES AND EXPENSES

5 For necessary expenses of the United States Parole
6 Commission as authorized by law, ~~\$4,490,000~~ \$5,201,000.

7 LEGAL ACTIVITIES

8 SALARIES AND EXPENSES, GENERAL LEGAL ACTIVITIES

9 For expenses, necessary for the legal activities of the
10 Department of Justice, not otherwise provided for, includ-
11 ing not to exceed \$20,000 for expenses of collecting evi-
12 dence, to be expended under the direction of, and to be
13 accounted for solely under the certificate of, the Attorney
14 General; and rent of private or Government-owned space
15 in the District of Columbia; ~~\$420,793,000~~ \$421,278,000;
16 of which not to exceed \$10,000,000 for litigation support
17 contracts shall remain available until expended: *Provided*,
18 That of the funds available in this appropriation, not to
19 exceed \$17,525,000 shall remain available until expended
20 for office automation systems for the legal divisions cov-
21 ered by this appropriation, and for the United States At-
22 torneys, the Antitrust Division, and offices funded through
23 “Salaries and Expenses”, General Administration: *Pro-*
24 *vided further*, That of the total amount appropriated, not
25 to exceed \$1,000 shall be available to the United States

1 National Central Bureau, INTERPOL, for official recep-
2 tion and representation expenses: *Provided further*, That
3 notwithstanding 31 U.S.C. 1342, the Attorney General
4 may accept on behalf of the United States, and credit to
5 this appropriation, gifts of money, personal property and
6 services, for the purposes of hosting the International
7 Criminal Police Organization's (INTERPOL) American
8 Regional Conference in the United States during fiscal
9 year 1997.

10 In addition, for reimbursement of expenses of the De-
11 partment of Justice associated with processing cases
12 under the National Childhood Vaccine Injury Act of 1986
13 as amended, not to exceed \$4,028,000, to be appropriated
14 from the Vaccine Injury Compensation Trust Fund.

15 VIOLENT CRIME REDUCTION PROGRAMS,

16 GENERAL LEGAL ACTIVITIES

17 For the expeditious deportation of denied asylum ap-
18 plicants, as authorized by section 130005 of the Violent
19 Crime Control and Law Enforcement Act of 1994 (Public
20 Law 103-322), as amended, \$7,750,000, to remain avail-
21 able until expended, which shall be derived from the Vio-
22 lent Crime Reduction Trust Fund.

23 SALARIES AND EXPENSES, ANTITRUST DIVISION

24 ~~For expenses necessary for the enforcement of anti-~~
25 ~~trust and kindred laws, \$76,447,000. *Provided*, That not-~~
26 ~~withstanding any other provision of law, not to exceed~~

1 \$58,905,000 of offsetting collections derived from fees col-
2 lected for premerger notification filings under the Hart-
3 Scott-Rodino Antitrust Improvements Act of 1976 (15
4 U.S.C. 18(a)) shall be retained and used for necessary ex-
5 penses in this appropriation, and shall remain available
6 until expended: *Provided further*, That the sum herein ap-
7 propriated from the General Fund shall be reduced as
8 such offsetting collections are received during fiscal year
9 1997, so as to result in a final fiscal year 1997 appropria-
10 tion from the General Fund estimated at not more than
11 \$17,542,000: *Provided further*, That any fees received in
12 excess of \$58,905,000 in fiscal year 1997, shall remain
13 available until expended, but shall not be available for obli-
14 gation until October 1, 1997.

15 *For expenses necessary for the enforcement of antitrust*
16 *and kindred laws, \$94,979,000: Provided, That, notwith-*
17 *standing any other provision of law, \$94,979,000 of offset-*
18 *ting collections derived from fees collected for premerger no-*
19 *tification filings under the Hart-Scott-Rodino Antitrust*
20 *Improvements Act of 1976 (Public Law 94-435, 201, 90*
21 *Stat. 1390, codified as amended at 15 U.S.C. 18a) shall*
22 *be retained and used for necessary expenses in this appro-*
23 *priation and remain available until expended: Provided*
24 *further, That the sum herein appropriated from the General*
25 *Fund shall be reduced as such offsetting collections are re-*

1 *ceived during fiscal year 1997, so as to result in a final*
2 *fiscal year 1997 appropriation from the General Fund esti-*
3 *mated at \$0: Provided further, That any such fees received*
4 *in excess of \$94,979,000 in fiscal year 1997 shall remain*
5 *available until expended but shall not be available for obli-*
6 *gation until October 1, 1997.*

7 SALARIES AND EXPENSES, UNITED STATES ATTORNEYS

8 For necessary expenses of the Office of the United
9 States Attorneys, including intergovernmental agree-
10 ments, ~~\$931,029,000~~ \$934,316,000; of which not to exceed
11 \$2,500,000 shall be available until September 30, 1998,
12 for the purposes of (1) providing training of personnel of
13 the Department of Justice in debt collection, (2) providing
14 services to the Department of Justice related to locating
15 debtors and their property, such as title searches, debtor
16 skiptracing, asset searches, credit reports and other inves-
17 tigation, (3) paying the costs of the Department of Jus-
18 tice for the sale of property not covered by the sale pro-
19 ceeds, such as auctioneers' fees and expenses, maintenance
20 and protection of property and businesses, advertising and
21 title search and surveying costs, and (4) paying the costs
22 of processing and tracking debts owed to the United
23 States Government: *Provided*, That of the total amount
24 appropriated, not to exceed \$8,000 shall be available for
25 official reception and representation expenses: *Provided*
26 *further*, That not to exceed \$10,000,000 of those funds

1 available for automated litigation support contracts shall
2 remain available until expended:~~—Provided further, That in~~
3 ~~addition to reimbursable full-time equivalent workyears~~
4 ~~available to the Office of the United States Attorneys, not~~
5 ~~to exceed 8,758 positions and 8,989 full-time equivalent~~
6 ~~workyears shall be supported from the funds appropriated~~
7 ~~in this Act for the United States Attorneys.~~

8 VIOLENT CRIME REDUCTION PROGRAMS, UNITED STATES
9 ATTORNEYS

10 For activities authorized by sections 40114, 130005,
11 190001(b), 190001(d) and 250005 of the Violent Crime
12 Control and Law Enforcement Act of 1994 (Public Law
13 103–322), as amended, and section 815 of the
14 Antiterrorism and Effective Death Penalty Act of 1996
15 (Public Law 104–132), ~~\$43,876,000~~ *\$31,000,000*, to re-
16 main available until expended, which shall be derived from
17 the Violent Crime Reduction Trust Fund, of which
18 ~~\$22,166,000~~ shall be available to help meet the increased
19 ~~demands for litigation and related activities, \$500,000 for~~
20 ~~telemarketing fraud, \$10,577,000 for Southwest Border~~
21 ~~Control, \$1,000,000 for Federal victim counselors, and~~
22 ~~\$9,633,000 for expeditious deportation of denied asylum~~
23 ~~applicants~~ *\$1,000,000 shall be available for Federal victim*
24 *counselors, and \$9,633,000 shall be available for expeditious*
25 *deportation of denied asylum applicants.*

1 UNITED STATES TRUSTEE SYSTEM FUND

2 For necessary expenses of the United States Trustee
3 Program, as authorized by 28 U.S.C. 589a(a),
4 \$107,950,000, to remain available until expended and to
5 be derived from the United States Trustee System Fund:
6 *Provided*, That notwithstanding any other provision of
7 law, deposits to the Fund shall be available in such
8 amounts as may be necessary to pay refunds due deposi-
9 tors: *Provided further*, That notwithstanding any other
10 provision of law, \$107,950,000 of offsetting collections de-
11 rived from fees collected pursuant to 28 U.S.C. 589a(b)
12 shall be retained and used for necessary expenses in this
13 appropriation and remain available until expended: *Pro-*
14 *vided further*, That the sum herein appropriated from the
15 Fund shall be reduced as such offsetting collections are
16 received during fiscal year 1997, so as to result in a final
17 fiscal year 1997 appropriation from the Fund estimated
18 at \$0: *Provided further*, That any such fees collected in
19 excess of \$107,950,000 in fiscal year 1997 shall remain
20 available until expended but shall not be available for obli-
21 gation until October 1, 1997.

22 SALARIES AND EXPENSES, FOREIGN CLAIMS

23 SETTLEMENT COMMISSION

24 For expenses necessary to carry out the activities of
25 the Foreign Claims Settlement Commission, including

1 services as authorized by 5 U.S.C. 3109, ~~\$878,000~~
2 ~~\$953,000~~.

3 SALARIES AND EXPENSES, UNITED STATES MARSHALS

4 SERVICE

5 For necessary expenses of the United States Mar-
6 shals Service; including the acquisition, lease, mainte-
7 nance, and operation of vehicles and aircraft, and the pur-
8 chase of passenger motor vehicles for police-type use, with-
9 out regard to the general purchase price limitation for the
10 current fiscal year, ~~\$460,214,000~~ \$457,495,000, as author-
11 ized by 28 U.S.C. 561(i); of which not to exceed \$6,000
12 shall be available for official reception and representation
13 expenses; and of which not to exceed \$4,000,000 for devel-
14 opment, implementation, maintenance and support, and
15 training for an automated prisoner information system,
16 and \$2,200,000 to support the Justice Prisoner and Alien
17 Transportation System, shall remain available until ex-
18 pended: *Provided*, That, with respect to the amounts ap-
19 propriated above, the service of maintaining and trans-
20 porting State, local, or territorial prisoners shall be consid-
21 ered a specialized or technical service for purposes of 31
22 U.S.C. 6505, and any prisoners so transported shall be
23 considered persons (transported for other than commercial
24 purposes) whose presence is associated with the perform-
25 ance of a governmental function for purposes of 49 U.S.C.
26 40102: *Provided further*, That not to exceed 12 permanent

1 *positions and 12 full-time equivalent workyears and*
2 *\$700,000 shall be expended for the Offices of Legislative Af-*
3 *fairs and Public Affairs: Provided further, That the latter*
4 *two aforementioned offices shall not be augmented by per-*
5 *sonnel details, temporary transfers of personnel on either*
6 *a reimbursable or nonreimbursable basis or any other type*
7 *of formal or informal transfer or reimbursement of person-*
8 *nel or funds on either a temporary or long-term basis.*

9 VIOLENT CRIME REDUCTION PROGRAMS, UNITED STATES

10 MARSHALS SERVICE

11 For activities authorized by section 190001(b) of the
12 Violent Crime Control and Law Enforcement Act of 1994
13 (Public Law 103–322), as amended, \$25,000,000, to re-
14 main available until expended, which shall be derived from
15 the Violent Crime Reduction Trust Fund.

16 FEDERAL PRISONER DETENTION

17 For expenses, related to United States prisoners in
18 the custody of the United States Marshals Service as au-
19 thorized in 18 U.S.C. 4013, but not including expenses
20 otherwise provided for in appropriations available to the
21 Attorney General, \$405,262,000, as authorized by 28
22 U.S.C. 561(i), to remain available until expended: *Pro-*
23 *vided*, That this appropriation hereafter shall not be avail-
24 able for expenses authorized under 18 U.S.C. 4013(a)(4).

1 FEES AND EXPENSES OF WITNESSES

2 For expenses, mileage, compensation, and per diems
3 of witnesses, for expenses of contracts for the procurement
4 and supervision of expert witnesses, for private counsel ex-
5 penses, and for per diems in lieu of subsistence, as author-
6 ized by law, including advances, ~~\$100,702,000~~
7 *\$102,702,000*, to remain available until expended; of which
8 not to exceed \$4,750,000 may be made available for plan-
9 ning, construction, renovations, maintenance, remodeling,
10 and repair of buildings, and the purchase of equipment
11 incident thereto, for protected witness safesites; of which
12 not to exceed \$1,000,000 may be made available for the
13 purchase and maintenance of armored vehicles for trans-
14 portation of protected witnesses; and of which not to ex-
15 ceed \$4,000,000 may be made available for the purchase,
16 installation and maintenance of a secure, automated infor-
17 mation network to store and retrieve the identities and
18 locations of protected witnesses; *and \$2,000,000 shall be*
19 *available for Alternative Dispute Resolution.*

20 SALARIES AND EXPENSES, COMMUNITY RELATIONS

21 SERVICE

22 For necessary expenses of the Community Relations
23 Service, established by title X of the Civil Rights Act of
24 1964, \$5,319,000: *Provided*, That notwithstanding any
25 other provision of law, upon a determination by the Attor-
26 ney General that emergent circumstances require addi-

1 tional funding for conflict prevention and resolution activi-
 2 ties of the Community Relations Service, the Attorney
 3 General may transfer such amounts to the Community Re-
 4 lations Service, from available appropriations for the cur-
 5 rent fiscal year for the Department of Justice, as may be
 6 necessary to respond to such circumstances: *Provided fur-*
 7 *ther*, That any transfer pursuant to this paragraph shall
 8 be treated as a reprogramming under section 605 of this
 9 Act and shall not be available for obligation or expenditure
 10 except in compliance with the procedures set forth in that
 11 section.

12 ASSETS FORFEITURE FUND

13 For expenses authorized by 28 U.S.C. 524(c)(1)
 14 (A)(ii), (B), (C), (F), and (G), as amended, \$30,000,000
 15 (~~reduced by \$14,000,000~~), to be derived from the Depart-
 16 ment of Justice Assets Forfeiture Fund.

17 RADIATION EXPOSURE COMPENSATION

18 ADMINISTRATIVE EXPENSES

19 For necessary administrative expenses in accordance
 20 with the Radiation Exposure Compensation Act,
 21 \$2,000,000.

22 PAYMENT TO RADIATION EXPOSURE COMPENSATION

23 TRUST FUND

24 For payments to the Radiation Exposure Compensa-
 25 tion Trust Fund, \$13,736,000, not to be available for ob-
 26 ligation until September 30, 1997.

1 INTERAGENCY LAW ENFORCEMENT

2 INTERAGENCY CRIME AND DRUG ENFORCEMENT

3 For necessary expenses for the detection, investiga-
4 tion, and prosecution of individuals involved in organized
5 crime drug trafficking not otherwise provided for, to in-
6 clude intergovernmental agreements with State and local
7 law enforcement agencies engaged in the investigation and
8 prosecution of individuals involved in organized crime drug
9 trafficking, ~~\$372,017,000~~ \$352,461,000, of which
10 \$50,000,000 shall remain available until expended: *Pro-*
11 *vided*, That any amounts obligated from appropriations
12 under this heading may be used under authorities avail-
13 able to the organizations reimbursed from this appropria-
14 tion: *Provided further*, That any unobligated balances re-
15 maining available at the end of the fiscal year shall revert
16 to the Attorney General for reallocation among participat-
17 ing organizations in succeeding fiscal years, subject to the
18 reprogramming procedures described in section 605 of this
19 Act: *Provided further*, *That this shall be the final Federal*
20 *payment to this account.*

21 FEDERAL BUREAU OF INVESTIGATION

22 SALARIES AND EXPENSES

23 For necessary expenses of the Federal Bureau of In-
24 vestigation for detection, investigation, and prosecution of
25 crimes against the United States; including purchase for

1 police-type use of not to exceed 2,706 passenger motor ve-
2 hicles, of which 1,945 will be for replacement only, without
3 regard to the general purchase price limitation for the cur-
4 rent fiscal year, and hire of passenger motor vehicles; ac-
5 quisition, lease, maintenance, and operation of aircraft;
6 and not to exceed \$70,000 to meet unforeseen emergencies
7 of a confidential character, to be expended under the di-
8 rection of, and to be accounted for solely under the certifi-
9 cate of, the Attorney General; ~~\$2,528,706,000~~
10 ~~\$2,490,653,000~~, of which not to exceed \$50,000,000 for
11 automated data processing and telecommunications and
12 technical investigative equipment and \$1,000,000 for un-
13 dercover operations shall remain available until September
14 30, 1998; of which not less than ~~\$133,081,000~~
15 ~~\$195,200,000~~ shall be for counterterrorism investigations,
16 foreign counterintelligence, and other activities related to
17 our national security; of which not to exceed \$98,400,000
18 shall remain available until expended; *and* of which not
19 to exceed \$10,000,000 is authorized to be made available
20 for making payments or advances for expenses arising out
21 of contractual or reimbursable agreements with State and
22 local law enforcement agencies while engaged in coopera-
23 tive activities related to violent crime, terrorism, organized
24 crime, and drug investigations; and of which \$1,500,000
25 shall be available to maintain an independent program of-

1 fice dedicated solely to the relocation of the Criminal Jus-
 2 tice Information Services Division and the automation of
 3 fingerprint identification services: *Provided*, That not to
 4 exceed \$45,000 shall be available for official reception and
 5 representation expenses: *Provided further*, *That not to ex-*
 6 *ceed 81 permanent positions and 85 full-time equivalent*
 7 *workyears and \$5,759,000 shall be expended for the Office*
 8 *of Legislative Affairs or Public Affairs: Provided further,*
 9 *That the latter two aforementioned offices shall not be aug-*
 10 *mented by personnel details, temporary transfers of person-*
 11 *nel on either a reimbursable or nonreimbursable basis or*
 12 *any other type of formal or informal transfer or reimburse-*
 13 *ment of personnel or funds on either a temporary or long-*
 14 *term basis.*

15 VIOLENT CRIME REDUCTION PROGRAMS

16 ~~For activities authorized by the Violent Crime Con-~~
 17 ~~trol and Law Enforcement Act of 1994 (Public Law 103-~~
 18 ~~322) as amended (“the 1994 Act”), and the Antiterrorism~~
 19 ~~and Effective Death Penalty Act of 1996 (“the~~
 20 ~~Antiterrorism Act”), \$153,000,000, to remain available~~
 21 ~~until expended, which shall be derived from the Violent~~
 22 ~~Crime Reduction Trust Fund; of which \$56,077,000 shall~~
 23 ~~be for activities authorized by section 190001(c) of the~~
 24 ~~1994 Act and section 811 of the Antiterrorism Act;~~
 25 ~~\$76,423,000 shall be for activities authorized by section~~
 26 ~~190001(b) of the 1994 Act, of which \$20,240,000 shall~~

1 be for activities authorized by section ~~103~~ of the Brady
2 Handgun Violence Prevention Act (Public Law ~~103–159~~),
3 as amended; ~~\$4,000,000~~ shall be for training and inves-
4 tigative assistance authorized by section ~~210501~~ of the
5 1994 Act; ~~\$9,500,000~~ shall be for grants to States, as au-
6 thorized by section ~~811(b)~~ of the Antiterrorism Act;
7 ~~\$5,500,000~~ shall be for establishing DNA quality-assur-
8 ance and proficiency-testing standards, establishing an
9 index to facilitate law enforcement exchange of DNA iden-
10 tification information, and related activities authorized by
11 section ~~210501~~ of the 1994 Act;—and ~~\$1,500,000~~ shall be
12 for investigative support for Senior Citizens Against Mar-
13 keting Scams, as authorized by section ~~250005~~ of the
14 1994 Act.

15 *For activities authorized by the Violent Crime Control*
16 *and Law Enforcement Act of 1994 (Public Law 103–322)*
17 *as amended (“the 1994 Act”), and the Antiterrorism and*
18 *Effective Death Penalty Act of 1996 (“the Antiterrorism*
19 *Act”), \$160,000,000, to remain available until expended,*
20 *which shall be derived from the Violent Crime Reduction*
21 *Trust Fund; of which \$76,356,000 shall be for activities au-*
22 *thorized by section 190001(c) of the 1994 Act and section*
23 *811 of the Antiterrorism Act; \$44,404,000 shall be for ac-*
24 *tivities authorized by section 190001(b) of the 1994 Act, of*
25 *which \$20,240,000 shall be for activities authorized by sec-*

1 *tion 103 of the Brady Handgun Violence Prevention Act*
2 *(Public Law 103–159), as amended; \$4,000,000 shall be for*
3 *training and investigative assistance authorized by section*
4 *210501 of the 1994 Act; \$9,500,000 shall be for grants to*
5 *States, as authorized by section 811(b) of the Antiterrorism*
6 *Act; and \$5,500,000 shall be for establishing DNA quality-*
7 *assurance and proficiency-testing standards, establishing*
8 *an index to facilitate law enforcement exchange of DNA*
9 *identification information, and related activities authorized*
10 *by section 210501 of the 1994 Act.*

11 **CONSTRUCTION**

12 ~~For necessary expenses to construct or acquire build-~~
13 ~~ings and sites by purchase, or as otherwise authorized by~~
14 ~~law (including equipment for such buildings); conversion~~
15 ~~and extension of federally-owned buildings; and prelimi-~~
16 ~~nary planning and design of projects; \$55,676,000, to re-~~
17 ~~main available until expended.~~

18 **CONSTRUCTION**

19 **VIOLENT CRIME REDUCTION PROGRAMS**

20 *For activities authorized by section 811 of the*
21 *Antiterrorism and Effective Death Penalty Act,*
22 *\$28,144,000, to remain available until expended, which*
23 *shall be derived from the Violent Crime Reduction Trust*
24 *Fund.*

1 DRUG ENFORCEMENT ADMINISTRATION
2 SALARIES AND EXPENSES

3 For necessary expenses of the Drug Enforcement Ad-
4 ministration, including not to exceed \$70,000 to meet un-
5 foreseen emergencies of a confidential character, to be ex-
6 pended under the direction of, and to be accounted for
7 solely under the certificate of, the Attorney General; ex-
8 penses for conducting drug education and training pro-
9 grams, including travel and related expenses for partici-
10 pants in such programs and the distribution of items of
11 token value that promote the goals of such programs; pur-
12 chase of not to exceed 1,158 passenger motor vehicles, of
13 which 1,032 will be for replacement only, for police-type
14 use without regard to the general purchase price limitation
15 for the current fiscal year; and acquisition, lease, mainte-
16 nance, and operation of aircraft; ~~\$733,038,000~~
17 \$759,000,000, of which not to exceed \$1,800,000 for re-
18 search and \$15,000,000 for transfer to the Drug Diver-
19 sion Control Fee Account for operating expenses shall re-
20 main available until expended, and of which not to exceed
21 \$4,000,000 for purchase of evidence and payments for in-
22 formation, not to exceed \$4,000,000 for contracting for
23 automated data processing and telecommunications equip-
24 ment, and not to exceed \$2,000,000 for laboratory equip-
25 ment, \$4,000,000 for technical equipment, and

1 \$2,000,000 for aircraft replacement retrofit and parts,
 2 shall remain available until September 30, 1998; and of
 3 which not to exceed \$50,000 shall be available for official
 4 reception and representation expenses: *Provided, That not*
 5 *to exceed 25 permanent positions and 25 full-time equiva-*
 6 *lent workyears and \$1,828,000 shall be expended for the Of-*
 7 *fice of Legislative Affairs or Public Affairs: Provided fur-*
 8 *ther, That the latter two aforementioned offices shall not*
 9 *be augmented by personnel details, temporary transfers of*
 10 *personnel on either a reimbursable or nonreimbursable basis*
 11 *or any other type of formal or informal transfer or reim-*
 12 *bursement of personnel or funds on either a temporary or*
 13 *long-term basis.*

14 VIOLENT CRIME REDUCTION PROGRAMS

15 ~~(INCLUDING TRANSFER OF FUNDS)~~

16 For activities authorized by sections 180104 and
 17 190001(b) of the Violent Crime Control and Law Enforce-
 18 ment Act of 1994 (Public Law 103-322), as amended,
 19 and section 814 of the Antiterrorism and Effective Death
 20 Penalty Act of 1996 (Public Law 104-132), and for the
 21 purchase of passenger motor vehicles for police-type use,
 22 as otherwise authorized in this title, ~~\$243,000,000~~
 23 ~~\$165,000,000~~, to remain available until expended, which
 24 shall be derived from the Violent Crime Reduction Trust
 25 Fund: ~~Provided, That \$71,000,000 shall be derived by~~
 26 ~~transfer from Community Oriented Policing Services, Vio-~~

1 ~~lent Crime Reduction Programs, for the purpose of provid-~~
2 ~~ing State and local police officers with equipment, convey-~~
3 ~~ances, overtime and other expenses associated with their~~
4 ~~participation on drug task forces.~~

5 *CONSTRUCTION*

6 *VIOLENT CRIME REDUCTION PROGRAMS*

7 *For activities authorized by section 811(a)(1)(C) of the*
8 *Antiterrorism and Effective Death Penalty Act,*
9 *\$36,306,000, to remain available until expended, which*
10 *shall be derived from the Violent Crime Reduction Trust*
11 *Fund.*

12 *IMMIGRATION AND NATURALIZATION SERVICE*

13 *SALARIES AND EXPENSES*

14 *(INCLUDING TRANSFER OF FUNDS)*

15 For expenses, not otherwise provided for, necessary
16 for the administration and enforcement of the laws relat-
17 ing to immigration, naturalization, and alien registration,
18 including not to exceed \$50,000 to meet unforeseen emer-
19 gencies of a confidential character, to be expended under
20 the direction of, and to be accounted for solely under the
21 certificate of, the Attorney General; purchase for police-
22 type use (not to exceed 2,691, of which 1,711 are for re-
23 placement only), without regard to the general purchase
24 price limitation for the current fiscal year, and hire of pas-
25 senger motor vehicles; acquisition, lease, maintenance and
26 operation of aircraft; and research related to immigration

1 enforcement; ~~\$1,667,614,000~~ \$1,434,149,000, of which not
2 to exceed \$400,000 for research shall remain available
3 until expended; and of which not to exceed \$10,000,000
4 shall be available for costs associated with the training
5 program for basic officer training, and \$5,000,000 is for
6 payments or advances arising out of contractual or reim-
7 bursable agreements with State and local law enforcement
8 agencies while engaged in cooperative activities related to
9 immigration: *Provided*, That none of the funds available
10 to the Immigration and Naturalization Service shall be
11 available to pay any employee overtime pay in an amount
12 in excess of \$30,000 during the calendar year beginning
13 January 1, 1997: *Provided further*, That uniforms may be
14 purchased without regard to the general purchase price
15 limitation for the current fiscal year: *Provided further*,
16 That not to exceed \$5,000 shall be available for official
17 reception and representation expenses: *Provided further*,
18 That none of the funds provided in this or any other Act
19 shall be used for the continued operation of the San
20 Clemente and Temecula checkpoints unless the check-
21 points are open and traffic is being checked on a continu-
22 ous 24-hour basis: *Provided further*, That the Land Border
23 Fee Pilot Project scheduled to end September 30, 1996,
24 is extended to September 30, 1999 for projects on both
25 the northern and southern borders of the United States,

1 except that no pilot program may implement a universal
2 land border crossing toll: *Provided further, That obligated*
3 *and unobligated balances available to “Salaries and Ex-*
4 *penses, Community Relations Service” under section 501(c)*
5 *of the Refugee Education Assistance Act of 1980 are trans-*
6 *ferred to this account and shall remain available until ex-*
7 *pended.*

8 VIOLENT CRIME REDUCTION PROGRAMS

9 For activities authorized by sections 130002,
10 130005, 130006, 130007, and 190001(b) of the Violent
11 Crime Control and Law Enforcement Act of 1994 (Public
12 Law 103–322), as amended, and section 813 of the
13 Antiterrorism and Effective Death Penalty Act of 1996
14 (Public Law 104–132), ~~\$500,168,000~~ \$539,476,000, to re-
15 main available until expended, which will be derived from
16 the Violent Crime Reduction Trust Fund, of which
17 \$95,784,000 shall be for expeditious deportation of denied
18 asylum applicants, ~~\$287,857,000~~ \$327,165,000 shall be for
19 improving border controls, and \$116,527,000 shall be for
20 detention and deportation proceedings: *Provided, That*
21 amounts not required for asylum processing provided
22 under the expeditious deportation of denied asylum appli-
23 cants shall also be available for other deportation program
24 activities.

1 CONSTRUCTION

2 For planning, construction, renovation, equipping,
3 and maintenance of buildings and facilities necessary for
4 the administration and enforcement of the laws relating
5 to immigration, naturalization, and alien registration, not
6 otherwise provided for, ~~\$9,841,000~~ \$5,541,000, to remain
7 available until expended.

8 FEDERAL PRISON SYSTEM

9 SALARIES AND EXPENSES

10 For expenses necessary for the administration, oper-
11 ation, and maintenance of Federal penal and correctional
12 institutions, including purchase (not to exceed 836, of
13 which 572 are for replacement only), and hire of law en-
14 forcement and passenger motor vehicles; and for the provi-
15 sion of technical assistance and advice on corrections re-
16 lated issues to foreign governments; ~~\$2,817,816,000~~ (re-
17 duced by ~~\$45,000,000~~) \$2,768,316,000: *Provided*, That the
18 Attorney General may transfer to the Health Resources
19 and Services Administration such amounts as may be nec-
20 essary for direct expenditures by that Administration for
21 medical relief for inmates of Federal penal and correc-
22 tional institutions: *Provided further*, That the Director of
23 the Federal Prison System (FPS), where necessary, may
24 enter into contracts with a fiscal agent/fiscal intermediary
25 claims processor to determine the amounts payable to per-

1 sons who, on behalf of the FPS, furnish health services
2 to individuals committed to the custody of the FPS: *Pro-*
3 *vided further*, That uniforms may be purchased without
4 regard to the general purchase price limitation for the cur-
5 rent fiscal year: *Provided further*, That not to exceed
6 \$6,000 shall be available for official reception and rep-
7 resentation expenses: *Provided further*, That not to exceed
8 ~~\$50,000,000~~ \$90,000,000 for the activation of new facili-
9 ties shall remain available until September 30, 1998: *Pro-*
10 *vided further*, That of the amounts provided for Contract
11 Confinement, not to exceed \$20,000,000 shall remain
12 available until expended to make payments in advance for
13 grants, contracts and reimbursable agreements, and other
14 expenses authorized by section 501(c) of the Refugee Edu-
15 cation Assistance Act of 1980, as amended, for the care
16 and security in the United States of Cuban and Haitian
17 entrants: *Provided further*, That notwithstanding section
18 4(d) of the Service Contract Act of 1965 (41 U.S.C.
19 353(d)), FPS may enter into contracts and other agree-
20 ments with private entities for periods of not to exceed
21 3 years and 7 additional option years for the confinement
22 of Federal prisoners: *Provided further*, That the National
23 Institute of Corrections hereafter shall be included in the
24 FPS Salaries and Expenses budget, in the Contract Con-
25 finement program and shall continue to perform its cur-

1 rent functions under 18 U.S.C. 4351, et seq., with the
2 exception of its grant program and shall collect reimburse-
3 ment for services whenever possible: *Provided further,*
4 That any unexpended balances available to the “National
5 Institute of Corrections” account shall be credited to and
6 merged with this appropriation, to remain available until
7 expended.

8 VIOLENT CRIME REDUCTION PROGRAMS

9 For substance abuse treatment in Federal prisons as
10 authorized by section 32001(e) of the Violent Crime Con-
11 trol and Law Enforcement Act of 1994 (Public Law 103–
12 322), as amended, \$25,224,000, to remain available until
13 expended, which shall be derived from the Violent Crime
14 Reduction Trust Fund.

15 BUILDINGS AND FACILITIES

16 For planning, acquisition of sites and construction of
17 new facilities; leasing the Oklahoma City Airport Trust
18 Facility; purchase and acquisition of facilities and remodel-
19 ing; and equipping of such facilities for penal and correc-
20 tional use, including all necessary expenses incident there-
21 to, by contract or force account; and constructing, remodel-
22 ing, and equipping necessary buildings and facilities at
23 existing penal and correctional institutions, including all
24 necessary expenses incident thereto, by contract or force
25 account; ~~\$395,700,000~~ \$385,700,000, to remain available
26 until expended, of which not to exceed \$14,074,000 shall

1 be available to construct areas for inmate work programs:
2 *Provided*, That labor of United States prisoners may be
3 used for work performed under this appropriation: *Pro-*
4 *vided further*, That not to exceed 10 percent of the funds
5 appropriated to “Buildings and Facilities” in this Act or
6 any other Act may be transferred to “Salaries and Ex-
7 penses”, Federal Prison System, upon notification by the
8 Attorney General to the Committees on Appropriations of
9 the House of Representatives and the Senate in compli-
10 ance with provisions set forth in section 605 of this Act:
11 *Provided further*, That of the total amount appropriated,
12 not to exceed \$36,570,000 shall be available for the ren-
13 ovation and construction of United States Marshals Serv-
14 ice prisoner-holding facilities.

15 FEDERAL PRISON INDUSTRIES, INCORPORATED

16 The Federal Prison Industries, Incorporated, is here-
17 by authorized to make such expenditures, within the limits
18 of funds and borrowing authority available, and in accord
19 with the law, and to make such contracts and commit-
20 ments, without regard to fiscal year limitations as pro-
21 vided by section 9104 of title 31, United States Code, as
22 may be necessary in carrying out the program set forth
23 in the budget for the current fiscal year for such corpora-
24 tion, including purchase of (not to exceed five for replace-
25 ment only), and hire of passenger motor vehicles.

1 LIMITATION ON ADMINISTRATIVE EXPENSES, FEDERAL
2 PRISON INDUSTRIES, INCORPORATED

3 Not to exceed \$3,042,000 of the funds of the corpora-
4 tion shall be available for its administrative expenses, and
5 for services as authorized by 5 U.S.C. 3109, to be com-
6 puted on an accrual basis to be determined in accordance
7 with the corporation's current prescribed accounting sys-
8 tem, and such amounts shall be exclusive of depreciation,
9 payment of claims, and expenditures which the said ac-
10 counting system requires to be capitalized or charged to
11 cost of commodities acquired or produced, including sell-
12 ing and shipping expenses, and expenses in connection
13 with acquisition, construction, operation, maintenance, im-
14 provement, protection, or disposition of facilities and other
15 property belonging to the corporation or in which it has
16 an interest.

17 OFFICE OF JUSTICE PROGRAMS

18 JUSTICE ASSISTANCE

19 For grants, contracts, cooperative agreements, and
20 other assistance authorized by title I of the Omnibus
21 Crime Control and Safe Streets Act of 1968, as amended,
22 and the Missing Children's Assistance Act, as amended,
23 including salaries and expenses in connection therewith,
24 and with the Victims of Crime Act of 1984, as amended,
25 ~~\$100,000,000~~ \$101,629,000, to remain available until ex-

1 pending, as authorized by section 1001 of title I of the Om-
2 nibus Crime Control and Safe Streets Act, as amended
3 by Public Law 102-534 (106 Stat. 3524): ~~Provided, That~~
4 of the amount made available from the Local Law En-
5 forcement Block Grant for technology programs,
6 \$10,000,000 shall be available for programs under section
7 820 and section 821 of the Antiterrorism and Effective
8 Death Penalty Act of 1996 (Public Law 104-132).

9 In addition, for local firefighter and emergency serv-
10 ices training grants, \$5,000,000, to remain available until
11 expended, as authorized by section 819 of the
12 Antiterrorism and Effective Death Penalty Act of 1996
13 (Public Law 104-132, 110 Stat. 1316).

14 STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE

15 For grants, contracts, cooperative agreements, and
16 other assistance authorized by part E of title I of the Om-
17 nibus Crime Control and Safe Streets Act of 1968, as
18 amended, for State and Local Narcotics Control and Jus-
19 tice Assistance Improvements, notwithstanding the provi-
20 sions of section 511 of said Act, ~~\$315,000,000~~
21 \$360,000,000, to remain available until expended, as au-
22 thorized by section 1001 of title I of said Act, as amended
23 by Public Law 102-534 (106 Stat. 3524), of which
24 \$60,000,000 shall be available to carry out the provisions
25 of chapter A of subpart 2 of part E of title I of said Act,

1 for discretionary grants under the Edward Byrne Memo-
2 rial State and Local Law Enforcement Assistance Pro-
3 grams.

4 VIOLENT CRIME REDUCTION PROGRAMS, STATE AND
5 LOCAL LAW ENFORCEMENT ASSISTANCE

6 For assistance (including amounts for administrative
7 costs for management and administration, which amounts
8 shall be transferred to and merged with the “Justice As-
9 sistance” account) authorized by the Violent Crime Con-
10 trol and Law Enforcement Act of 1994 (Public Law 103-
11 322), as amended (“the 1994 Act”); the Omnibus Crime
12 Control and Safe Streets Act of 1968, as amended (“the
13 1968 Act”); and the Victims of Child Abuse Act of 1990,
14 as amended (“the 1990 Act”); \$2,119,900,000, to remain
15 available until expended, which shall be derived from the
16 Violent Crime Reduction Trust Fund, of which
17 \$571,000,000 shall be for Local Law Enforcement Block
18 Grants, pursuant to H.R. 728 as passed by the House of
19 Representatives on February 14, 1995, except that for
20 purposes of this Act, the Commonwealth of Puerto Rico
21 shall be considered a “unit of local government” as well
22 as a “State”, for the purposes set forth in paragraphs (A),
23 (B), (D), (F), and (I) of section 101(a)(2) of H.R. 728
24 and for establishing crime prevention programs involving
25 cooperation between community residents and law enforce-

1 ment personnel in order to control, detect, or investigate
2 crime or the prosecution of criminals: *Provided*, That no
3 funds provided under this heading may be used as match-
4 ing funds for any other Federal grant program: ~~*Provided*~~
5 ~~*further*~~, That notwithstanding any other provision of this
6 title, the Attorney General may transfer up to
7 \$18,000,000 of this amount for drug courts pursuant to
8 title V of the 1994 Act, consistent with the reprogram-
9 ming procedures outlined in section 605 of this Act: *Pro-*
10 *vided further*, That funds may also be used to defray the
11 costs of indemnification insurance for law enforcement of-
12 ficers; of which \$50,000,000 shall be for grants to upgrade
13 criminal records, as authorized by section 106(b) of the
14 Brady Handgun Violence Prevention Act of 1993, as
15 amended, and section 4(b) of the National Child Protec-
16 tion Act of 1993; of which \$245,000,000 shall be available
17 as authorized by section 1001 of title I of the 1968 Act,
18 to carry out the provisions of subpart 1, part E of title
19 I of the 1968 Act, notwithstanding section 511 of said
20 Act, for the Edward Byrne Memorial State and Local Law
21 Enforcement Assistance Programs; of which
22 \$330,000,000 shall be for the State Criminal Alien Assist-
23 ance Program, as authorized by section 242(j) of the Im-
24 migration and Nationality Act, as amended; of which
25 \$680,000,000 shall be for Violent Offender Incarceration

1 and Truth in Sentencing Incentive Grants pursuant to
2 subtitle A of title II of the 1994 Act, of which
3 \$170,000,000 shall be available for payments to States for
4 incarceration of criminal aliens, and of which \$12,500,000
5 shall be available for the Cooperative Agreement Program:
6 *Provided further,* That funds made available for Violent
7 Offender Incarceration and Truth in Sentencing Incentive
8 Grants to the State of California may, at the discretion
9 of the recipient, be used for payments for the incarceration
10 of criminal aliens; of which \$6,000,000 shall be for the
11 Court Appointed Special Advocate Program, as authorized
12 by section 218 of the 1990 Act; of which \$1,000,000 shall
13 be for Child Abuse Training Programs for Judicial Per-
14 sonnel and Practitioners, as authorized by section 224 of
15 the 1990 Act; of which \$145,000,000 shall be for Grants
16 to Combat Violence Against Women to States, units of
17 local government and Indian tribal governments, as au-
18 thorized by section 1001(a)(18) of the 1968 Act; of which
19 \$33,000,000 shall be for Grants to Encourage Arrest Poli-
20 cies to States, units of local government, and Indian tribal
21 governments, as authorized by section 1001(a)(19) of the
22 1968 Act; of which \$8,000,000 shall be for Rural Domes-
23 tic Violence and Child Abuse Enforcement Assistance
24 Grants, as authorized by section 40295 of the 1994 Act;
25 of which \$1,000,000 shall be for training programs to as-

1 sist probation and parole officers who work with released
2 sex offenders, as authorized by section 40152(e) of the
3 1994 Act; of which \$550,000 shall be for grants for tele-
4 vised testimony, as authorized by section 1001(a)(7) of the
5 1968 Act; of which \$1,750,000 shall be for national stalk-
6 er and domestic violence reduction, as authorized by sec-
7 tion 40603 of the 1994 Act; of which \$35,000,000 shall
8 be for grants for residential substance abuse treatment for
9 State prisoners as authorized by section 1001(a)(17) of
10 the 1968 Act; of which \$3,000,000 shall be for grants to
11 States and units of local government for projects to im-
12 prove DNA analysis, as authorized by section 1001(a)(22)
13 of the 1968 Act; of which \$1,000,000 shall be for Law
14 Enforcement Family Support Programs, as authorized by
15 section 1001(a)(21) of the 1968 Act; of which \$900,000
16 shall be for the Missing Alzheimer's Disease Patient Alert
17 Program, as authorized by section 240001(e) of the 1994
18 Act; of which \$500,000 shall be for Motor Vehicle Theft
19 Prevention Programs, as authorized by section 220002(h)
20 of the 1994 Act; of which \$5,000,000 shall be for State
21 Courts Assistance Grants, as authorized by section
22 210602 of the 1994 Act; of which \$200,000 shall be for
23 a National Baseline Study on Campus Sexual Assault, as
24 authorized by section 40506(e) of the 1994 Act; and of
25 which \$2,000,000 shall be for public awareness programs

1 addressing marketing scams aimed at senior citizens, as
2 authorized by section 250005(3) of the 1994 Act: *Provided*
3 *further*, That funds made available in fiscal year 1997
4 under subpart 1 of part E of title I of the Omnibus Crime
5 Control and Safe Streets Act of 1968, as amended, may
6 be obligated for programs to assist States in the litigation
7 processing of death penalty Federal habeas corpus peti-
8 tions and for drug testing initiatives: *Provided further*,
9 That any 1996 balances for these programs shall be trans-
10 ferred to and merged with this appropriation: *Provided*
11 *further*, That if a unit of local government uses any of
12 the funds made available under this title to increase the
13 number of law enforcement officers, the unit of local gov-
14 ernment will achieve a net gain in the number of law en-
15 forcement officers who perform nonadministrative public
16 safety service.

17 *For assistance (including amounts for administrative*
18 *costs for management and administration, which amounts*
19 *shall be transferred to and merged with the “Justice Assist-*
20 *ance” account) authorized by the Violent Crime Control and*
21 *Law Enforcement Act of 1994 (Public Law 103–322), as*
22 *amended (“the 1994 Act”); the Omnibus Crime Control and*
23 *Safe Streets Act of 1968, as amended (“the 1968 Act”); and*
24 *the Victims of Child Abuse Act of 1990, as amended (“the*
25 *1990 Act”); the Antiterrorism and Effective Death Penalty*

1 *Act of 1996 (“the Antiterrorism Act”); \$1,944,100,000, to*
2 *remain available until expended, which shall be derived*
3 *from the Violent Crime Reduction Trust Fund; of which*
4 *\$503,000,000 shall be for Local Law Enforcement Block*
5 *Grants, pursuant to H.R. 728 as passed by the House of*
6 *Representatives on February 14, 1995, except that for pur-*
7 *poses of this Act, the Commonwealth of Puerto Rico shall*
8 *be considered a “unit of local government” as well as a*
9 *“State”, for the purposes set forth in paragraphs (A), (B),*
10 *(D), (F), and (I) of section 101(a)(2) of H.R. 728 and for*
11 *establishing crime prevention programs involving coopera-*
12 *tion between community residents and law enforcement per-*
13 *sonnel in order to control, detect, or investigate crime or*
14 *the prosecution of criminals: Provided, That no funds pro-*
15 *vided under this heading may be used as matching funds*
16 *for any other Federal grant program: Provided further,*
17 *That \$20,000,000 of this amount shall be for Boys and Girls*
18 *Clubs in public housing facilities and other areas in co-*
19 *operation with State and local law enforcement: Provided*
20 *further, That funds may also be used to defray the costs*
21 *of indemnification insurance for law enforcement officers;*
22 *of which \$50,000,000 shall be for grants to upgrade crimi-*
23 *nal records, as authorized by section 106(b) of the Brady*
24 *Handgun Violence Prevention Act of 1993, as amended, and*
25 *section 4(b) of the National Child Protection Act of 1993;*

1 of which \$175,000,000 shall be available as authorized by
2 section 1001 of title I of the 1968 Act, to carry out the pro-
3 visions of subpart 1, part E of title I of the 1968 Act, not-
4 withstanding section 511 of said Act, for the Edward Byrne
5 Memorial State and Local Law Enforcement Assistance
6 Programs; of which \$330,000,000 shall be for the State
7 Criminal Alien Assistance Program, as authorized by sec-
8 tion 242(j) of the Immigration and Nationality Act, as
9 amended; of which \$640,000,000 shall be for Violent Of-
10 fender Incarceration and Truth in Sentencing Incentive
11 Grants pursuant to subtitle A of title II of the 1994 Act,
12 of which \$170,000,000 shall be available for payments to
13 States for incarceration of criminal aliens, and of which
14 \$12,500,000 shall be available for the Cooperative Agree-
15 ment Program; of which \$6,000,000 shall be for the Court
16 Appointed Special Advocate Program, as authorized by sec-
17 tion 218 of the 1990 Act; of which \$1,000,000 shall be for
18 Child Abuse Training Programs for Judicial Personnel and
19 Practitioners, as authorized by section 224 of the 1990 Act;
20 of which \$145,000,000 shall be for Grants to Combat Vio-
21 lence Against Women to States, units of local government
22 and Indian tribal governments, as authorized by section
23 1001(a)(18) of the 1968 Act; of which \$33,000,000 shall be
24 for Grants to Encourage Arrest Policies to States, units of
25 local government, and Indian tribal governments, as au-

1 *thorized by section 1001(a)(19) of the 1968 Act; of which*
2 *\$8,000,000 shall be for Rural Domestic Violence and Child*
3 *Abuse Enforcement Assistance Grants, as authorized by sec-*
4 *tion 40295 of the 1994 Act; of which \$1,000,000 shall be*
5 *for training programs to assist probation and parole offi-*
6 *cers who work with released sex offenders, as authorized by*
7 *section 40152(c) of the 1994 Act; of which \$550,000 shall*
8 *be for grants for televised testimony, as authorized by sec-*
9 *tion 1001(a)(7) of the 1968 Act; of which \$1,750,000 shall*
10 *be for national stalker and domestic violence reduction, as*
11 *authorized by section 40603 of the 1994 Act; of which*
12 *\$29,700,000 shall be for grants for residential substance*
13 *abuse treatment for State prisoners as authorized by section*
14 *1001(a)(17) of the 1968 Act; of which \$3,000,000 shall be*
15 *for grants to States and units of local government for*
16 *projects to improve DNA analysis, as authorized by section*
17 *1001(a)(22) of the 1968 Act; of which \$900,000 shall be for*
18 *the Missing Alzheimer's Disease Patient Alert Program, as*
19 *authorized by section 240001(c) of the 1994 Act; of which*
20 *\$1,000,000 shall be for Motor Vehicle Theft Prevention Pro-*
21 *grams, as authorized by section 220002(h) of the 1994 Act;*
22 *of which \$200,000 shall be for a National Baseline Study*
23 *on Campus Sexual Assault, as authorized by section*
24 *40506(e) of the 1994 Act; of which \$10,000,000 shall be for*
25 *development of counterterrorism technologies to help State*

1 *and local law enforcement combat terrorism, as authorized*
2 *by section 821 of the Antiterrorism Act; and of which*
3 *\$5,000,000 shall be for Local Firefighter and Emergency*
4 *Services Training Grants as authorized by section 819 of*
5 *the Antiterrorism Act: Provided further, That funds made*
6 *available in fiscal year 1997 under subpart 1 of part E*
7 *of title I of the Omnibus Crime Control and Safe Streets*
8 *Act of 1968, as amended, may be obligated for programs*
9 *to assist States in the litigation processing of death penalty*
10 *Federal habeas corpus petitions and for drug testing initia-*
11 *tives: Provided further, That any 1996 balances for these*
12 *programs shall be transferred to and merged with this ap-*
13 *propriation: Provided further, That if a unit of local gov-*
14 *ernment uses any of the funds made available under this*
15 *title to increase the number of law enforcement officers, the*
16 *unit of local government will achieve a net gain in the num-*
17 *ber of law enforcement officers who perform nonadministra-*
18 *tive public safety service.*

19 WEED AND SEED PROGRAM FUND

20 For necessary expenses, including salaries and relat-
21 ed expenses of the Executive Office for Weed and Seed,
22 to implement “Weed and Seed” program activities,
23 \$28,500,000, which shall be derived from discretionary
24 grants provided under the Edward Byrne Memorial State
25 and Local Law Enforcement Assistance Programs, to re-
26 main available until expended for intergovernmental

1 agreements, including grants, cooperative agreements, and
2 contracts, with State and local law enforcement agencies
3 engaged in the investigation and prosecution of violent
4 crimes and drug offenses in “Weed and Seed” designated
5 communities, and for either reimbursements or transfers
6 to appropriation accounts of the Department of Justice
7 and other Federal agencies which shall be specified by the
8 Attorney General to execute the “Weed and Seed” pro-
9 gram strategy: *Provided*, That funds designated by Con-
10 gress through language for other Department of Justice
11 appropriation accounts for “Weed and Seed” program ac-
12 tivities shall be managed and executed by the Attorney
13 General through the Executive Office for Weed and Seed:
14 *Provided further*, That the Attorney General may direct
15 the use of other Department of Justice funds and person-
16 nel in support of “Weed and Seed” program activities only
17 after the Attorney General notifies the Committees on Ap-
18 propriations of the House of Representatives and the Sen-
19 ate in accordance with section 605 of this Act.

20 COMMUNITY ORIENTED POLICING SERVICES

21 VIOLENT CRIME REDUCTION PROGRAMS

22 For activities authorized by the Violent Crime Con-
23 trol and Law Enforcement Act of 1994, Public Law 103–
24 322 (“the 1994 Act”) (including administrative costs),
25 \$1,400,000,000, to remain available until expended, which

1 shall be derived from the Violent Crime Reduction Trust
2 Fund, for Public Safety and Community Policing Grants
3 pursuant to title I of the 1994 Act: *Provided*, That of this
4 amount, ~~\$10,000,000~~ \$20,000,000 shall be available for
5 programs of Police Corps education, training and service
6 as set forth in sections 200101–200113 of the 1994 Act:—
7 *Provided further*, That of this amount, ~~\$71,000,000~~ shall
8 be transferred to the Drug Enforcement Administration
9 for the purpose of providing State and local police officers
10 with equipment, conveyances, overtime and other expenses
11 associated with their participation on drug task forces:
12 *Provided further*, That of this amount, ~~\$30,500,000~~ shall
13 be for additional grants authorized by part B of title H
14 of the Juvenile Justice and Delinquency Prevention Act
15 of 1974, as amended, to remain available until expended,
16 for the purpose of providing additional formula grants
17 under part B, for innovative local law enforcement and
18 community policing programs, to States that provide as-
19 surances to the Administrator that the State has in effect
20 (or will have in effect not later than 1 year after date of
21 application) policies and programs, that ensure that juve-
22 niles who commit an act after attaining 14 years of age,
23 that would be a serious violent crime if committed by an
24 adult, are treated as adults for purpose of prosecution:
25 *Provided further*, That notwithstanding any other provision

1 *of this title, the Attorney General may transfer up to*
2 *\$20,000,000 of this amount for drug courts pursuant to title*
3 *V of the 1994 Act, consistent with the reprogramming proce-*
4 *dures outlined in section 605 of this Act: Provided further,*
5 *That notwithstanding any other provision of this title, the*
6 *Attorney General may transfer up to \$42,500,000 of this*
7 *amount to support the President's drug-testing initiative*
8 *for Federal prisoners, consistent with the reprogramming*
9 *procedures outlined in section 605 of this Act: ~~Provided~~*
10 *further, That not to exceed 130 permanent positions and*
11 *130 full-time equivalent workyears and \$14,602,000 shall*
12 *be expended for program management and administration:*
13 *Provided further, That not to exceed 186 permanent posi-*
14 *tions and 174 full-time equivalent workyears and*
15 *\$19,800,000 shall be expended for program management*
16 *and administration.*

17 JUVENILE JUSTICE PROGRAMS

18 For grants, contracts, cooperative agreements, and
19 other assistance authorized by the Juvenile Justice and
20 Delinquency Prevention Act of 1974, as amended, includ-
21 ing salaries and expenses in connection therewith to be
22 transferred to and merged with the appropriations for
23 Justice Assistance, ~~\$145,000,000~~ \$154,000,000, to remain
24 available until expended, as authorized by section 299 of
25 part I of title II and section 506 of title V of the Act,
26 as amended by Public Law 102-586, of which (1)

1 ~~\$100,000,000~~ \$101,000,000 shall be available for expenses
2 authorized by parts A, B, and C of title II of the Act;
3 (2) ~~\$11,000,000~~ \$12,000,000 shall be available for ex-
4 penses authorized by sections 281 and 282 of part D of
5 title II of the Act for prevention and treatment programs
6 relating to juvenile gangs; (3) ~~\$10,000,000~~ \$11,000,000
7 shall be available for expenses authorized by section 285
8 of part E of title II of the Act; (4) ~~\$4,000,000~~ \$7,000,000
9 shall be available for expenses authorized by part G of title
10 II of the Act for juvenile mentoring programs; and (5)
11 ~~\$20,000,000~~ \$23,000,000 shall be available for expenses
12 authorized by title V of the Act for incentive grants for
13 local delinquency prevention programs: *Provided*, That
14 upon the enactment of reauthorization legislation for Ju-
15 venile Justice Programs under the Juvenile Justice and
16 Delinquency Prevention Act of 1974, as amended, funding
17 provided in this Act shall from that date be subject to
18 the provisions of that legislation and any provisions in this
19 Act that are inconsistent with that legislation shall no
20 longer have effect.

21 In addition, for grants, contracts, cooperative agree-
22 ments, and other assistance authorized by the Victims of
23 Child Abuse Act of 1990, as amended, \$4,500,000, to re-
24 main available until expended, as authorized by sections
25 214B of the Act.

1 PUBLIC SAFETY OFFICERS BENEFITS

2 For payments authorized by part L of title I of the
3 Omnibus Crime Control and Safe Streets Act of 1968 (42
4 U.S.C. 3796), as amended, such sums as are necessary,
5 to remain available until expended, as authorized by sec-
6 tion 6093 of Public Law 100–690 (102 Stat. 4339–4340),
7 and, in addition, \$2,200,000, to remain available until ex-
8 pended, for payments as authorized by section 1201(b) of
9 said Act.

10 GENERAL PROVISIONS—DEPARTMENT OF JUSTICE

11 SEC. 101. In addition to amounts otherwise made
12 available in this title for official reception and representa-
13 tion expenses, a total of not to exceed \$45,000 from funds
14 appropriated to the Department of Justice in this title
15 shall be available to the Attorney General for official re-
16 ception and representation expenses in accordance with
17 distributions, procedures, and regulations established by
18 the Attorney General.

19 SEC. 102. Authorities contained in the Department
20 of Justice Appropriation Authorization Act, Fiscal Year
21 1980 (Pub. L. 96–132, 93 Stat. 1040 (1979)), as amend-
22 ed, shall remain in effect until the termination date of this
23 Act or until the effective date of a Department of Justice
24 Appropriation Authorization Act, whichever is earlier.

1 SEC. 103. None of the funds appropriated by this
2 title shall be available to pay for an abortion, except where
3 the life of the mother would be endangered if the fetus
4 were carried to term, or in the case of rape: *Provided*,
5 That should this prohibition be declared unconstitutional
6 by a court of competent jurisdiction, this section shall be
7 null and void.

8 SEC. 104. None of the funds appropriated under this
9 title shall be used to require any person to perform, or
10 facilitate in any way the performance of, any abortion.

11 SEC. 105. Nothing in the preceding section shall re-
12 move the obligation of the Director of the Bureau of Pris-
13 ons to provide escort services necessary for a female in-
14 mate to receive such service outside the Federal facility:
15 *Provided*, That nothing in this section in any way dimin-
16 ishes the effect of section 104 intended to address the phil-
17 osophical beliefs of individual employees of the Bureau of
18 Prisons.

19 SEC. 106. Notwithstanding any other provision of
20 law, not to exceed \$10,000,000 of the funds made avail-
21 able in this Act may be used to establish and publicize
22 a program under which publicly-advertised, extraordinary
23 rewards may be paid, which shall not be subject to spend-
24 ing limitations contained in sections 3059 and 3072 of
25 title 18, United States Code: *Provided*, That any reward

1 of \$100,000 or more, up to a maximum of \$2,000,000,
2 may not be made without the personal approval of the
3 President or the Attorney General and such approval may
4 not be delegated.

5 SEC. 107. Not to exceed 5 percent of any appropria-
6 tion made available for the current fiscal year for the De-
7 partment of Justice in this Act, including those derived
8 from the Violent Crime Reduction Trust Fund, may be
9 transferred between such appropriations, but no such ap-
10 propriation, except as otherwise specifically provided, shall
11 be increased by more than 10 percent by any such trans-
12 fers: *Provided*, That any transfer pursuant to this section
13 shall be treated as a reprogramming of funds under sec-
14 tion 605 of this Act and shall not be available for obliga-
15 tion except in compliance with the procedures set forth
16 in that section.

17 SEC. 108. Section 524(c)(8)(E) of title 28, United
18 States Code, is amended by striking the year in the date
19 therein contained and replacing the same with “1996”.

20 SEC. 109. (a) Section 1930(a) of title 28, United
21 States Code, is amended *in paragraph (3), by inserting*
22 *“\$” before “800”, and in paragraph (6), by striking every-*
23 *thing after “total less than \$15,000;” and inserting in lieu*
24 *thereof: “\$500 for each quarter in which disbursements*
25 *total \$15,000 or more but less than \$75,000; \$750 for*

1 each quarter in which disbursements total \$75,000 or
2 more but less than \$150,000; \$1,250 for each quarter in
3 which disbursements total \$150,000 or more but less than
4 \$225,000; \$1,500 for each quarter in which disbursements
5 total \$225,000 or more but less than \$300,000; \$3,750
6 for each quarter in which disbursements total \$300,000
7 or more but less than \$1,000,000; \$5,000 for each quarter
8 in which disbursements total \$1,000,000 or more but less
9 than \$2,000,000; \$7,500 for each quarter in which dis-
10 bursements total \$2,000,000 or more but less than
11 \$3,000,000; \$8,000 for each quarter in which disburse-
12 ments total \$3,000,000 or more but less than \$5,000,000;
13 \$10,000 for each quarter in which disbursements total
14 \$5,000,000 or more. The fee shall be payable on the last
15 day of the calendar month following the calendar quarter
16 for which the fee is owed.”.

17 (b) Section 589a of title 28, United States Code, is
18 amended to read as follows:

19 **“§ 589a. United States Trustee System Fund**

20 “(a) There is hereby established in the Treasury of
21 the United States a special fund to be known as the ‘Unit-
22 ed States Trustee System Fund’ (hereinafter in this sec-
23 tion referred to as the ‘Fund’). Monies in the Fund shall
24 be available to the Attorney General without fiscal year
25 limitation in such amounts as may be specified in appro-

1 priations Acts for the following purposes in connection
2 with the operations of United States trustees—

3 “(1) salaries and related employee benefits;

4 “(2) travel and transportation;

5 “(3) rental of space;

6 “(4) communication, utilities, and miscellaneous
7 computer charges;

8 “(5) security investigations and audits;

9 “(6) supplies, books, and other materials for
10 legal research;

11 “(7) furniture and equipment;

12 “(8) miscellaneous services, including those ob-
13 tained by contract; and

14 “(9) printing.

15 “(b) For the purpose of recovering the cost of services
16 of the United States Trustee System, there shall be depos-
17 ited as offsetting collections to the appropriation ‘United
18 States Trustee System Fund’, to remain available until
19 expended, the following—

20 “(1) 23.08 percent of the fees collected under
21 section 1930(a)(1) of this title;

22 “(2) one-half of the fees collected under section
23 1930(a)(3) of this title;

24 “(3) one-half of the fees collected under section
25 1930(a)(4) of this title;

1 “(4) one-half of the fees collected under section
2 1930(a)(5) of this title;

3 “(5) 100 percent of the fees collected under sec-
4 tion 1930(a)(6) of this title;

5 “(6) three-fourths of the fees collected under
6 the last sentence of section 1930(a) of this title;

7 “(7) the compensation of trustees received
8 under section 330(d) of title 11 by the clerks of the
9 bankruptcy courts; and

10 “(8) excess fees collected under section
11 586(e)(2) of this title.

12 “(c) Amounts in the Fund which are not currently
13 needed for the purposes specified in subsection (a) shall
14 be kept on deposit or invested in obligations of, or guaran-
15 teed by, the United States.

16 “(d) The Attorney General shall transmit to the Con-
17 gress, not later than 120 days after the end of each fiscal
18 year, a detailed report on the amounts deposited in the
19 Fund and a description of expenditures made under this
20 section.

21 “(e) There are authorized to be appropriated to the
22 Fund for any fiscal year such sums as may be necessary
23 to supplement amounts deposited under subsection (b) for
24 the purposes specified in subsection (a).”.

1 (c) Notwithstanding any other provision of law or of
 2 this Act, the amendments to 28 U.S.C. 589a made by sub-
 3 section (b) of this section shall take effect upon enactment
 4 of this Act.

5 (d) *Section 101(a) of Public Law 104–91, as amended*
 6 *by section 211 of Public Law 104–99, is further amended*
 7 *by inserting “: Provided further, That, notwithstanding*
 8 *any other provision of law, the fees under 28 U.S.C.*
 9 *1930(a)(6) shall accrue and be payable from and after Jan-*
 10 *uary 27, 1996, in all cases (including, without limitation,*
 11 *any cases pending as of that date), regardless of confirma-*
 12 *tion status of their plans” after “enacted into law”.*

13 SEC. 110. Public Law 103–414 (108 Stat. 4279) is
 14 amended by inserting at its conclusion a new title IV, as
 15 follows:

16 **“TITLE IV—TELECOMMUNICATIONS**
 17 **CARRIER COMPLIANCE PAYMENTS**

18 **“SEC. 401. DEPARTMENT OF JUSTICE TELECOMMUNI-**
 19 **CATIONS CARRIER COMPLIANCE FUND.**

20 “(a) ESTABLISHMENT OF FUND.—There is hereby
 21 established in the United States Treasury a fund to be
 22 known as the Department of Justice Telecommunications
 23 Carrier Compliance Fund (hereafter referred to as ‘the
 24 Fund’), which shall be available without fiscal year limita-
 25 tion to the Attorney General for making payments to tele-

1 communications carriers, equipment manufacturers, and
2 providers of telecommunications support services pursuant
3 to section 109 of this Act.

4 “(b) DEPOSITS TO THE FUND.—Notwithstanding
5 any other provision of law, any agency of the United
6 States with law ~~enforcement~~ *enforcement, national secu-*
7 *rity*, or intelligence responsibilities may deposit as offset-
8 ting collections to the Fund any unobligated balances that
9 are available until expended, upon compliance with any
10 Congressional notification requirements for
11 reprogrammings of funds applicable to the appropriation
12 from which the deposit is to be made.

13 “(c) TERMINATION.—

14 “(1) The Attorney General may terminate the
15 Fund at such time as the Attorney General deter-
16 mines that the Fund is no longer necessary.

17 “(2) Any balance in the Fund at the time of its
18 termination shall be deposited in the General Fund
19 of the Treasury.

20 “(3) A decision of the Attorney General to ter-
21minate the Fund shall not be subject to judicial re-
22view.

23 “(d) AVAILABILITY OF FUNDS FOR EXPENDITURE.—
24 ~~Funds shall not be available for obligation unless an im-~~
25 ~~plementation plan as set forth in subsection (e) is submit-~~

1 ted to each member of the Committees on the Judiciary
2 and Appropriations of both the House of Representatives
3 and the Senate and the Congress does not, within the 60
4 days after the date of such submission, by law block or
5 prevent the obligation of such funds. Such funds shall be
6 treated as a reprogramming of funds under section 605
7 of the Department of Commerce, Justice, and State, the
8 Judiciary, and Related Agencies Appropriations Act,
9 1997, and shall not be available for obligation or expendi-
10 ture except in compliance with the procedures set forth
11 in that section and this section.

12 “(e) IMPLEMENTATION PLAN.—The implementation
13 plan shall include:

14 “(1) law enforcement assistance capability fea-
15 tures including an explanation of how proposed
16 interface and assistance capability requirements ex-
17 ceed or differ from the law enforcement assistance
18 currently provided by carriers;

19 “(2) the actual and maximum number of simul-
20 taneous surveillances/interecepts that law enforcement
21 agencies expect to perform (capacity requirements),
22 as well as the “historical baseline electronic surveil-
23 lance activity” on which the proposed capacity re-
24 quirements are based;

1 ~~“(3) a detailed county by county listing of pro-~~
2 ~~posed actual and maximum capacity requirements;~~

3 ~~“(4) the proposed network switch and other as-~~
4 ~~sistance capability features requested by law enforce-~~
5 ~~ment that would be required to be installed by tele-~~
6 ~~communications carriers;~~

7 ~~“(5) a complete estimate of the full costs of de-~~
8 ~~velopment and deployment of the assistance capabil-~~
9 ~~ity features, the full costs of the proposed actual and~~
10 ~~maximum capacities requested by law enforcement,~~
11 ~~the full cost of training telecommunications carrier~~
12 ~~personnel in the use of such capabilities and capac-~~
13 ~~ities, and to what extent funding of \$500,000,000~~
14 ~~will be sufficient to fully reimburse telecommuni-~~
15 ~~cations carriers for the reasonable cost of compliance~~
16 ~~with this Act; and~~

17 ~~“(6) a complete estimate of the full and reason-~~
18 ~~able costs associated with modification to be per-~~
19 ~~formed by telecommunications carriers of their net-~~
20 ~~work equipment and facilities installed or deployed~~
21 ~~after January 1, 1995, which are not proposed for~~
22 ~~reimbursement.~~

23 ~~“(f) ANNUAL REPORT TO THE CONGRESS.—The At-~~
24 ~~torney General shall submit to the Congress each year a~~
25 ~~report specifically detailing all deposits and expenditures~~

1 made pursuant to this Act in each fiscal year. This report
2 shall be submitted to each member of the Committees on
3 the Judiciary and Appropriations of both the House of
4 Representatives and the Senate, and to the Speaker and
5 minority leader of the House of Representatives and to
6 the majority and minority leaders of the Senate, no later
7 than 60 days after the end of each fiscal year.”.

8 SEC. 111. It is the sense of the Congress that the
9 Drug Enforcement Administration, together with other
10 appropriate Federal agencies, should take such actions as
11 may be necessary to end the illegal importation into the
12 United States of Rohypnol (flunitrazepam), a drug fre-
13 quently distributed with the intent to facilitate sexual as-
14 sault and rape.

15 SEC. 111. Section 1402 of the Victims of Crime Act
16 of 1984, as amended (42 U.S.C. 10601), is amended at sub-
17 section (e) by deleting “2” and inserting “3”, and at sub-
18 section (d) by adding a new paragraph (5) as follows:

19 “(5) The Director may set aside up to \$500,000
20 of the reserve fund described in paragraph (4) to
21 make supplemental grants to United States Attorneys
22 Offices to provide necessary assistance to victims of
23 the bombing of the Alfred P. Murrah Federal Build-
24 ing in Oklahoma City, to facilitate observation of
25 and/or participation by such victims in trial proceed-

1 *ings arising therefrom, including, without limitation,*
2 *provision of lodging and travel assistance, and to pay*
3 *such other, related expenses determined to be nec-*
4 *essary by the Director.”.*

5 **SEC. 112. TAGGANTS.**

6 *(a) Public Law 104–132 is amended by deleting sec-*
7 *tion 732(a)(2) regarding exclusions and inserting after sec-*
8 *tion 732(e)(2):*

9 *“(3) For purposes of this subsection, explosive*
10 *material does not include smokeless or black powder*
11 *manufactured for uses set forth in 18 U.S.C. 845(a)*
12 *(4) and (5).”.*

13 *(b) Public Law 104–132 is amended by deleting sec-*
14 *tion 732(d) regarding hearings.*

15 *(c) Public Law 104–132 section 732(e)(2) is amended*
16 *by deleting “270” and inserting “90”.*

17 **SEC. 113. MULTIPPOINT WIRETAPS.**

18 *(a) Section 2518(11)(b)(ii) of title 18, United States*
19 *Code is amended by deleting “of a purpose, on the part of*
20 *that person, to thwart interception by changing facilities”*
21 *and inserting “that the person had the intent to thwart*
22 *interception or that the person’s actions and conduct would*
23 *have the effect of thwarting interception from a specified*
24 *facility”.*

1 (b) Section 2518(11)(b)(iii) is amended to read: “(iii)
2 the judge finds that such showing has been adequately
3 made.”.

4 (c) The amendments made by subsection (a) and (b)
5 of this amendment shall be effective 1 day after the enact-
6 ment of this Act.

7 **SEC. 114. AUTHORIZATION FOR INTERCEPTIONS OF COM-**
8 **MUNICATIONS IN CERTAIN TERRORISM RE-**
9 **LATED OFFENSES.**

10 Section 2516(1) of title 18, United States Code, is
11 amended—

12 (1) in paragraph (c)—

13 (A) by inserting before “or section 1992 (re-
14 relating to wrecking trains)” the following: “sec-
15 tion 2332 (relating to terrorist acts abroad), sec-
16 tion 2332a (relating to weapons of mass destruc-
17 tion, section 2332b (relating to acts of terrorism
18 transcending national boundaries), section
19 2339A (relating to providing material support to
20 terrorists), section 37 (relating to violence at
21 international airports),”; and

22 (B) by inserting after “section 175 (relating
23 to biological weapons),” the following: “or a fel-
24 ony violation under section 1028 (relating to
25 production of false identification documenta-

1 consultants as authorized by 5 U.S.C. 3109, \$21,449,000,
2 of which \$2,500,000 shall remain available until expended:
3 *Provided*, That not to exceed \$98,000 shall be available
4 for official reception and representation expenses.

5 INTERNATIONAL TRADE COMMISSION

6 SALARIES AND EXPENSES

7 For necessary expenses of the International Trade
8 Commission, including hire of passenger motor vehicles,
9 and services as authorized by 5 U.S.C. 3109, and not to
10 exceed \$2,500 for official reception and representation ex-
11 penses, ~~\$40,000,000~~ \$41,707,000, to remain available until
12 expended.

13 DEPARTMENT OF COMMERCE

14 INTERNATIONAL TRADE ADMINISTRATION

15 OPERATIONS AND ADMINISTRATION

16 For necessary expenses for international trade activi-
17 ties of the Department of Commerce provided for by law,
18 and engaging in trade promotional activities abroad, in-
19 cluding expenses of grants and cooperative agreements for
20 the purpose of promoting exports of United States firms,
21 without regard to 44 U.S.C. 3702 and 3703; full medical
22 coverage for dependent members of immediate families of
23 employees stationed overseas and employees temporarily
24 posted overseas; travel and transportation of employees of
25 the United States and Foreign Commercial Service be-

1 tween two points abroad, without regard to 49 U.S.C.
2 1517; employment of Americans and aliens by contract for
3 services; rental of space abroad for periods not exceeding
4 ten years, and expenses of alteration, repair, or improve-
5 ment; purchase or construction of temporary demountable
6 exhibition structures for use abroad; payment of tort
7 claims, in the manner authorized in the first paragraph
8 of 28 U.S.C. 2672 when such claims arise in foreign coun-
9 tries; not to exceed \$327,000 for official representation
10 expenses abroad; purchase of passenger motor vehicles for
11 official use abroad, not to exceed \$30,000 per vehicle; ob-
12 tain insurance on official motor vehicles; and rent tie lines
13 and teletype equipment; ~~\$272,000,000~~ \$267,939,000, to
14 remain available until expended: *Provided*, That the provi-
15 sions of the first sentence of section 105(f) and all of sec-
16 tion 108(c) of the Mutual Educational and Cultural Ex-
17 change Act of 1961 (22 U.S.C. 2455(f) and 2458(c)) shall
18 apply in carrying out these activities without regard to
19 section 5412 of the Omnibus Trade and Competitiveness
20 Act of 1988 (15 U.S.C. 4912); and that for the purpose
21 of this Act, contributions under the provisions of the Mu-
22 tual Educational and Cultural Exchange Act shall include
23 payment for assessments for services provided as part of
24 these activities.

EXPORT ADMINISTRATION

OPERATIONS AND ADMINISTRATION

1
2
3 For necessary expenses for export administration and
4 national security activities of the Department of Com-
5 merce, including costs associated with the performance of
6 export administration field activities both domestically and
7 abroad; full medical coverage for dependent members of
8 immediate families of employees stationed overseas; em-
9 ployment of Americans and aliens by contract for services
10 abroad; rental of space abroad for periods not exceeding
11 ten years, and expenses of alteration, repair, or improve-
12 ment; payment of tort claims, in the manner authorized
13 in the first paragraph of 28 U.S.C. 2672 when such claims
14 arise in foreign countries; not to exceed \$15,000 for offi-
15 cial representation expenses abroad; awards of compensa-
16 tion to informers under the Export Administration Act of
17 1979, and as authorized by 22 U.S.C. 401(b); purchase
18 of passenger motor vehicles for official use and motor vehi-
19 cles for law enforcement use with special requirement vehi-
20 cles eligible for purchase without regard to any price limi-
21 tation otherwise established by law; ~~\$38,604,000~~
22 \$34,698,000, to remain available until expended: *Provided,*
23 That the provisions of the first sentence of section 105(f)
24 and all of section 108(c) of the Mutual Educational and
25 Cultural Exchange Act of 1961 (22 U.S.C. 2455(f) and

1 2458(c)) shall apply in carrying out these activities: *Pro-*
2 *vided further*, That payments and contributions collected
3 and accepted for materials or services provided as part of
4 such activities may be retained for use in covering the cost
5 of such activities, and for providing information to the
6 public with respect to the export administration and na-
7 tional security activities of the Department of Commerce
8 and other export control programs of the United States
9 and other governments.

10 ECONOMIC DEVELOPMENT ADMINISTRATION

11 ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

12 For grants for economic development assistance as
13 provided by the Public Works and Economic Development
14 Act of 1965, as amended, Public Law 91–304, and such
15 laws that were in effect immediately before September 30,
16 1982, and for trade adjustment assistance, ~~\$328,500,000~~
17 *\$273,500,000: Provided*, That none of the funds appro-
18 priated or otherwise made available under this heading
19 may be used directly or indirectly for attorneys’ or consult-
20 ants’ fees in connection with securing grants and contracts
21 made by the Economic Development Administration: *Pro-*
22 *vided further*, That, notwithstanding any other provision
23 of law, the Secretary of Commerce may provide financial
24 assistance for projects to be located on military installa-
25 tions closed or scheduled for closure or realignment to

1 grantees eligible for assistance under the Public Works
2 and Economic Development Act of 1965, as amended,
3 without it being required that the grantee have title or
4 ability to obtain a lease for the property, for the useful
5 life of the project, when in the opinion of the Secretary
6 of Commerce, such financial assistance is necessary for
7 the economic development of the area: *Provided further,*
8 That the Secretary of Commerce may, as the Secretary
9 considers appropriate, consult with the Secretary of De-
10 fense regarding the title to land on military installations
11 closed or scheduled for closure or realignment.

12 SALARIES AND EXPENSES

13 For necessary expenses of administering the eco-
14 nomic development assistance programs as provided for by
15 law, ~~\$20,000,000~~ \$20,036,000: *Provided,* That these funds
16 may be used to monitor projects approved pursuant to title
17 I of the Public Works Employment Act of 1976, as
18 amended, title II of the Trade Act of 1974, as amended,
19 and the Community Emergency Drought Relief Act of
20 1977.

21 MINORITY BUSINESS DEVELOPMENT AGENCY

22 MINORITY BUSINESS DEVELOPMENT

23 For necessary expenses of the Department of Com-
24 merce in fostering, promoting, and developing minority
25 business enterprise, including expenses of grants, con-
26 tracts, and other agreements with public or private organi-

1 zations, ~~\$29,000,000~~. *Provided*, That of the total amount
2 ~~provided, \$3,000,000~~ shall be available for obligation and
3 ~~expenditure only for projects jointly developed, imple-~~
4 ~~mented and administered with the Small Business Admin-~~
5 ~~istration \$26,000,000.~~

6 ECONOMIC AND INFORMATION INFRASTRUCTURE

7 ECONOMIC AND STATISTICAL ANALYSIS

8 SALARIES AND EXPENSES

9 For necessary expenses, as authorized by law, of eco-
10 nomic and statistical analysis programs of the Department
11 of Commerce, ~~\$45,900,000~~ *\$49,400,000*, to remain avail-
12 able until September 30, 1998.

13 ECONOMICS AND STATISTICS ADMINISTRATION

14 REVOLVING FUND

15 The Secretary of Commerce is authorized to dissemi-
16 nate economic and statistical data products as authorized
17 by sections 1, 2, and 4 of Public Law 91-412 (15 U.S.C.
18 1525-1527) and, notwithstanding section 5412 of the
19 Omnibus Trade and Competitiveness Act of 1988 (15
20 U.S.C. 4912), charge fees necessary to recover the full
21 costs incurred in their production. Notwithstanding 31
22 U.S.C. 3302, receipts received from these data dissemina-
23 tion activities shall be credited to this account, to be avail-
24 able for carrying out these purposes without further ap-
25 propriation.

1 BUREAU OF THE CENSUS

2 SALARIES AND EXPENSES

3 For expenses necessary for collecting, compiling, ana-
4 lyzing, preparing, and publishing statistics, provided for
5 by law, ~~\$133,617,000~~ \$139,700,000.

6 PERIODIC CENSUSES AND PROGRAMS

7 For expenses necessary to collect and publish statis-
8 ties for periodic censuses and programs provided for by
9 law, ~~\$205,100,000~~ \$210,500,000, to remain available until
10 expended.

11 NATIONAL TELECOMMUNICATIONS AND INFORMATION

12 ADMINISTRATION

13 SALARIES AND EXPENSES

14 For necessary expenses, as provided for by law, of
15 the National Telecommunications and Information Ad-
16 ministration, ~~\$15,000,000~~ \$16,003,000 to remain available
17 until expended: *Provided*, That notwithstanding 31 U.S.C.
18 1535(d), the Secretary of Commerce shall charge Federal
19 agencies for costs incurred in spectrum management,
20 analysis, and operations, and related services and such
21 fees shall be retained and used as offsetting collections for
22 costs of such spectrum services, to remain available until
23 expended: *Provided further*, That the Secretary of Com-
24 merce is authorized to retain and use as offsetting collec-
25 tions all funds transferred, or previously transferred, from
26 other Government agencies for all costs incurred in tele-

1 communications research, engineering, and related activi-
 2 ties by the Institute for Telecommunication Sciences of
 3 the NTIA, in furtherance of its assigned functions under
 4 this paragraph, and such funds received from other Gov-
 5 ernment agencies shall remain available until expended.

6 PUBLIC BROADCASTING FACILITIES, PLANNING AND
 7 CONSTRUCTION

8 For grants authorized by section 392 of the Commu-
 9 nications Act of 1934, as amended, ~~\$10,250,000 (in-~~
 10 ~~creased by \$5,000,000)~~ \$15,250,000, to remain available
 11 until expended as authorized by section 391 of the Act,
 12 as amended: *Provided*, That not to exceed \$1,500,000
 13 shall be available for program administration as author-
 14 ized by section 391 of the Act: *Provided further*, That not-
 15 withstanding the provisions of section 391 of the Act, the
 16 prior year unobligated balances may be made available for
 17 grants for projects for which applications have been sub-
 18 mitted and approved during any fiscal year.

19 INFORMATION INFRASTRUCTURE GRANTS

20 For grants authorized by section ~~392~~ of the Commu-
 21 nications Act of ~~1934~~, as amended, ~~\$21,490,000~~, to re-
 22 main available until expended as authorized by section ~~391~~
 23 of the Act, as amended: *Provided*, That not to exceed
 24 ~~\$3,000,000~~ shall be available for program administration
 25 and other support activities as authorized by section ~~391~~:
 26 *Provided further*, That of the funds appropriated herein,

1 not to exceed 5 percent may be available for telecommuni-
2 cations research activities for projects related directly to
3 the development of a national information infrastructure:
4 *Provided further,* That notwithstanding the requirements
5 of section 392(a) and 392(e) of the Act, these funds may
6 be used for the planning and construction of telecommuni-
7 cations networks for the provision of educational, cultural,
8 health care, public information, public safety, or other so-
9 cial services.

10 *For grants authorized by section 392 of the Commu-*
11 *nications Act of 1934, as amended, \$4,075,000, to remain*
12 *available until expended as authorized by section 391 of the*
13 *Act, as amended: Provided, That notwithstanding the re-*
14 *quirements of section 392(a) and 392(c) of the Act, these*
15 *funds may be used for the planning and construction of*
16 *telecommunications networks for the provision of edu-*
17 *cational, cultural, health care, public information, public*
18 *safety, or other social services.*

19 PATENT AND TRADEMARK OFFICE

20 SALARIES AND EXPENSES

21 For necessary expenses of the Patent and Trademark
22 Office provided for by law, including defense of suits insti-
23 tuted against the Commissioner of Patents and Trade-
24 marks, ~~\$100,000,000 (reduced by \$33,748,000) (reduced~~
25 ~~by \$5,000,000)~~ \$61,252,000, to remain available until ex-

1 pended: *Provided*, That the funds made available under
 2 this heading are to be derived from deposits in the Patent
 3 and Trademark Office Fee Surcharge Fund as authorized
 4 by law: *Provided further*, That the amounts made available
 5 under the Fund shall not exceed amounts deposited; and
 6 such fees as shall be collected pursuant to 15 U.S.C. 1113
 7 and 35 U.S.C. 41 and 376, shall remain available until
 8 expended.

9 SCIENCE AND TECHNOLOGY

10 TECHNOLOGY ADMINISTRATION

11 UNDER SECRETARY FOR TECHNOLOGY/OFFICE OF

12 TECHNOLOGY POLICY

13 *For necessary expenses for the Under Secretary for*
 14 *Technology/Office of Technology Policy, \$7,500,000: Pro-*
 15 *vided, That \$2,500,000 of the total amount provided under*
 16 *this heading shall be available to support the United States-*
 17 *Israel Science and Technology Commission.*

18 NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY

19 SCIENTIFIC AND TECHNICAL RESEARCH AND SERVICES

20 For necessary expenses of the National Institute of
 21 Standards and Technology, ~~\$268,000,000~~ \$270,400,000,
 22 to remain available until expended, of which not to exceed
 23 \$1,625,000 may be transferred to the “Working Capital
 24 Fund”.

1 INDUSTRIAL TECHNOLOGY SERVICES

2 For necessary expenses of the Manufacturing Exten-
3 sion Partnership of the National Institute of Standards
4 and Technology, \$89,900,0000, to remain available until
5 expended, of which not to exceed \$300,000 may be trans-
6 ferred to the "Working Capital Fund".

7 In addition, for necessary expenses of the Advanced
8 Technology Program of the National Institute of Stand-
9 ards and Technology, \$110,500,000, to remain available
10 until expended, of which not to exceed \$500,000 may be
11 transferred to the "Working Capital Fund": *Provided,*
12 That none of the funds made available under this heading
13 may be used for the purposes of carrying out additional
14 program competitions under the Advanced Technology
15 Program: *Provided further,* That funds made available for
16 the Advanced Technology Program under this heading and
17 any unobligated balances available from carryover of prior
18 year appropriations for such program may be used only
19 for the purposes of providing continuation grants for
20 competitions completed prior to October 1, 1995: *Pro-*
21 *vided further,* That such continuation grants shall be pro-
22 vided only to single applicants or joint venture partici-
23 pants which are small businesses: *Provided further,* That
24 such funds for the Advanced Technology Program are pro-

1 vided for the purposes of closing out all commitments for
2 such program.

3 *For necessary expenses of the Manufacturing Exten-*
4 *sion Partnership of the National Institute of Standards*
5 *and Technology, \$99,900,000, to remain available until ex-*
6 *pended, of which not to exceed \$300,000 may be trans-*
7 *ferred to the “Working Capital Fund”: Provided, That not-*
8 *withstanding the time limitations imposed by 15 U.S.C.*
9 *278k(c) (1) and (5) on the duration of Federal financial*
10 *assistance that may be awarded by the Secretary of Com-*
11 *merce to Regional Centers for the transfer of Manufactur-*
12 *ing Technology (“Centers”), such Federal financial assist-*
13 *ance for a Center may continue beyond six years and may*
14 *be renewed for additional periods, not to exceed three years*
15 *each, at a rate not to exceed one-third of the Center’s total*
16 *annual costs, subject before any such renewal to a positive*
17 *evaluation of the Center and to a finding by the Secretary*
18 *of Commerce that continuation of Federal funding to the*
19 *Center is in the best interest of the Regional Centers for*
20 *the transfer of Manufacturing Technology Program.*

21 *In addition, for necessary expenses of the Advanced*
22 *Technology Program of the National Institute of Standards*
23 *and Technology, \$60,000,000, to remain available until ex-*
24 *pended, of which not to exceed \$500,000 may be transferred*
25 *to the “Working Capital Fund”: Provided, That funds made*

1 *available under this heading may only be used for the pur-*
 2 *poses of providing continuation grants.*

3 *CONSTRUCTION OF RESEARCH FACILITIES*

4 *For renovation of existing facilities, not otherwise pro-*
 5 *vided for the National Institute of Standards and Tech-*
 6 *nology, as authorized by 15 U.S.C. 278c–278e, \$15,000,000,*
 7 *to remain available until expended.*

8 *NATIONAL OCEANIC AND ATMOSPHERIC*

9 *ADMINISTRATION*

10 *OPERATIONS, RESEARCH, AND FACILITIES*

11 *(INCLUDING TRANSFER OF FUNDS)*

12 For necessary expenses of activities authorized by
 13 law for the National Oceanic and Atmospheric Adminis-
 14 tration, including acquisition, maintenance, operation,
 15 and hire of aircraft; ~~not to exceed 200 commissioned offi-~~
 16 ~~eers on the active list as of April 1, 1997, and no com-~~
 17 ~~missioned officers on the active list as of September 30,~~
 18 ~~1997 not to exceed 358 commissioned officers on the active~~
 19 ~~list; grants, contracts, or other payments to nonprofit or-~~
 20 ~~ganizations for the purposes of conducting activities pur-~~
 21 ~~suant to cooperative agreements; and alteration, mod-~~
 22 ~~ernization, and relocation of facilities as authorized by 33~~
 23 ~~U.S.C. 883i; ~~\$1,738,200,000~~ \$1,933,703,000, to remain~~
 24 ~~available until expended: *Provided*, That notwithstanding~~
 25 ~~31 U.S.C. 3302 but consistent with other existing law,~~
 26 ~~fees shall be assessed, collected, and credited to this ap-~~

1 appropriation as offsetting collections to be available until
2 expended, to recover the costs of administering aeronauti-
3 cal charting programs: *Provided further*, That the sum
4 herein appropriated from the general fund shall be re-
5 duced as such additional fees are received during fiscal
6 year 1997, so as to result in a final general fund appro-
7 priation estimated at not more than ~~\$1,735,200,000~~
8 ~~\$1,930,703,000~~: *Provided further*, That any such addi-
9 tional fees received in excess of \$3,000,000 in fiscal year
10 1997 shall not be available for obligation until October
11 1, 1997: *Provided further*, That fees and donations re-
12 ceived by the National Ocean Service for the management
13 of the national marine sanctuaries may be retained and
14 used for the salaries and expenses associated with those
15 activities, notwithstanding 31 U.S.C. 3302: *Provided fur-*
16 *ther*, That in addition, ~~\$68,000,000~~ \$62,000,000 shall be
17 derived by transfer from the fund entitled “Promote and
18 Develop Fishery Products and Research Pertaining to
19 American Fisheries”: *Provided further*, That grants to
20 States pursuant to sections 306 and 306A of the Coastal
21 Zone Management Act of 1972, as amended, shall not ex-
22 ceed \$2,000,000: ~~*Provided further*~~, That of the
23 ~~\$1,839,176,000~~ provided for in direct obligations under
24 this heading (of which ~~\$1,735,200,000~~ is appropriated
25 from the general fund, \$73,276,000 is provided by trans-

1 fer, and \$30,700,000 is derived from unobligated bal-
 2 ances and deobligations from prior years), \$182,660,000
 3 shall be for the National Ocean Service, \$298,907,000
 4 shall be for the National Marine Fisheries Service,
 5 \$231,826,000 shall be for Oceanic and Atmospheric Re-
 6 search, \$633,010,000 shall be for the National Weather
 7 Service, \$425,897,000 shall be for the National Environ-
 8 mental Satellite, Data, and Information Service,
 9 \$66,876,000 shall be for Program Support.

10 COASTAL ZONE MANAGEMENT FUND

11 Of amounts collected pursuant to section 308 of
 12 the Coastal Zone Management Act of 1972 (16 U.S.C.
 13 1456a), not to exceed \$7,800,000, for purposes set forth
 14 in sections 308(b)(2)(A), 308(b)(2)(B)(v), and 315(e) of
 15 such Act.

16 CONSTRUCTION

17 For repair and modification of, and additions to, ex-
 18 isting facilities and construction of new facilities, and for
 19 facility planning and design and land acquisition not oth-
 20 erwise provided for the National Oceanic and Atmos-
 21 pheric Administration, ~~\$36,000,000~~ \$58,000,000, to re-
 22 main available until expended.

23 FLEET MODERNIZATION, SHIPBUILDING AND

24 CONVERSION

25 For expenses necessary for the repair, acquisition,
 26 leasing, or conversion of vessels, including related equip-

1 ment to maintain and modernize the existing fleet and to
2 continue planning the modernization of the fleet, for the
3 National Oceanic and Atmospheric Administration,
4 ~~\$6,000,000~~ \$8,000,000, to remain available until ex-
5 pended.

6 FISHING VESSEL AND GEAR DAMAGE COMPENSATION

7 FUND

8 For carrying out the provisions of section 3 of Pub-
9 lic Law 95-376, not to exceed \$200,000, to be derived
10 from receipts collected pursuant to subsections (b) and
11 (f) of section 10 of the Fishermen's Protective Act of
12 1967 (22 U.S.C. 1980), to remain available until ex-
13 pended.

14 FISHERMEN'S CONTINGENCY FUND

15 For carrying out the provisions of title IV of Public
16 Law 95-372, not to exceed \$1,000,000, to be derived
17 from receipts collected pursuant to that Act, to remain
18 available until expended.

19 FOREIGN FISHING OBSERVER FUND

20 For expenses necessary to carry out the provisions
21 of the Atlantic Tunas Convention Act of 1975, as amend-
22 ed (Public Law 96-339), the Magnuson Fishery Con-
23 servation and Management Act of 1976, as amended
24 (Public Law 100-627), and the American Fisheries Pro-
25 motion Act (Public Law 96-561), to be derived from the
26 fees imposed under the foreign fishery observer program

1 authorized by these Acts, not to exceed \$196,000, to re-
 2 main available until expended.

3 FISHING VESSEL OBLIGATIONS GUARANTEES

4 For the cost of guaranteed loans, \$250,000, as au-
 5 thorized by the Merchant Marine Act of 1936, as amend-
 6 ed: *Provided*, That such costs, including the cost of modi-
 7 fying such loans, shall be as defined in section 502 of the
 8 Congressional Budget Act of 1974: *Provided further*,
 9 That none of the funds made available under this head-
 10 ing may be used to guarantee loans for any new fishing
 11 vessel that will increase the harvesting capacity in any
 12 United States fishery.

13 TECHNOLOGY ADMINISTRATION

14 UNDER SECRETARY FOR TECHNOLOGY/OFFICE OF

15 TECHNOLOGY POLICY

16 SALARIES AND EXPENSES

17 For necessary expenses for the Under Secretary for
 18 Technology/Office of Technology Policy, \$5,000,000.

19 GENERAL ADMINISTRATION

20 SALARIES AND EXPENSES

21 For expenses necessary for the general administra-
 22 tion of the Department of Commerce provided for by law,
 23 including not to exceed \$3,000 for official entertainment,
 24 ~~\$27,400,000~~ \$29,100,000.

1 OFFICE OF INSPECTOR GENERAL

2 For necessary expenses of the Office of Inspector
3 General in carrying out the provisions of the Inspector
4 General Act of 1978, as amended (5 U.S.C. App. 1–11
5 as amended by Public Law 100–504), ~~\$19,445,000~~
6 *\$20,849,000*.

7 *NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY*8 *CONSTRUCTION OF RESEARCH FACILITIES*9 *(RESCISSION)*

10 *Of the obligated and unobligated balances available*
11 *under this heading, \$31,800,000 are rescinded.*

12 NATIONAL OCEANIC AND ATMOSPHERIC

13 ADMINISTRATION

14 OPERATIONS, RESEARCH, AND FACILITIES

15 *(RESCISSION)*

16 Of the unobligated balances available under this
17 heading, \$10,000,000 are rescinded.

18 GENERAL PROVISIONS—DEPARTMENT OF COMMERCE

19 SEC. 201. During the current fiscal year, applicable
20 appropriations and funds made available to the Depart-
21 ment of Commerce by this Act shall be available for the
22 activities specified in the Act of October 26, 1949 (15
23 U.S.C. 1514), to the extent and in the manner prescribed
24 by the Act, and, notwithstanding 31 U.S.C. 3324, may
25 be used for advanced payments not otherwise authorized

1 only upon the certification of officials designated by the
2 Secretary that such payments are in the public interest.

3 SEC. 202. During the current fiscal year, appropria-
4 tions made available to the Department of Commerce by
5 this Act for salaries and expenses shall be available for
6 hire of passenger motor vehicles as authorized by 31
7 U.S.C. 1343 and 1344; services as authorized by 5 U.S.C.
8 3109; and uniforms or allowances therefor, as authorized
9 by law (5 U.S.C. 5901–5902).

10 SEC. 203. None of the funds made available by this
11 Act may be used to support the hurricane reconnaissance
12 aircraft and activities that are under the control of the
13 United States Air Force or the United States Air Force
14 Reserve.

15 SEC. 204. None of the funds provided in this or any
16 previous Act, or hereinafter made available to the Depart-
17 ment of Commerce, shall be available to reimburse the Un-
18 employment Trust Fund or any other fund or account of
19 the Treasury to pay for any expenses paid before October
20 1, 1992, as authorized by section 8501 of title 5, United
21 States Code, for services performed after April 20, 1990,
22 by individuals appointed to temporary positions within the
23 Bureau of the Census for purposes relating to the 1990
24 decennial census of population.

1 SEC. 205. Not to exceed 5 percent of any appropria-
2 tion made available for the current fiscal year for the De-
3 partment of Commerce in this Act may be transferred be-
4 tween such appropriations, but no such appropriation shall
5 be increased by more than 10 percent by any such trans-
6 fers: *Provided*, That any transfer pursuant to this section
7 shall be treated as a reprogramming of funds under sec-
8 tion 605 of this Act and shall not be available for obliga-
9 tion or expenditure except in compliance with the proce-
10 dures set forth in that section.

11 SEC. 206. (a) Should legislation be enacted to dis-
12 mantle or reorganize the Department of Commerce, the
13 Secretary of Commerce, no later than 90 days thereafter,
14 shall submit to the Committees on Appropriations of the
15 House and the Senate a plan for transferring funds pro-
16 vided in this Act to the appropriate successor organiza-
17 tions: *Provided*, That the plan shall include a proposal for
18 transferring or rescinding funds appropriated herein for
19 agencies or programs terminated under such legislation:
20 *Provided further*, That such plan shall be transmitted in
21 accordance with section 605 of this Act.

22 (b) The Secretary of Commerce or the appropriate
23 head of any successor organization(s) may use any avail-
24 able funds to carry out legislation dismantling or reor-
25 ganizing the Department of Commerce to cover the costs

1 of actions relating to the abolishment, reorganization, or
2 transfer of functions and any related personnel action, in-
3 cluding voluntary separation incentives if authorized by
4 such legislation: *Provided*, That the authority to transfer
5 funds between appropriations accounts that may be nec-
6 essary to carry out this section is provided in addition to
7 authorities included under section 205 of this Act: *Pro-*
8 *vided further*, That use of funds to carry out this section
9 shall be treated as a reprogramming of funds under sec-
10 tion 605 of this Act and shall not be available for obliga-
11 tion or expenditure except in compliance with the proce-
12 dures set forth in that section.

13 SEC. 207. Any costs incurred by a Department or
14 agency funded under this title resulting from personnel
15 actions taken in response to funding reductions included
16 in this title shall be absorbed within the total budgetary
17 resources available to such Department or agency: *Pro-*
18 *vided*, That the authority to transfer funds between appro-
19 priations accounts as may be necessary to carry out this
20 section is provided in addition to authorities included else-
21 where in this Act: *Provided further*, That use of funds to
22 carry out this section shall be treated as a reprogramming
23 of funds under section 605 of this Act and shall not be
24 available for obligation or expenditure except in compli-
25 ance with the procedures set forth in that section.

1 SEC. 208. None of the funds appropriated under this
2 Act or any other Act *henceforth* may be used to develop
3 new fishery management plans, amendments, or regula-
4 tions which create new individual fishing quota, individual
5 transferable quota, or new individual transferable effort
6 allocation programs, or to implement any such plans,
7 amendments, or regulations approved by a Regional Fish-
8 ery Management Council or the Secretary of Commerce
9 after January 4, 1995, until offsetting fees to pay for the
10 cost of administering such plans, amendments, or regula-
11 tions are expressly authorized under the Magnuson Fish-
12 ery Conservation and Management Act (16 U.S.C. 1801
13 et seq.). This restriction shall not apply in any way to ~~any~~
14 ~~such programs approved by the Secretary of Commerce~~
15 ~~prior to January 4, 1995~~ *the North Pacific halibut and*
16 *sablefish, South Atlantic wreckfish, or the Mid-Atlantic*
17 *surfclam and ocean (including mahogany) quohog individ-*
18 *ual quota programs.*

19 SEC. 209. ~~The Secretary may award contracts for hy-~~
20 ~~drographic, geodetic, and photogrammetric surveying and~~
21 ~~mapping services in accordance with title IX of the Fed-~~
22 ~~eral Property and Administrative Services Act of 1949 (40~~
23 ~~U.S.C. 541 et seq.).~~

24 SEC. 210. There is hereby established the Bureau of
25 the Census Working Capital Fund, which shall be avail-

1 able without fiscal year limitation, for expenses and equip-
2 ment necessary for the maintenance and operation of such
3 services and projects as the Director of the Census Bureau
4 determines may be performed more advantageously when
5 centralized: *Provided*, That such central services shall, to
6 the fullest extent practicable, be used to make unnecessary
7 the maintenance of separate like services in the divisions
8 and offices of the Bureau: *Provided further*, That a sepa-
9 rate schedule of expenditures and reimbursements, and a
10 statement of the current assets and liabilities of the Work-
11 ing Capital Fund as of the close of the last completed fis-
12 cal year, shall be prepared each year: *Provided further*,
13 That notwithstanding 31 U.S.C. 3302, the Working Cap-
14 ital Fund may be credited with advances and reimburse-
15 ments from applicable appropriations of the Bureau and
16 from funds of other agencies or entities for services fur-
17 nished pursuant to law: *Provided further*, That any inven-
18 tories, equipment, and other assets pertaining to the serv-
19 ices to be provided by such funds, either on hand or on
20 order, less the related liabilities or unpaid obligations, and
21 any appropriations made hereafter for the purpose of pro-
22 viding capital, shall be used to capitalize the Working Cap-
23 ital Fund: *Provided further*, That the Working Capital
24 Fund shall provide for centralized services at rates which
25 will return in full all expenses of operation, including de-

1 preciation of fund plant and equipment, amortization of
 2 automated data processing software and hardware sys-
 3 tems, and an amount necessary to maintain a reasonable
 4 operating reserve as determined by the Director.

5 *SEC. 211. None of the funds provided in this or any*
 6 *previous Act, or hereinafter made available to the Depart-*
 7 *ment of Commerce, shall be used to develop, implement or*
 8 *collect any user fee for any activity within the Hawaiian*
 9 *Islands National Humpback Whale Sanctuary or for any*
 10 *use of the Sanctuary or its resources. The term “user fee”*
 11 *as used in this section does not include monetary or in-*
 12 *kind payments raised through the sale, marketing, or use*
 13 *of symbols or products or voluntary donations to the Na-*
 14 *tional Marine Sanctuary Program.*

15 This title may be cited as the “Department of Com-
 16 merce and Related Agencies Appropriations Act, 1997”.

17 TITLE III—THE JUDICIARY

18 SUPREME COURT OF THE UNITED STATES

19 SALARIES AND EXPENSES

20 For expenses necessary for the operation of the Su-
 21 preme Court, as required by law, excluding care of the
 22 building and grounds, including purchase or hire, driving,
 23 maintenance, and operation of an automobile for the Chief
 24 Justice, not to exceed \$10,000 for the purpose of trans-
 25 porting Associate Justices, and hire of passenger motor

1 vehicles as authorized by 31 U.S.C. 1343 and 1344; not
2 to exceed \$10,000 for official reception and representation
3 expenses; and for miscellaneous expenses, to be expended
4 as the Chief Justice may approve; \$27,157,000.

5 CARE OF THE BUILDING AND GROUNDS

6 For such expenditures as may be necessary to enable
7 the Architect of the Capitol to carry out the duties im-
8 posed upon him by the Act approved May 7, 1934 (40
9 U.S.C. 13a–13b), ~~\$2,490,000~~ \$3,100,000, of which
10 \$260,000 shall remain available until expended.

11 UNITED STATES COURT OF APPEALS FOR THE FEDERAL
12 CIRCUIT

13 SALARIES AND EXPENSES

14 For salaries of the chief judge, judges, and other offi-
15 cers and employees, and for necessary expenses of the
16 court, as authorized by law, \$15,013,000.

17 UNITED STATES COURT OF INTERNATIONAL TRADE

18 SALARIES AND EXPENSES

19 For salaries of the chief judge and eight judges, sala-
20 ries of the officers and employees of the court, services
21 as authorized by 5 U.S.C. 3109, and necessary expenses
22 of the court, as authorized by law, \$11,114,000.

1 COURTS OF APPEALS, DISTRICT COURTS, AND OTHER
2 JUDICIAL SERVICES
3 SALARIES AND EXPENSES
4 *(INCLUDING TRANSFER OF FUNDS)*

5 For the salaries of circuit and district judges (includ-
6 ing judges of the territorial courts of the United States),
7 justices and judges retired from office or from regular ac-
8 tive service, judges of the United States Court of Federal
9 Claims, bankruptcy judges, magistrate judges, and all
10 other officers and employees of the Federal Judiciary not
11 otherwise specifically provided for, and necessary expenses
12 of the courts, as authorized by law, ~~\$2,550,956,000~~ (re-
13 ~~duced by \$12,000,000~~) \$2,578,646,000 (including the pur-
14 chase of firearms and ammunition); of which not to exceed
15 \$13,454,000 shall remain available until expended for
16 space alteration projects; *of which \$500,000 shall be trans-*
17 *ferred to the Commission on Structural Alternatives for the*
18 *Federal Courts of Appeals*; of which not to exceed
19 \$10,000,000 shall remain available until expended for fur-
20 niture and furnishings related to new space alteration and
21 construction projects; and of which \$500,000 is to remain
22 available until expended for acquisition of books, periodi-
23 cals, and newspapers, and all other legal reference mate-
24 rials, including subscriptions.

25 In addition, for expenses of the United States Court
26 of Federal Claims associated with processing cases under

1 the National Childhood Vaccine Injury Act of 1986, not
2 to exceed \$2,390,000, to be appropriated from the Vaccine
3 Injury Compensation Trust Fund.

4 VIOLENT CRIME REDUCTION PROGRAMS

5 For activities of the Federal Judiciary as authorized
6 by law, \$30,000,000, to remain available until expended,
7 which shall be derived from the Violent Crime Reduction
8 Trust Fund, as authorized by section 190001(a) of Public
9 Law 103-322.

10 DEFENDER SERVICES

11 For the operation of Federal Public Defender and
12 Community Defender organizations; the compensation and
13 reimbursement of expenses of attorneys appointed to rep-
14 resent persons under the Criminal Justice Act of 1964,
15 as amended; the compensation and reimbursement of ex-
16 penses of persons furnishing investigative, expert and
17 other services under the Criminal Justice Act (18 U.S.C.
18 3006A(e)); the compensation (in accordance with Criminal
19 Justice Act maximums) and reimbursement of expenses
20 of attorneys appointed to assist the court in criminal cases
21 where the defendant has waived representation by counsel;
22 the compensation and reimbursement of travel expenses
23 of guardians ad litem acting on behalf of financially eligi-
24 ble minor or incompetent offenders in connection with
25 transfers from the United States to foreign countries with
26 which the United States has a treaty for the execution

1 of penal sentences; and the compensation of attorneys ap-
2 pointed to represent jurors in civil actions for the protec-
3 tion of their employment, as authorized by 28 U.S.C.
4 1875(d); ~~\$297,000,000~~ \$311,900,000, to remain available
5 until expended as authorized by 18 U.S.C. 3006A(i).

6 FEES OF JURORS AND COMMISSIONERS

7 For fees and expenses of jurors as authorized by 28
8 U.S.C. 1871 and 1876; compensation of jury commis-
9 sioners as authorized by 28 U.S.C. 1863; and compensa-
10 tion of commissioners appointed in condemnation cases
11 pursuant to rule 71A(h) of the Federal Rules of Civil Pro-
12 cedure (28 U.S.C. Appendix Rule 71A(h)); ~~\$66,000,000~~
13 \$68,083,000, to remain available until expended: *Provided*,
14 That the compensation of land commissioners shall not ex-
15 ceed the daily equivalent of the highest rate payable under
16 section 5332 of title 5, United States Code.

17 COURT SECURITY

18 For necessary expenses, not otherwise provided for,
19 incident to the procurement, installation, and maintenance
20 of security equipment and protective services for the Unit-
21 ed States Courts in courtrooms and adjacent areas, in-
22 cluding building ingress-egress control, inspection of pack-
23 ages, directed security patrols, and other similar activities
24 as authorized by section 1010 of the Judicial Improvement
25 and Access to Justice Act (Public Law 100-702);
26 ~~\$131,000,000~~ \$127,000,000, to be expended directly or

1 transferred to the United States Marshals Service which
2 shall be responsible for administering elements of the Ju-
3 dicial Security Program consistent with standards or
4 guidelines agreed to by the Director of the Administrative
5 Office of the United States Courts and the Attorney Gen-
6 eral.

7 ADMINISTRATIVE OFFICE OF THE UNITED STATES
8 COURTS
9 SALARIES AND EXPENSES

10 For necessary expenses of the Administrative Office
11 of the United States Courts as authorized by law, includ-
12 ing travel as authorized by 31 U.S.C. 1345, hire of a pas-
13 senger motor vehicle as authorized by 31 U.S.C. 1343(b),
14 advertising and rent in the District of Columbia and else-
15 where, ~~\$48,500,000~~ \$50,900,000, of which not to exceed
16 \$7,500 is authorized for official reception and representa-
17 tion expenses.

18 FEDERAL JUDICIAL CENTER
19 SALARIES AND EXPENSES

20 For necessary expenses of the Federal Judicial Cen-
21 ter, as authorized by Public Law 90-219, ~~\$17,495,000~~
22 \$17,914,000; of which \$1,800,000 shall remain available
23 through September 30, 1998, to provide education and
24 training to Federal court personnel; and of which not to

1 exceed \$1,000 is authorized for official reception and rep-
 2 resentation expenses.

3 JUDICIAL RETIREMENT FUNDS

4 PAYMENT TO JUDICIARY TRUST FUNDS

5 For payment to the Judicial Officers' Retirement
 6 Fund, as authorized by 28 U.S.C. 377(o), \$21,000,000,
 7 to the Judicial Survivors' Annuities Fund, as authorized
 8 by 28 U.S.C. 376(c), \$7,300,000, and to the United
 9 States Court of Federal Claims Judges' Retirement Fund,
 10 as authorized by 28 U.S.C. 178(l), \$1,900,000.

11 UNITED STATES SENTENCING COMMISSION

12 SALARIES AND EXPENSES

13 For the salaries and expenses necessary to carry out
 14 the provisions of chapter 58 of title 28, United States
 15 Code, ~~\$8,300,000~~ \$8,867,000, of which not to exceed
 16 \$1,000 is authorized for official reception and representa-
 17 tion expenses.

18 GENERAL PROVISIONS—THE JUDICIARY

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

22 SEC. 302. Appropriations made in this title shall be
 23 available for salaries and expenses of the Special Court
 24 established under the Regional Rail Reorganization Act of
 25 1973, Public Law 93–236.

1 SEC. 303. Not to exceed 5 percent of any appropria-
2 tion made available for the current fiscal year for the Judi-
3 ciary in this Act may be transferred between such appropria-
4 tions, but no such appropriation, except “Courts of
5 Appeals, District Courts, and other Judicial Services, De-
6 fender Services” and “Courts of Appeals, District Courts,
7 and other Judicial Services, Fees of Jurors and Commis-
8 sioners”, shall be increased by more than 10 percent by
9 any such transfers: *Provided*, That any transfer pursuant
10 to this section shall be treated as a reprogramming of
11 funds under section 605 of this Act and shall not be avail-
12 able for obligation or expenditure except in compliance
13 with the procedures set forth in that section.

14 SEC. 304. Notwithstanding any other provision of
15 law, the salaries and expenses appropriation for district
16 courts, courts of appeals, and other judicial services shall
17 be available for official reception and representation ex-
18 penses of the Judicial Conference of the United States:
19 *Provided*, That such available funds shall not exceed
20 \$10,000 and shall be administered by the Director of the
21 Administrative Office of the United States Courts in his
22 capacity as Secretary of the Judicial Conference.

23 SEC. 305. Section 612(l) of title 28, United States
24 Code, shall be amended as follows: strike “1997”, and in-
25 sert in lieu thereof “1998”.

1 *SEC. 306. None of the funds available to the Judiciary*
2 *in fiscal years 1996 and 1997 and hereafter shall be avail-*
3 *able for expenses authorized pursuant to section 802(a) of*
4 *title VIII of section 101(a) of title I of the Omnibus Consoli-*
5 *dated Rescissions and Appropriations Act of 1996, Public*
6 *Law 104–134, for costs related to the appointment of Spe-*
7 *cial Masters prior to April 26, 1996.*

8 *SEC. 307. (a) ESTABLISHMENT AND FUNCTIONS OF*
9 *COMMISSION.—*

10 (1) *ESTABLISHMENT.—There is established a*
11 *Commission on Structural Alternatives for the Fed-*
12 *eral Courts of Appeals (hereinafter referred to as the*
13 *“Commission”).*

14 (2) *FUNCTIONS.—The function of the Commis-*
15 *sion shall be to—*

16 (A) *study the present division of the United*
17 *States into the several judicial circuits;*

18 (B) *study the structure and alignment of*
19 *the Federal courts of appeals with particular ref-*
20 *erence to the ninth circuit; and*

21 (C) *report to the President and Congress its*
22 *recommendations for such changes in circuit*
23 *boundaries or structure as may be appropriate*
24 *for the expeditious and effective disposition of the*
25 *caseload of the Federal Courts of Appeal, consist-*

1 *ent with fundamental concepts of fairness and*
2 *due process.*

3 **(b) MEMBERSHIP.—**

4 **(1) COMPOSITION.—***The Commission shall be*
5 *composed of eleven members appointed as follows:*

6 **(A)** *Two members appointed by the Presi-*
7 *dent of the United States.*

8 **(B)** *Three members appointed by the major-*
9 *ity leader of the Senate, in consultation with the*
10 *minority leader of the Senate.*

11 **(C)** *Three members appointed by the Speak-*
12 *er of the House of Representatives, in consulta-*
13 *tion with the minority leader of the House of*
14 *Representatives.*

15 **(D)** *Three members appointed by the Chief*
16 *Justice of the United States Supreme Court.*

17 **(2) VACANCY.—***Any vacancy in the Commission*
18 *shall be filled in the same manner as the original ap-*
19 *pointment.*

20 **(3) CHAIR.—***The Commission shall elect a Chair*
21 *and Vice Chair from among its members.*

22 **(4) QUORUM.—***Six members of the Commission*
23 *shall constitute a quorum, but three may conduct*
24 *hearings.*

25 **(c) COMPENSATION.—**

1 (1) *IN GENERAL.*—*Members of the Commission*
2 *who are officers, or full-time employees, of the United*
3 *States shall receive no compensation for their services,*
4 *but shall be reimbursed for travel, subsistence, and*
5 *other necessary expenses incurred in the performance*
6 *of duties vested in the Commission, but not in excess*
7 *of the maximum amounts authorized under section*
8 *456 of title 28, United States Code.*

9 (2) *PRIVATE MEMBERS.*—*Members of the Com-*
10 *mission from private life shall receive \$200 per diem*
11 *for each day (including travel time) during which the*
12 *member is engaged in the actual performance of du-*
13 *ties vested in the Commission, plus reimbursement for*
14 *travel, subsistence, and other necessary expenses in-*
15 *curring in the performance of such duties, but not in*
16 *excess of the maximum amounts authorized under sec-*
17 *tion 456 of title 28, United States Code.*

18 (d) *PERSONNEL.*—

19 (1) *EXECUTIVE DIRECTOR.*—*The Commission*
20 *may appoint an Executive Director who shall receive*
21 *compensation at a rate not exceeding the rate pre-*
22 *scribed for level V of the Executive Schedule under*
23 *section 5316 of title V, United States Code.*

24 (2) *STAFF.*—*The Executive Director, with ap-*
25 *proval of the Commission, may appoint and fix the*

1 *compensation of such additional personnel as he de-*
2 *termines necessary, without regard to the provisions*
3 *of title 5, United States Code, governing appoint-*
4 *ments in the competitive service or the provisions of*
5 *chapter 51 and subchapter III of chapter 53 of such*
6 *title relating to classification and General Schedule*
7 *pay rates. Compensation under this subsection shall*
8 *not exceed the annual maximum rate of basic pay for*
9 *a position above GS-15 of the General Schedule*
10 *under section 5108 of title 5, United States Code.*

11 (3) *EXPERTS AND CONSULTANTS.*—*The Execu-*
12 *tive Director may procure personal services of experts*
13 *and consultants as authorized by section 3109 of title*
14 *5, United States Code, at rates not to exceed the high-*
15 *est level payable under the General Schedule pay*
16 *rates under section 5332 of title 5, United States*
17 *Code.*

18 (4) *SERVICES.*—*The Administrative Office of the*
19 *United States Courts shall provide administrative*
20 *services, including financial and budgeting services,*
21 *for the Commission on a reimbursable basis. The Fed-*
22 *eral Judicial Center shall provide necessary research*
23 *services on a reimbursable basis.*

24 (e) *INFORMATION.*—*The Commission is authorized to*
25 *request from any department, agency, or independent in-*

1 *strumentality of the Government any information and as-*
2 *sistance it determines necessary to carry out its functions*
3 *under this title and each such department, agency, and*
4 *independent instrumentality is authorized to provide such*
5 *information and assistance to the extent permitted by law*
6 *when requested by the Chair of the Commission.*

7 (f) *REPORT.—The Commission shall transmit its re-*
8 *port to the President and the Congress no later than one*
9 *year after enactment of this Act. The Commission shall ter-*
10 *minate ninety days after the date of the submission of its*
11 *report.*

12 (g) *AUTHORIZATION OF APPROPRIATIONS.—There are*
13 *authorized to be appropriated to the Commission such sums,*
14 *not to exceed \$500,000, as may be necessary to carry out*
15 *the purposes of this title. Such sums as are appropriated*
16 *shall remain available until expended.*

17 (h) *CONGRESSIONAL CONSIDERATION.—Within sixty*
18 *days of the transmission of the report, the Committee on*
19 *the Judiciary of the Senate shall act on the report.*

20 This title may be cited as “The Judiciary Appropria-
21 tions Act, 1997”.

1 TITLE IV—DEPARTMENT OF STATE AND
2 RELATED AGENCIES

3 DEPARTMENT OF STATE

4 ADMINISTRATION OF FOREIGN AFFAIRS

5 DIPLOMATIC AND CONSULAR PROGRAMS

6 For necessary expenses of the Department of State
7 and the Foreign Service not otherwise provided for, includ-
8 ing expenses authorized by the State Department Basic
9 Authorities Act of 1956, as amended; representation to
10 certain international organizations in which the United
11 States participates pursuant to treaties, ratified pursuant
12 to the advice and consent of the Senate, or specific Acts
13 of Congress; acquisition by exchange or purchase of pas-
14 senger motor vehicles as authorized by 31 U.S.C. 1343,
15 40 U.S.C. 481(c) and 22 U.S.C. 2674; and for expenses
16 of general administration; ~~\$1,705,000,000 (reduced by~~
17 ~~\$14,000,000)~~ \$1,700,450,000: *Provided*, That notwith-
18 standing section 140(a)(5), and the second sentence of
19 section 140(a)(3), of the Foreign Relations Authorization
20 Act, Fiscal Years 1994 and 1995 (Public Law 103–236),
21 not to exceed \$150,000,000 of fees may be collected dur-
22 ing fiscal year 1997 under the authority of section
23 140(a)(1) of that Act: *Provided further*, That all fees col-
24 lected under the preceding proviso shall be deposited in
25 fiscal year 1997 as an offsetting collection to appropria-

1 tions made under this heading to recover the costs of pro-
2 viding consular services and shall remain available until
3 expended: *Provided further*, That in fiscal year 1998, a
4 system shall be in place that allocates to each department
5 and agency the full cost of its presence outside of the Unit-
6 ed States.

7 Of the funds provided under this heading,
8 \$24,856,000 shall be available only for the Diplomatic
9 Telecommunications Service for operation of existing base
10 services and not to exceed \$17,230,000 shall be available
11 only for the enhancement of the Diplomatic Telecommuni-
12 cations Service and shall remain available until expended.
13 Of the latter amount, \$2,500,000 shall not be made avail-
14 able until expiration of the 15 day period beginning on
15 the date when the Secretary of State and the Director of
16 the Diplomatic Telecommunications Service submit the
17 pilot program report required by section 507 of Public
18 Law 103-317.

19 In addition, not to exceed \$700,000 in registration
20 fees collected pursuant to section 38 of the Arms Export
21 Control Act, as amended, may be used in accordance with
22 section 45 of the State Department Basic Authorities Act
23 of 1956 (22 U.S.C. 2717); and in addition not to exceed
24 \$1,223,000 shall be derived from fees collected from other
25 executive agencies for lease or use of facilities located at

1 the International Center in accordance with section 4 of
2 the International Center Act (Public Law 90–553), as
3 amended; and in addition, as authorized by section 5 of
4 such Act, \$450,000, to be derived from the reserve author-
5 ized by that section, to be used for the purposes set out
6 in that section; and in addition not to exceed \$15,000
7 which shall be derived from reimbursements, surcharges,
8 and fees for use of Blair House facilities in accordance
9 with section 46 of the State of Department Basic Authori-
10 ties Act of 1956 (22 U.S.C. 2718(a)).

11 Notwithstanding section 402 of this Act, not to ex-
12 ceed 20 percent of the amounts made available in this Act
13 in the appropriation accounts “Diplomatic and Consular
14 Programs” and “Salaries and Expenses” under the head-
15 ing “Administration of Foreign Affairs” may be trans-
16 ferred between such appropriation accounts: *Provided*,
17 That any transfer pursuant to this sentence shall be treat-
18 ed as a reprogramming of funds under section 605 of this
19 Act and shall not be available for obligation or expenditure
20 except in compliance with the procedures set forth in that
21 section.

22 SALARIES AND EXPENSES

23 For expenses necessary for the general administra-
24 tion of the Department of State and the Foreign Service,
25 provided for by law, including expenses authorized by sec-
26 tion 9 of the Act of August 31, 1964, as amended (31

1 U.S.C. 3721), and the State Department Basic Authori-
2 ties Act of 1956, as amended, ~~\$352,300,000~~ \$357,000,000.

3 CAPITAL INVESTMENT FUND

4 For necessary expenses of the Capital Investment
5 Fund, ~~\$16,400,000~~ \$32,800,000, to remain available until
6 expended, as authorized in Public Law 103–236: *Provided*,
7 That section 135(e) of Public Law 103–236 shall not
8 apply to funds appropriated under this heading.

9 OFFICE OF INSPECTOR GENERAL

10 For necessary expenses of the Office of Inspector
11 General in carrying out the provisions of the Inspector
12 General Act of 1978, as amended (5 U.S.C. App.),
13 \$27,495,000, notwithstanding section 209(a)(1) of the
14 Foreign Service Act of 1980, as amended (Public Law 96–
15 465), as it relates to post inspections: *Provided*, That not-
16 withstanding any other provision of law, (1) the Office of
17 Inspector General of the United States Information Agen-
18 cy is hereby merged with the Office of Inspector General
19 of the Department of State; (2) the functions exercised
20 and assigned to the Office of Inspector General of the
21 United States Information Agency before the effective
22 date of this Act (including all related functions) are trans-
23 ferred to the Office of Inspector General of the Depart-
24 ment of State; and (3) the Inspector General of the De-
25 partment of State shall also serve as the Inspector General
26 of the United States Information Agency: *Provided fur-*

1 *ther, That notwithstanding any other provision of law, the*
 2 *merger of the Office of the Inspector General of the United*
 3 *States Information Agency with the Office of the Inspector*
 4 *General of the Department of State provided for in the De-*
 5 *partments of Commerce, Justice, and State, the Judiciary*
 6 *and Related Agencies Appropriations Act, 1996, contained*
 7 *in Public Law 104–134, is effective hereafter.*

8 REPRESENTATION ALLOWANCES

9 For representation allowances as authorized by sec-
 10 tion 905 of the Foreign Service Act of 1980, as amended
 11 (22 U.S.C. 4085), \$4,490,000.

12 PROTECTION OF FOREIGN MISSIONS AND OFFICIALS

13 For expenses, not otherwise provided, to enable the
 14 Secretary of State to provide for extraordinary protective
 15 services in accordance with the provisions of section 214
 16 of the State Department Basic Authorities Act of 1956
 17 (22 U.S.C. 4314) and 3 U.S.C. 208, \$8,332,000, to re-
 18 main available until September 30, 1998.

19 SECURITY AND MAINTENANCE OF UNITED STATES

20 MISSIONS

21 For necessary expenses for carrying out the Foreign
 22 Service Buildings Act of 1926, as amended (22 U.S.C.
 23 292–300), and the Diplomatic Security Construction Pro-
 24 gram as authorized by title IV of the Omnibus Diplomatic
 25 Security and Antiterrorism Act of 1986 (22 U.S.C. 4851),
 26 ~~\$370,000,000~~ \$360,000,000, to remain available until ex-

1 be transferred to and merged with the Salaries and Ex-
2 penses account under Administration of Foreign Affairs.

3 PAYMENT TO THE AMERICAN INSTITUTE IN TAIWAN

4 For necessary expenses to carry out the Taiwan Rela-
5 tions Act, Public Law 96–8 (93 Stat. 14), ~~\$15,001,000~~
6 *\$14,165,000*.

7 PAYMENT TO THE FOREIGN SERVICE RETIREMENT AND
8 DISABILITY FUND

9 For payment to the Foreign Service Retirement and
10 Disability Fund, as authorized by law, \$126,491,000.

11 INTERNATIONAL ORGANIZATIONS AND CONFERENCES

12 CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

13 For expenses, not otherwise provided for, necessary
14 to meet annual obligations of membership in international
15 multilateral organizations, pursuant to treaties ratified
16 pursuant to the advice and consent of the Senate, conven-
17 tions or specific Acts of Congress, ~~\$875,000,000~~
18 *\$550,000,000: Provided, That any payment of arrearages*
19 *shall be directed toward special activities that are mutually*
20 *agreed upon by the United States and the respective inter-*
21 *national organization: Provided further, That 20 percent*
22 *of the funds appropriated in this paragraph for the as-*
23 *essed contribution of the United States to the United Na-*
24 *tions shall be withheld from obligation and expenditure*
25 *until a certification is made under section 401(b) of Public*
26 *Law 103–236 for fiscal year 1997: Provided further, That*

1 certification under section 401(b) of Public Law 103–236
2 for fiscal year 1997 may only be made if the Committees
3 on Appropriations and Foreign Relations of the Senate
4 and the Committees on Appropriations and International
5 Relations of the House of Representatives are notified of
6 the steps taken, and anticipated, to meet the requirements
7 of section 401(b) of Public Law 103–236 at least 15 days
8 in advance of the proposed certification: *Provided further,*
9 That none of the funds appropriated in this paragraph
10 shall be available for a United States contribution to an
11 international organization for the United States share of
12 interest costs made known to the United States Govern-
13 ment by such organization for loans incurred on or after
14 October 1, 1984, through external borrowings: ~~*Provided*~~
15 ~~*further, That of the funds appropriated in this paragraph,*~~
16 ~~\$80,000,000 may be made available only on a quarterly~~
17 ~~basis and only after the Secretary of State certifies on a~~
18 ~~quarterly basis that the United Nations has taken no ac-~~
19 ~~tion to increase funding for any United Nations program~~
20 ~~without identifying an offsetting decrease elsewhere in the~~
21 ~~United Nations budget and cause the United Nations to~~
22 ~~exceed its no growth budget for the biennium 1996–1997~~
23 ~~adopted in December, 1995: *Provided further, That of the*~~
24 ~~*funds appropriated in this paragraph, \$100,000,000 may*~~
25 ~~*be made available only in quarterly installments of*~~

1 \$25,000,000 pursuant to a certification by the Secretary of
2 State on a quarterly basis that the United Nations has
3 taken no action to increase funding for any United Nations
4 program without identifying an offsetting decrease else-
5 where in the United Nations budget and cause the United
6 Nations to exceed its no growth budget for the biennium
7 1996–1997 adopted in December, 1995: Provided further,
8 That if for any quarter, the Secretary of State is unable
9 to make the aforementioned certification, the \$25,000,000
10 is to be applied to reducing fiscal year 1998 obligations
11 to the International Atomic Energy Agency, the World
12 Trade Organization, or the North Atlantic Treaty Organi-
13 zation, subject to the reprogramming procedures contained
14 in section 605 of this Act: Provided further, That notwith-
15 standing section 402 of this Act, not to exceed
16 \$10,000,000 may be transferred from the funds made
17 available under this heading to the “International Con-
18 ferences and Contingencies” account for assessed con-
19 tributions to new or provisional international organiza-
20 tions: *Provided further*, That any transfer pursuant to this
21 paragraph shall be treated as a reprogramming of funds
22 under section 605 of this Act and shall not be available
23 for obligation or expenditure except in compliance with the
24 procedures set forth in that section.

1 expended for any new or expanded United Nations peace-
2 keeping mission unless, at least fifteen days in advance
3 of voting for the new or expanded mission in the United
4 Nations Security Council (or in an emergency, as far in
5 advance as is practicable), (1) the Committees on Appro-
6 priations of the House of Representatives and the Senate
7 and other appropriate Committees of the Congress are no-
8 tified of the estimated cost and length of the mission, the
9 vital national interest that will be served, and the planned
10 exit strategy; and (2) a reprogramming of funds pursuant
11 to section 605 of this Act is submitted, and the procedures
12 therein followed, setting forth the source of funds that will
13 be used to pay for the cost of the new or expanded mission:
14 *Provided further*, That funds shall be available for peace-
15 keeping expenses only upon a certification by the Sec-
16 retary of State to the appropriate committees of the Con-
17 gress that American manufacturers and suppliers are
18 being given opportunities to provide equipment, services,
19 and material for United Nations peacekeeping activities
20 equal to those being given to foreign manufacturers and
21 suppliers.

22 INTERNATIONAL COMMISSIONS

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

1 INTERNATIONAL BOUNDARY AND WATER COMMISSION,
2 UNITED STATES AND MEXICO

3 For necessary expenses for the United States Section
4 of the International Boundary and Water Commission,
5 United States and Mexico, and to comply with laws appli-
6 cable to the United States Section, including not to exceed
7 \$6,000 for representation; as follows:

8 SALARIES AND EXPENSES

9 For salaries and expenses, not otherwise provided for,
10 \$18,490,000.

11 CONSTRUCTION

12 For detailed plan preparation and construction of au-
13 thorized projects, ~~\$6,463,000~~ \$7,568,000, to remain avail-
14 able until expended, as authorized by section 24(c) of the
15 State Department Basic Authorities Act of 1956 (22
16 U.S.C. 2696(c)).

17 AMERICAN SECTIONS, INTERNATIONAL COMMISSIONS

18 For necessary expenses, not otherwise provided for
19 the International Joint Commission and the International
20 Boundary Commission, United States and Canada, as au-
21 thorized by treaties between the United States and Can-
22 ada or Great Britain, and for the Border Environment
23 Cooperation Commission as authorized by Public Law
24 103-182; ~~\$5,490,000~~ \$5,627,000, of which not to exceed
25 \$9,000 shall be available for representation expenses in-
26 curred by the International Joint Commission.

1 INTERNATIONAL FISHERIES COMMISSIONS

2 For necessary expenses for international fisheries
3 commissions, not otherwise provided for, as authorized by
4 law, ~~\$10,450,000~~ \$9,051,000: *Provided*, That the United
5 States' share of such expenses may be advanced to the
6 respective commissions, pursuant to 31 U.S.C. 3324.

7 OTHER

8 PAYMENT TO THE ASIA FOUNDATION

9 For a grant to the Asia Foundation, as authorized
10 by section 501 of Public Law 101-246, \$8,000,000, to
11 remain available until expended, as authorized by section
12 24(e) of the State Department Basic Authorities Act of
13 1956 (22 U.S.C. 2696(e)).

14 RELATED AGENCIES

15 ARMS CONTROL AND DISARMAMENT AGENCY

16 ARMS CONTROL AND DISARMAMENT ACTIVITIES

17 For necessary expenses not otherwise provided, for
18 arms control, nonproliferation, and disarmament activi-
19 ties, ~~\$38,495,000~~ \$30,000,000, of which not to exceed
20 \$50,000 shall be for official reception and representation
21 expenses as authorized by the Act of September 26, 1961,
22 as amended (22 U.S.C. 2551 et seq.).

1 UNITED STATES INFORMATION AGENCY
2 SALARIES AND EXPENSES

3 For expenses, not otherwise provided for, necessary
4 to enable the United States Information Agency, as au-
5 thorized by the Mutual Educational and Cultural Ex-
6 change Act of 1961, as amended (22 U.S.C. 2451 et seq.),
7 the United States Information and Educational Exchange
8 Act of 1948, as amended (22 U.S.C. 1431 et seq.), and
9 Reorganization Plan No. 2 of 1977 (91 Stat. 1636), to
10 carry out international communication, educational and
11 cultural activities; and to carry out related activities au-
12 thorized by law, including employment, without regard to
13 civil service and classification laws, of persons on a tem-
14 porary basis (not to exceed \$700,000 of this appropria-
15 tion), as authorized by section 801 of such Act of 1948
16 (22 U.S.C. 1471), and entertainment, including official re-
17 ceptions, within the United States, not to exceed \$25,000
18 as authorized by section 804(3) of such Act of 1948 (22
19 U.S.C. 1474(3)); ~~\$439,300,000~~ \$440,000,000: *Provided*,
20 That not to exceed \$1,400,000 may be used for represen-
21 tation abroad as authorized by section 302 of such Act
22 of 1948 (22 U.S.C. 1452) and section 905 of the Foreign
23 Service Act of 1980 (22 U.S.C. 4085): *Provided further*,
24 That not to exceed \$7,615,000, to remain available until
25 expended, may be credited to this appropriation from fees

1 or other payments received from or in connection with
2 English teaching, library, motion pictures, student advis-
3 ing and counseling, and publication programs as author-
4 ized by section 810 of such Act of 1948 (22 U.S.C.
5 1475e): *Provided further*, That not to exceed \$1,100,000
6 to remain available until expended may be used to carry
7 out projects involving security construction and related
8 improvements for agency facilities not physically located
9 together with Department of State facilities abroad.

10 TECHNOLOGY FUND

11 For expenses necessary to enable the United States
12 Information Agency to provide for the procurement of in-
13 formation technology improvements, as authorized by the
14 United States Information and Educational Exchange Act
15 of 1948, as amended (22 U.S.C. 1431 et seq.), the Mutual
16 Educational and Cultural Exchange Act of 1961, as
17 amended (22 U.S.C. 2451 et seq.), and Reorganization
18 Plan No. 2 of 1977 (91 Stat. 1636), \$5,050,000, to re-
19 main available until expended.

20 EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS

21 For expenses of educational and cultural exchange
22 programs, as authorized by the Mutual Educational and
23 Cultural Exchange Act of 1961, as amended (22 U.S.C.
24 2451 et seq.), and Reorganization Plan No. 2 of 1977 (91
25 Stat. 1636), ~~\$185,000,000~~ \$183,000,000, to remain avail-

1 able until expended as authorized by section 105 of such
2 Act of 1961 (22 U.S.C. 2455).

3 EISENHOWER EXCHANGE FELLOWSHIP PROGRAM TRUST
4 FUND

5 For necessary expenses of Eisenhower Exchange Fel-
6 lowships, Incorporated, as authorized by sections 4 and
7 5 of the Eisenhower Exchange Fellowship Act of 1990 (20
8 U.S.C. 5204–5205), all interest and earnings accruing to
9 the Eisenhower Exchange Fellowship Program Trust
10 Fund on or before September 30, 1997, to remain avail-
11 able until expended: *Provided*, That none of the funds ap-
12 propriated herein shall be used to pay any salary or other
13 compensation, or to enter into any contract providing for
14 the payment thereof, in excess of the rate authorized by
15 5 U.S.C. 5376; or for purposes which are not in accord-
16 ance with OMB Circulars A–110 (Uniform Administrative
17 Requirements) and A–122 (Cost Principles for Non-profit
18 Organizations), including the restrictions on compensation
19 for personal services.

20 ISRAELI ARAB SCHOLARSHIP PROGRAM

21 For necessary expenses of the Israeli Arab Scholar-
22 ship Program as authorized by section 214 of the Foreign
23 Relations Authorization Act, Fiscal Years 1992 and 1993
24 (22 U.S.C. 2452), all interest and earnings accruing to
25 the Israeli Arab Scholarship Fund on or before September
26 30, 1997, to remain available until expended.

1 INTERNATIONAL BROADCASTING OPERATIONS

2 For expenses necessary to enable the United States
3 Information Agency, as authorized by the United States
4 Information and Educational Exchange Act of 1948, as
5 amended, the United States International Broadcasting
6 Act of 1994, as amended, the Radio Broadcasting to Cuba
7 Act, as amended, and Reorganization Plan No. 2 of 1977,
8 to carry out international communication activities, in-
9 cluding the purchase, installation, rent, construction, or
10 improvement of facilities and equipment for radio trans-
11 mission and reception to Cuba; \$335,700,000, of which
12 not to exceed \$16,000 may be used for official receptions
13 within the United States as authorized by section 804(3)
14 of such Act of 1948 (22 U.S.C. 1474(3)), not to exceed
15 \$35,000 may be used for representation abroad as author-
16 ized by section 302 of such Act of 1948 (22 U.S.C. 1452)
17 and section 905 of the Foreign Service Act of 1980 (22
18 U.S.C. 4085), and not to exceed \$39,000 may be used for
19 official reception and representation expenses of Radio
20 Free Europe/Radio Liberty; and in addition, not to exceed
21 \$250,000 from fees as authorized by section 810 of such
22 Act of 1948 (22 U.S.C. 1475e), to remain available until
23 expended for carrying out authorized purposes; and in ad-
24 dition, notwithstanding any other provision of law, not to
25 exceed \$1,000,000 in monies received (including receipts

1 from advertising, if any) by or for the use of the United
2 States Information Agency from or in connection with
3 broadcasting resources owned by or on behalf of the Agen-
4 cy, to be available until expended for carrying out author-
5 ized purposes: *Provided*, That, of the amount provided
6 under this heading, \$9,300,000 may be made available for
7 grants for the operating costs of Radio Free Asia under
8 section 309 of the United States International Broadcast-
9 ing Act of 1994.

10 *INTERNATIONAL BROADCASTING OPERATIONS*

11 *For expenses necessary to enable the United States In-*
12 *formation Agency, as authorized by the United States Infor-*
13 *mation and Educational Exchange Act of 1948, as amend-*
14 *ed, the United States International Broadcasting Act of*
15 *1994, as amended, and Reorganization Plan No. 2 of 1977,*
16 *to carry out international communication activities;*
17 *\$325,000,000, of which \$5,000,000, shall remain available*
18 *until expended, not to exceed \$16,000 may be used for offi-*
19 *cial receptions within the United States as authorized by*
20 *22 U.S.C. 1474(3), not to exceed \$35,000 may be used for*
21 *representation abroad as authorized by 22 U.S.C. 1452 and*
22 *4085, and not to exceed \$39,000 may be used for official*
23 *reception and representation expenses of Radio Free Eu-*
24 *rope/Radio Liberty; and in addition, not to exceed \$250,000*
25 *from fees as authorized by section 810 of the United States*
26 *Information and Educational Exchange Act of 1948, as*

1 *amended, to remain available until expended for carrying*
 2 *out authorized purposes; and in addition, notwithstanding*
 3 *any other provision of law, not to exceed \$1,000,000 in*
 4 *monies received (including receipts from advertising, if*
 5 *any) by or for the use of the United States Information*
 6 *Agency from or in connection with broadcasting resources*
 7 *owned by or on behalf of the Agency, to be available until*
 8 *expended for carrying out authorized purposes.*

9 *BROADCASTING TO CUBA*

10 *For expenses necessary to enable the United States In-*
 11 *formation Agency to carry out the Radio Broadcasting to*
 12 *Cuba Act, as amended, the Television Broadcasting to Cuba*
 13 *Act, and the International Broadcasting Act of 1994, in-*
 14 *cluding the purchase, rent, construction, and improvement*
 15 *of facilities for radio and television transmission and recep-*
 16 *tion, and purchase and installation of necessary equipment*
 17 *for radio and television transmission and reception,*
 18 *\$25,000,000 to remain available until expended.*

19 *RADIO CONSTRUCTION*

20 *For the purchase, rent, construction, and improve-*
 21 *ment of facilities for radio transmission and reception, and*
 22 *purchase and installation of necessary equipment for radio*
 23 *and television transmission and reception as authorized by*
 24 *section 801 of the United States Information and Edu-*
 25 *cational Exchange Act of 1948 (22 U.S.C. 1471),*
 26 *~~\$39,000,000~~ \$32,000,000, to remain available until ex-*

1 pending, as authorized by section 704(a) of such Act of
2 1948 (22 U.S.C. 1477b(a)).

3 *EAST-WEST CENTER*

4 *To enable the Director of the United States Informa-*
5 *tion Agency to provide for carrying out the provisions of*
6 *the Center for Cultural and Technical Interchange Between*
7 *East and West Act of 1960 (22 U.S.C. 2054–2057), by grant*
8 *to the Center for Cultural and Technical Interchange Be-*
9 *tween East and West in the State of Hawaii, \$11,750,000:*
10 *Provided, That none of the funds appropriated herein shall*
11 *be used to pay any salary, or enter into any contract pro-*
12 *viding for the payment thereof, in excess of the rate author-*
13 *ized by 5 U.S.C. 5376.*

14 *NORTH/SOUTH CENTER*

15 *To enable the Director of the United States Informa-*
16 *tion Agency to provide for carrying out the provisions of*
17 *the North/South Center Act of 1991 (22 U.S.C. 2075), by*
18 *grant to an educational institution in Florida known as*
19 *the North/South Center, \$2,000,000, to remain available*
20 *until expended.*

21 *NATIONAL ENDOWMENT FOR DEMOCRACY*

22 *For grants made by the United States Information*
23 *Agency to the National Endowment for Democracy as au-*
24 *thorized by the National Endowment for Democracy Act,*
25 *\$30,000,000, to remain available until expended.*

1 GENERAL PROVISIONS—DEPARTMENT OF STATE AND
2 RELATED AGENCIES

3 SEC. 401. Funds appropriated under this title shall
4 be available, except as otherwise provided, for allowances
5 and differentials as authorized by subchapter 59 of 5
6 U.S.C.; for services as authorized by 5 U.S.C. 3109; and
7 hire of passenger transportation pursuant to 31 U.S.C.
8 1343(b).

9 SEC. 402. Not to exceed 5 percent of any appropria-
10 tion made available for the current fiscal year for the De-
11 partment of State in this Act may be transferred between
12 such appropriations, but no such appropriation, except as
13 otherwise specifically provided, shall be increased by more
14 than 10 percent by any such transfers: *Provided*, That not
15 to exceed 5 percent of any appropriation made available
16 for the current fiscal year for the United States Informa-
17 tion Agency in this Act may be transferred between such
18 appropriations, but no such appropriation, except as oth-
19 erwise specifically provided, shall be increased by more
20 than 10 percent by any such transfers: *Provided further*,
21 That any transfer pursuant to this section shall be treated
22 as a reprogramming of funds under section 605 of this
23 Act and shall not be available for obligation or expenditure
24 except in compliance with the procedures set forth in that
25 section.

1 SEC. 403. Funds hereafter appropriated or otherwise
2 made available under this Act or any other Act may be
3 expended for compensation of the United States Commis-
4 sioner of the International Boundary Commission, United
5 States and Canada, only for actual hours worked by such
6 Commissioner.

7 SEC. 404. Funds appropriated by this Act for the
8 United States Information Agency, the Arms Control and
9 Disarmament Agency, and the Department of State may
10 be obligated and expended notwithstanding section 701 of
11 the United States Information and Educational Exchange
12 Act of 1948 and section 313 of the Foreign Relations Au-
13 thorization Act, Fiscal Years 1994 and 1995, section 53
14 of the Arms Control and Disarmament Act, and section
15 15 of the State Department Basic Authorities Act of
16 1956.

17 SEC. 405. Any costs incurred by a Department or
18 agency funded under this title resulting from personnel
19 actions taken in response to funding reductions included
20 in this title shall be absorbed within the total budgetary
21 resources available to such Department or agency: *Pro-*
22 *vided*, That the authority to transfer funds between appro-
23 priations accounts as may be necessary to carry out this
24 section is provided in addition to authorities included else-
25 where in this Act: *Provided further*, That use of funds to

1 carry out this section shall be treated as a reprogramming
2 of funds under section 605 of this Act and shall not be
3 available for obligation or expenditure except in compli-
4 ance with the procedures set forth in that section.

5 ~~SEC. 406. None of the funds made available by this~~
6 ~~Act or any other Act may be made available to support~~
7 ~~the negotiating activities of the Standing Consultative~~
8 ~~Commission (SCC) or to implement agreements, amend-~~
9 ~~ments, or understandings to the Anti-Ballistic Missile~~
10 ~~Treaty of 1972 (hereafter referred to as the “ABM Trea-~~
11 ~~ty”)~~ reached after January 1, 1996 by the Standing Con-
12 ~~sultative Commission or pursuant to United States-Rus-~~
13 ~~sian bilateral discussions regarding the establishment of~~
14 ~~a demarcation between theater missile defense systems~~
15 ~~and anti-ballistic missile systems for the purposes of the~~
16 ~~ABM Treaty or multilateralization of the ABM Treaty un-~~
17 ~~less the President certifies to the Congress that any~~
18 ~~amendments, agreements, or understandings reached pur-~~
19 ~~suant to these activities or discussions will be submitted~~
20 ~~to the Senate for its advice and consent.~~

21 This title may be cited as the “Department of State
22 and Related Agencies Appropriations Act, 1997”.

1 TITLE V—RELATED AGENCIES
2 DEPARTMENT OF TRANSPORTATION
3 MARITIME ADMINISTRATION
4 OPERATING-DIFFERENTIAL SUBSIDIES
5 (LIQUIDATION OF CONTRACT AUTHORITY)

6 For the payment of obligations incurred for operat-
7 ing-differential subsidies, as authorized by the Merchant
8 Marine Act, 1936, as amended, \$148,430,000, to remain
9 available until expended.

10 MARITIME SECURITY PROGRAM

11 For necessary expenses to maintain and preserve a
12 U.S.-flag merchant fleet to serve the national security
13 needs of the United States, ~~\$63,000,000~~, to remain avail-
14 able until expended: *Provided*, That these funds will be
15 available only upon enactment of an authorization for this
16 program.

17 OPERATIONS AND TRAINING

18 For necessary expenses of operations and training ac-
19 tivities authorized by law, ~~\$62,300,000~~ \$66,600,000: *Pro-*
20 *vided*, That reimbursements may be made to this appro-
21 priation from receipts to the “Federal Ship Financing
22 Fund” for administrative expenses in support of that pro-
23 gram in addition to any amount heretofore appropriated.

1 repairs shall be covered into the Treasury as miscellaneous
2 receipts.

3 No obligations shall be incurred during the current
4 fiscal year from the construction fund established by the
5 Merchant Marine Act, 1936, or otherwise, in excess of the
6 appropriations and limitations contained in this Act or in
7 any prior appropriation Act, and all receipts which other-
8 wise would be deposited to the credit of said fund shall
9 be covered into the Treasury as miscellaneous receipts.

10 ~~COMMISSION ON THE ADVANCEMENT OF FEDERAL LAW~~

11 ~~ENFORCEMENT~~

12 ~~SALARIES AND EXPENSES~~

13 ~~For necessary expenses of the Commission on the Ad-~~
14 ~~vancement of Federal Law Enforcement, as authorized by~~
15 ~~the Antiterrorism and Effective Death Penalty Act of~~
16 ~~1996, \$2,000,000, to remain available until September 30,~~
17 ~~1998.~~

18 ~~COMMISSION FOR THE PRESERVATION OF AMERICA'S~~

19 ~~HERITAGE ABROAD~~

20 ~~SALARIES AND EXPENSES~~

21 ~~For expenses for the Commission for the Preservation~~
22 ~~of America's Heritage Abroad, \$206,000, as authorized by~~
23 ~~Public Law 99-83, section 1303.~~

1 COMMISSION ON CIVIL RIGHTS

2 SALARIES AND EXPENSES

3 For necessary expenses of the Commission on Civil
4 Rights, including hire of passenger motor vehicles,
5 \$8,740,000: *Provided*, That not to exceed \$50,000 may
6 be used to employ consultants: *Provided further*, That
7 none of the funds appropriated in this paragraph shall be
8 used to employ in excess of four full-time individuals under
9 Schedule C of the Excepted Service exclusive of one special
10 assistant for each Commissioner: *Provided further*, That
11 none of the funds appropriated in this paragraph shall be
12 used to reimburse Commissioners for more than 75
13 billable days, with the exception of the Chairperson who
14 is permitted 125 billable days.

15 COMMISSION ON IMMIGRATION REFORM

16 SALARIES AND EXPENSES

17 For necessary expenses of the Commission on Immi-
18 gration Reform pursuant to section 141(f) of the Immi-
19 gration Act of 1990, \$2,196,000, to remain available until
20 expended.

21 COMMISSION ON SECURITY AND COOPERATION IN

22 EUROPE

23 SALARIES AND EXPENSES

24 For necessary expenses of the Commission on Secu-
25 rity and Cooperation in Europe, as authorized by Public

1 Law 94–304, \$1,090,000, to remain available until ex-
2 pended as authorized by section 3 of Public Law 99–7.

3 EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

4 SALARIES AND EXPENSES

5 For necessary expenses of the Equal Employment
6 Opportunity Commission as authorized by title VII of the
7 Civil Rights Act of 1964, as amended (29 U.S.C. 206(d)
8 and 621–634), the Americans with Disabilities Act of
9 1990, and the Civil Rights Act of 1991, including services
10 as authorized by 5 U.S.C. 3109; hire of passenger motor
11 vehicles as authorized by 31 U.S.C. 1343(b); non-mone-
12 tary awards to private citizens; not to exceed \$26,500,000,
13 for payments to State and local enforcement agencies for
14 services to the Commission pursuant to title VII of the
15 Civil Rights Act of 1964, as amended, sections 6 and 14
16 of the Age Discrimination in Employment Act, the Ameri-
17 cans with Disabilities Act of 1990, and the Civil Rights
18 Act of 1991; ~~\$232,740,000~~ \$239,740,000: *Provided*, That
19 the Commission is authorized to make available for official
20 reception and representation expenses not to exceed
21 \$2,500 from available funds.

22 FEDERAL COMMUNICATIONS COMMISSION

23 SALARIES AND EXPENSES

24 For necessary expenses of the Federal Communica-
25 tions Commission, as authorized by law, including uni-

1 forms and allowances therefor, as authorized by 5 U.S.C.
2 5901–02; not to exceed \$600,000 for land and structure;
3 not to exceed \$500,000 for improvement and care of
4 grounds and repair to buildings; not to exceed \$4,000 for
5 official reception and representation expenses; purchase
6 (not to exceed sixteen) and hire of motor vehicles; special
7 counsel fees; and services as authorized by 5 U.S.C. 3109;
8 ~~\$185,619,000~~ \$192,538,000, of which not to exceed
9 \$300,000 shall remain available until September 30, 1998,
10 for research and policy studies: *Provided*, That
11 ~~\$126,400,000~~ \$152,523,000 of offsetting collections shall
12 be assessed and collected pursuant to section 9 of title I
13 of the Communications Act of 1934, as amended, and
14 shall be retained and used for necessary expenses in this
15 appropriation, and shall remain available until expended:
16 *Provided further*, That the sum herein appropriated shall
17 be reduced as such offsetting collections are received dur-
18 ing fiscal year 1997 so as to result in a final fiscal year
19 1997 appropriation estimated at ~~\$59,219,000~~: *Provided*
20 *further*, That any offsetting collections received in excess
21 of ~~\$126,400,000~~ in fiscal year 1997 shall remain available
22 until expended, but shall not be available for obligation
23 until October 1, 1997: *Provided further*, That none of the
24 funds appropriated by this Act shall be used to deny or
25 delay action on a license, license transfer or assignment,

1 or license renewal for any religious or religiously affiliated
2 entity on the basis that its recruitment or hiring of full
3 or part time employees for any position at a broadcast
4 facility licensed to such entity is or was limited to persons
5 of a particular religion or having particular religious
6 knowledge, training, or interests: *Provided further, That*
7 the preceding proviso shall not apply with respect to any
8 appeal from a decision of any administrative law judge
9 rendered on September 15, 1995 \$40,015,000: *Provided*
10 *further, That notwithstanding any other provision of law,*
11 *no funds may be used for relocation.*

12 FEDERAL MARITIME COMMISSION

13 SALARIES AND EXPENSES

14 For necessary expenses of the Federal Maritime
15 Commission as authorized by section 201(d) of the Mer-
16 chant Marine Act of 1936, as amended (46 App. U.S.C.
17 1111), including services as authorized by 5 U.S.C. 3109;
18 hire of passenger motor vehicles as authorized by 31
19 U.S.C. 1343(b); and uniforms or allowances therefor, as
20 authorized by 5 U.S.C. 5901-02; ~~\$11,000,000~~
21 *\$14,450,000: Provided, That not to exceed \$2,000 shall be*
22 *available for official reception and representation ex-*
23 *penses.*

1 FEDERAL TRADE COMMISSION

2 SALARIES AND EXPENSES

3 For necessary expenses of the Federal Trade Com-
4 mission, including uniforms or allowances therefor, as au-
5 thorized by 5 U.S.C. 5901–5902; services as authorized
6 by 5 U.S.C. 3109; hire of passenger motor vehicles; and
7 not to exceed \$2,000 for official reception and representa-
8 tion expenses; ~~\$85,930,000: *Provided*, That not to exceed~~
9 ~~\$300,000 shall be available for use to contract with a per-~~
10 ~~son or persons for collection services in accordance with~~
11 ~~the terms of 31 U.S.C. 3718, as amended: *Provided fur-*~~
12 ~~*ther*, That notwithstanding any other provision of law, not~~
13 ~~to exceed \$58,905,000 of offsetting collections derived~~
14 ~~from fees collected for premerger notification filings under~~
15 ~~the Hart-Scott-Rodino Antitrust Improvements Act of~~
16 ~~1976 (15 U.S.C. 18(a)) shall be retained and used for nec-~~
17 ~~essary expenses in this appropriation, and shall remain~~
18 ~~available until expended: *Provided further*, That the sum~~
19 ~~herein appropriated from the General Fund shall be re-~~
20 ~~duced as such offsetting collections are received during fis-~~
21 ~~cal year 1997, so as to result in a final fiscal year 1997~~
22 ~~appropriation from the General Fund estimated at not~~
23 ~~more than \$27,025,000, to remain available until ex-~~
24 ~~pended: *Provided further*, That any fees received in excess~~
25 ~~of \$58,905,000 in fiscal year 1997 shall remain available~~

1 until expended, but shall not be available for obligation
2 until October 1, 1997: *Provided further*, That none of the
3 funds made available to the Federal Trade Commission
4 shall be available for obligation for expenses authorized
5 by section 151 of the Federal Deposit Insurance Corpora-
6 tion Improvement Act of 1991 (Public Law 102-242, 105
7 Stat. 2282-2285).

8 *For necessary expenses of the Federal Trade Commis-*
9 *sion, including uniforms or allowances therefor, as author-*
10 *ized by 5 U.S.C. 5901-5902; services as authorized by 5*
11 *U.S.C. 3109; hire of passenger motor vehicles; and not to*
12 *exceed \$2,000 for official reception and representation ex-*
13 *penses; \$104,462,000: Provided, That not to exceed \$300,000*
14 *shall be available for use to contract with a person or per-*
15 *sons for collection services in accordance with the terms of*
16 *31 U.S.C. 3718, as amended: Provided further, That not-*
17 *withstanding any other provision of law, \$104,462,000 of*
18 *offsetting collections derived from fees collected for*
19 *premerger notification filings under the Hart-Scott-Rodino*
20 *Antitrust Improvements Act of 1976 (15 U.S.C 18a) shall*
21 *be retained and used for necessary expenses in this appro-*
22 *priation and shall remain available until expended: Pro-*
23 *vided further, That the sum herein appropriated from the*
24 *General Fund shall be reduced as such offsetting collections*
25 *are received during fiscal year 1997, so as to result in a*

1 *final fiscal year 1997 appropriation from the General Fund*
2 *estimated at \$0: Provided further, That any such fees re-*
3 *ceived in excess of \$104,462,000 in fiscal year 1997 shall*
4 *remain available until expended, but shall not be available*
5 *for obligation until October 1, 1997: Provided further, That*
6 *section 605 of the Departments of Commerce, Justice, and*
7 *State, the Judiciary, and Related Agencies Appropriations*
8 *Act, 1990 (Public Law 101–162, 103 Stat. 1031 (1989),*
9 *codified as amended at 15 U.S.C. 18a note) is further*
10 *amended as follows: (1) by striking “Five working days*
11 *after enactment of this Act and” and inserting in lieu there-*
12 *of “Commencing five working days after enactment of this*
13 *Act and in each fiscal year”; (2) by striking “\$45,000” and*
14 *inserting in lieu thereof “the following levels: \$25,000 for*
15 *persons having total assets of less than \$100,000,000;*
16 *\$55,000 for persons having total assets of \$100,000,000 or*
17 *more but less than \$500,000,000; and \$95,000 for persons*
18 *having total assets of \$500,000,000 or more,”; (3) by strik-*
19 *ing “shall be divided evenly between and credited to” and*
20 *inserting in lieu thereof “shall be allocated in the same pro-*
21 *portion as the relative size of the respective appropriations*
22 *levels of the Federal Trade Commission and the Antitrust*
23 *Division until their appropriations levels are offset: There-*
24 *after all annual fee collections shall be divided equally be-*
25 *tween each agency; Fees shall be credited to”; (4) by striking*

1 *“That fees in excess of \$40,000,000 in fiscal year 1990 shall*
2 *be deposited to the credit of the Treasury of the United*
3 *States: Provided further,”; and (5) by striking the “.” after*
4 *“expended” and inserting in lieu thereof “: Provided fur-*
5 *ther, That fees collected in excess of the amounts appro-*
6 *priated shall not be available for obligation until the begin-*
7 *ning of the following fiscal year.”: Provided further, That*
8 *none of the funds made available to the Federal Trade Com-*
9 *mission shall be available for obligation for expenses au-*
10 *thorized by section 151 of the Federal Deposit Insurance*
11 *Corporation Improvement Act of 1991 (Public Law 102–*
12 *242, 105 Stat. 2282–2285, codified as amended at 12*
13 *U.S.C. 1831t.)*

14 *GAMBLING IMPACT STUDY COMMISSION*

15 *SALARIES AND EXPENSES*

16 *For necessary expenses of the National Gambling Im-*
17 *pact Study Commission, \$2,000,000, to remain available*
18 *until expended: Provided, That these funds will be available*
19 *only upon enactment of an authorization for this Commis-*
20 *sion.*

21 *JAPAN-UNITED STATES FRIENDSHIP COMMISSION*

22 *JAPAN-UNITED STATES FRIENDSHIP TRUST FUND*

23 *For expenses of the Japan-United States Friendship*
24 *Commission, as authorized by Public Law 94–118, as*
25 *amended, from the interest earned on the Japan-United*

1 *States Friendship Trust Fund, \$1,250,000; and an amount*
 2 *of Japanese currency not to exceed the equivalent of*
 3 *\$1,420,000 based on exchange rates at the time of payment*
 4 *of such amounts as authorized by Public Law 94-118.*

5 LEGAL SERVICES CORPORATION

6 PAYMENT TO THE LEGAL SERVICES CORPORATION

7 For payment to the Legal Services Corporation to
 8 carry out the purposes of the Legal Services Corporation
 9 Act of 1974, as amended, ~~\$141,000,000~~ (increased by
 10 ~~\$109,000,000~~), of which ~~\$134,575,000~~ (increased by
 11 ~~\$109,000,000~~) \$288,000,000, of which \$279,400,000 is for
 12 basic field programs and required independent audits;
 13 ~~\$1,125,000~~ \$1,500,000 is for the Office of the Inspector
 14 General, of which such amounts as may be necessary may
 15 be used to conduct additional audits of recipients; and
 16 ~~\$5,300,000~~ \$7,100,000 is for management and administra-
 17 tion.

18 ADMINISTRATIVE PROVISIONS—LEGAL SERVICES

19 CORPORATION

20 SEC. 501. (a) CONTINUATION OF COMPETITIVE SE-
 21 LECTION PROCESS.—None of the funds appropriated in
 22 this Act to the Legal Services Corporation may be used
 23 to provide financial assistance to any person or entity ex-
 24 cept through a competitive selection process conducted in
 25 accordance with regulations promulgated by the Corpora-
 26 tion in accordance with the criteria set forth in subsections

1 (c), (d), and (e) of section 503 of Public Law 104–134
2 (110 Stat. 1321–130 et seq.).

3 (b) INAPPLICABILITY OF NONCOMPETITIVE PROCE-
4 DURES.—For purposes of the funding provided in this
5 Act, rights under sections 1007(a)(9) and 1011 of the
6 Legal Services Corporation Act (42 U.S.C. 2996f(a)(9)
7 and 42 U.S.C. 2996j) shall not apply.

8 SEC. 502. (a) CONTINUATION OF REQUIREMENTS
9 AND RESTRICTIONS.—None of the funds appropriated in
10 this Act to the Legal Services Corporation shall be ex-
11 pended for any purpose prohibited or limited by, or con-
12 trary to any of the provisions of—

13 (1) sections 501, 502, 505, 506, and 507 of
14 Public Law 104–134 (101 Stat. 1321–127 et seq.),
15 and all funds appropriated in this Act to the Legal
16 Services Corporation shall be subject to the same
17 terms and conditions as set forth in such sections,
18 except that all references in such sections to 1995
19 and 1996 shall be deemed to refer instead to 1996
20 and 1997, respectively; and

21 (2) section 504 of Public Law 104–134 (101
22 Stat. 1321–132 et seq.), and all funds appropriated
23 in this Act to the Legal Services Corporation shall
24 be subject to the same terms and conditions set
25 forth in such section, except that—

1 (A) subsection (c) of such section 504 shall
2 not apply;

3 (B) paragraph (3) of section 508(b) of
4 Public Law 104–134 (101 Stat. 1321–147)
5 shall apply with respect to the requirements of
6 subsection (a)(13) of such section 504, except
7 that all references in such section 508(b) to the
8 date of enactment shall be deemed to refer to
9 April 26, 1996; and

10 (C) subsection (a)(11) of such section 504
11 shall not be construed to prohibit a recipient
12 from using funds derived from a source other
13 than the Corporation to provide related legal
14 assistance to—

15 (i) an alien who has been battered or
16 subjected to extreme cruelty in the United
17 States by a spouse or a parent, or by a
18 member of the spouse’s or parent’s family
19 residing in the same household as the alien
20 and the spouse or parent consented or ac-
21 quiesced to such battery or cruelty; or

22 (ii) an alien whose child has been bat-
23 tered or subjected to extreme cruelty in the
24 United States by a spouse or parent of the
25 alien (without the active participation of

1 the alien in the battery or extreme cru-
2 elty), or by a member of the spouse's or
3 parent's family residing in the same house-
4 hold as the alien and the spouse or parent
5 consented or acquiesced to such battery or
6 cruelty, and the alien did not actively par-
7 ticipate in such battery or cruelty.

8 (b) DEFINITIONS.—For purposes of subsection
9 (a)(2)(C):

10 (1) The term “battered or subjected to extreme
11 cruelty” has the meaning given such term under reg-
12 ulations issued pursuant to subtitle G of the Vio-
13 lence Against Women Act of 1994 (Pub. L. 103–
14 322; 108 Stat. 1953).

15 (2) The term “related legal assistance” means
16 legal assistance directly related to the prevention of,
17 or obtaining of relief from, the battery or cruelty de-
18 scribed in such subsection.

19 SEC. 503. (a) CONTINUATION OF AUDIT REQUIRE-
20 MENTS.—The requirements of section 509 of Public Law
21 104–134 (101 Stat. 1321–146 et seq.), other than sub-
22 section (l) of such section, shall apply during fiscal year
23 1997.

24 (b) REQUIREMENT OF ANNUAL AUDIT.—An annual
25 audit of each person or entity receiving financial assist-

1 ance from the Legal Services Corporation under this Act
2 shall be conducted during fiscal year 1997 in accordance
3 with the requirements referred to in subsection (a).

4 MARINE MAMMAL COMMISSION

5 SALARIES AND EXPENSES

6 For necessary expenses of the Marine Mammal Com-
7 mission as authorized by title II of Public Law 92-522,
8 as amended, ~~\$975,000~~ \$1,385,000.

9 NATIONAL BANKRUPTCY REVIEW COMMISSION

10 SALARIES AND EXPENSES

11 For necessary expenses of the National Bankruptcy
12 Review Commission, as authorized by the Bankruptcy Re-
13 form Act of 1994, ~~\$500,000 (reduced by \$10,000)~~
14 \$498,000.

15 SECURITIES AND EXCHANGE COMMISSION

16 SALARIES AND EXPENSES

17 For necessary expenses for the Securities and Ex-
18 change Commission, including services as authorized by
19 5 U.S.C. 3109, the rental of space (to include multiple
20 year leases) in the District of Columbia and elsewhere, and
21 not to exceed \$3,000 for official reception and representa-
22 tion expenses, ~~\$277,021,000 (reduced by \$25,000,000)~~
23 \$258,400,000, of which not to exceed \$10,000 may be used
24 toward funding a permanent secretariat for the Inter-
25 national Organization of Securities Commissions, and of

1 which not to exceed \$100,000 shall be available for ex-
2 penses for consultations and meetings hosted by the Com-
3 mission with foreign governmental and other regulatory
4 officials, members of their delegations, appropriate rep-
5 resentatives and staff to exchange views concerning devel-
6 opments relating to securities matters, development and
7 implementation of cooperation agreements concerning se-
8 curities matters and provision of technical assistance for
9 the development of foreign securities markets, such ex-
10 penses to include necessary logistic and administrative ex-
11 penses and the expenses of Commission staff and foreign
12 invitees in attendance at such consultations and meetings
13 including (1) such incidental expenses as meals taken in
14 the course of such attendance, (2) any travel and trans-
15 portation to or from such meetings, and (3) any other re-
16 lated lodging or subsistence: *Provided*, That immediately
17 upon enactment of this Act, the rate of fees under section
18 6(b) of the Securities Act of 1933 (15 U.S.C. 77f(b)) shall
19 increase from one-fiftieth of one percentum to one-thirty-
20 third of one percentum, and such increase shall be depos-
21 ited as an offsetting collection to this appropriation, to re-
22 main available until expended, to recover costs of services
23 of the securities registration process: *Provided further*,
24 That immediately upon enactment of this Act or Septem-
25 ber 1, 1996, whichever occurs later, every national securi-

1 ties association shall pay to the Commission a fee at a
2 rate of one-eight-hundredth of one percentum for each
3 \$1,000,000 of the aggregate dollar amount of sales trans-
4 acted by or through any member of such association other-
5 wise than on a national securities exchange (other than
6 bonds, debentures, and other evidences of indebtedness)
7 subject to prompt last sale reporting pursuant to the rules
8 of the Commission or a registered national securities asso-
9 ciation, excluding any sales for which a fee is paid under
10 section 31 of the Securities Exchange Act of 1934 (15
11 U.S.C. 78ee), and such increase shall be deposited as an
12 offsetting collection to this appropriation, to remain avail-
13 able until expended, to recover the costs to the Govern-
14 ment of the supervision and regulation of securities mar-
15 kets and securities professionals: *Provided further*, That
16 the fee due from every national securities association shall
17 be paid (1) on or before March 15, 1997, with respect
18 to transactions occurring during the period beginning im-
19 mediately upon enactment of this Act or September 1,
20 1996, whichever occurs later, and ending at the close of
21 December 31, 1996; and (2) on or before September 30,
22 1997, with respect to transactions and sales occurring
23 during the period beginning on January 1, 1997, and end-
24 ing at the close of August 31, 1997: *Provided further*, That
25 the total amount appropriated for fiscal year 1997 under

1 this heading shall be reduced as all such offsetting fees
2 are deposited to this appropriation so as to result in a
3 final total fiscal year 1997 appropriation from the General
4 Fund estimated at not more than ~~\$83,047,000~~ (reduced
5 by ~~\$25,000,000~~) \$64,426,000: *Provided further*, That any
6 such fees collected in excess of \$193,974,000 shall remain
7 available until expended but shall not be available for obli-
8 gation until October 1, 1997.

9 SMALL BUSINESS ADMINISTRATION

10 SALARIES AND EXPENSES

11 For necessary expenses, not otherwise provided for,
12 of the Small Business Administration as authorized by
13 Public Law 103-403, including hire of passenger motor
14 vehicles as authorized by 31 U.S.C. 1343 and 1344, and
15 not to exceed \$3,500 for official reception and representa-
16 tion expenses, ~~\$214,419,000~~, of which ~~\$94,218,000~~ shall
17 be available for the non-credit programs of the Small
18 Business Administration, including ~~\$3,000,000~~ which
19 shall only be available for obligation and expenditure for
20 projects jointly developed, implemented and administered
21 with the Minority Business Development Agency of the
22 Department of Commerce \$233,190,000: *Provided*, That
23 the Administrator is authorized to charge fees to cover the
24 cost of publications developed by the Small Business Ad-
25 ministration, and certain loan servicing activities: *Pro-*

1 *vided further*, That notwithstanding 31 U.S.C. 3302, reve-
2 nues received from all such activities shall be credited to
3 this account, to be available for carrying out these pur-
4 poses without further appropriations.

5 OFFICE OF INSPECTOR GENERAL

6 For necessary expenses of the Office of Inspector
7 General in carrying out the provisions of the Inspector
8 General Act of 1978, as amended (5 U.S.C. App. 1-11,
9 as amended by Public Law 100-504), ~~\$8,900,000~~
10 *\$9,000,000*.

11 BUSINESS LOANS PROGRAM ACCOUNT

12 For the cost of direct loans, \$2,792,000, and for the
13 cost of guaranteed loans, ~~\$161,876,000~~ *\$212,317,000*, as
14 authorized by 15 U.S.C. 631 note, of which ~~\$1,216,000~~
15 *\$2,317,000*, to be available until expended, shall be for the
16 Microloan Guarantee Program, and of which \$40,510,000
17 shall remain available until September 30, 1998: *Provided*,
18 That such costs, including the cost of modifying such
19 loans, shall be as defined in section 502 of the Congres-
20 sional Budget Act of 1974: *Provided further*, That during
21 fiscal year 1997, commitments to guarantee loans under
22 section 503 of the Small Business Investment Act of 1958,
23 as amended, shall not exceed the amount of financings au-
24 thorized under section 20(n)(2)(B) of the Small Business
25 Act, as amended.

1 In addition, for administrative expenses to carry out
 2 the direct and guaranteed loan programs, ~~\$93,485,000~~
 3 \$94,090,000, which may be transferred to and merged with
 4 the appropriations for Salaries and Expenses.

5 DISASTER LOANS PROGRAM ACCOUNT

6 For the cost of direct loans authorized by section 7(b)
 7 of the Small Business Act, as amended, ~~\$105,432,000~~
 8 \$65,800,000, to remain available until expended: *Provided,*
 9 That such costs, including the cost of modifying such
 10 loans, shall be as defined in section 502 of the Congres-
 11 sional Budget Act of 1974.

12 In addition, for administrative expenses to carry out
 13 the direct loan program, ~~\$100,578,000~~ \$78,000,000, in-
 14 cluding not to exceed \$500,000 for the Office of Inspector
 15 General of the Small Business Administration for audits
 16 and reviews of disaster loans and the disaster loan pro-
 17 gram, and said sums may be transferred to and merged
 18 with appropriations for Salaries and Expenses and Office
 19 of Inspector General.

20 SURETY BOND GUARANTEES REVOLVING FUND

21 For additional capital for the “Surety Bond Guarant-
 22 ees Revolving Fund”, authorized by the Small Business
 23 Investment Act, as amended, \$3,730,000, to remain avail-
 24 able without fiscal year limitation as authorized by 15
 25 U.S.C. 631 note.

1 ADMINISTRATIVE PROVISION—SMALL BUSINESS

2 ADMINISTRATION

3 SEC. 504. Not to exceed 5 percent of any appropria-
4 tion made available for the current fiscal year for the
5 Small Business Administration in this Act may be trans-
6 ferred between such appropriations, but no such appro-
7 priation shall be increased by more than 10 percent by
8 any such transfers: *Provided*, That any transfer pursuant
9 to this section shall be treated as a reprogramming of
10 funds under section 605 of this Act and shall not be avail-
11 able for obligation or expenditure except in compliance
12 with the procedures set forth in that section.

13 *STATE JUSTICE INSTITUTE*

14 *SALARIES AND EXPENSES*

15 *For necessary expenses of the State Justice Institute,*
16 *as authorized by the State Justice Institute Authorization*
17 *Act of 1992 (Public Law 102–572 (106 Stat. 4515–4516)),*
18 *\$10,000,000 to remain available until expended: Provided,*
19 *That not to exceed \$2,500 shall be available for official re-*
20 *ception and representation expenses.*

21 TITLE VI—GENERAL PROVISIONS

22 SEC. 601. No part of any appropriation contained in
23 this Act shall be used for publicity or propaganda purposes
24 not authorized by the Congress.

1 SEC. 602. No part of any appropriation contained in
2 this Act shall remain available for obligation beyond the
3 current fiscal year unless expressly so provided herein.

4 SEC. 603. The expenditure of any appropriation
5 under this Act for any consulting service through procure-
6 ment contract, pursuant to 5 U.S.C. 3109, shall be limited
7 to those contracts where such expenditures are a matter
8 of public record and available for public inspection, except
9 where otherwise provided under existing law, or under ex-
10 isting Executive order issued pursuant to existing law.

11 SEC. 604. If any provision of this Act or the applica-
12 tion of such provision to any person or circumstances shall
13 be held invalid, the remainder of the Act and the applica-
14 tion of each provision to persons or circumstances other
15 than those as to which it is held invalid shall not be af-
16 fected thereby.

17 SEC. 605. (a) None of the funds provided under this
18 Act, or provided under previous appropriations Acts to the
19 agencies funded by this Act that remain available for obli-
20 gation or expenditure in fiscal year 1997, or provided from
21 any accounts in the Treasury of the United States derived
22 by the collection of fees available to the agencies funded
23 by this Act, shall be available for obligation or expenditure
24 through a reprogramming of funds which (1) creates new
25 programs; (2) eliminates a program, project, or activity;

1 (3) increases funds or personnel by any means for any
2 project or activity for which funds have been denied or
3 restricted; (4) relocates an office or employees; (5) reorga-
4 nizes offices, programs, or activities; or (6) contracts out
5 or privatizes any functions, or activities presently per-
6 formed by Federal employees; unless the Appropriations
7 Committees of both Houses of Congress are notified fif-
8 teen days in advance of such reprogramming of funds.

9 (b) None of the funds provided under this Act, or
10 provided under previous appropriations Acts to the agen-
11 cies funded by this Act that remain available for obligation
12 or expenditure in fiscal year 1997, or provided from any
13 accounts in the Treasury of the United States derived by
14 the collection of fees available to the agencies funded by
15 this Act, shall be available for obligation or expenditure
16 for activities, programs, or projects through a reprogram-
17 ming of funds in excess of \$500,000 or 10 percent, which-
18 ever is less, that (1) augments existing programs, projects,
19 or activities; (2) reduces by 10 percent funding for any
20 existing program, project, or activity, or numbers of per-
21 sonnel by 10 percent as approved by Congress; or (3) re-
22 sults from any general savings from a reduction in person-
23 nel which would result in a change in existing programs,
24 activities, or projects as approved by Congress; unless the
25 Appropriations Committees of both Houses of Congress

1 are notified fifteen days in advance of such reprogram-
2 ming of funds.

3 SEC. 606. None of the funds made available in this
4 Act may be used for the construction, repair (other than
5 emergency repair), overhaul, conversion, or modernization
6 of vessels for the National Oceanic and Atmospheric Ad-
7 ministration in shipyards located outside of the United
8 States.

9 SEC. 607. (a) PURCHASE OF AMERICAN-MADE
10 EQUIPMENT AND PRODUCTS.—It is the sense of the Con-
11 gress that, to the greatest extent practicable, all equip-
12 ment and products purchased with funds made available
13 in this Act should be American-made.

14 (b) NOTICE REQUIREMENT.—In providing financial
15 assistance to, or entering into any contract with, any en-
16 tity using funds made available in this Act, the head of
17 each Federal agency, to the greatest extent practicable,
18 shall provide to such entity a notice describing the state-
19 ment made in subsection (a) by the Congress.

20 (c) PROHIBITION OF CONTRACTS WITH PERSONS
21 FALSELY LABELING PRODUCTS AS MADE IN AMERICA.—
22 If it has been finally determined by a court or Federal
23 agency that any person intentionally affixed a label bear-
24 ing a “Made in America” inscription, or any inscription
25 with the same meaning, to any product sold in or shipped

1 to the United States that is not made in the United
2 States, the person shall be ineligible to receive any con-
3 tract or subcontract made with funds made available in
4 this Act, pursuant to the debarment, suspension, and ineli-
5 gibility procedures described in sections 9.400 through
6 9.409 of title 48, Code of Federal Regulations.

7 SEC. 608. None of the funds made available in this
8 Act may be used to implement, administer, or enforce any
9 guidelines of the Equal Employment Opportunity Com-
10 mission covering harassment based on religion, when it is
11 made known to the Federal entity or official to which such
12 funds are made available that such guidelines do not differ
13 in any respect from the proposed guidelines published by
14 the Commission on October 1, 1993 (58 Fed. Reg.
15 51266).

16 ~~SEC. 609. None of the funds appropriated or other-~~
17 ~~wise made available by this Act may be obligated or ex-~~
18 ~~pended to pay for any cost incurred for (1) opening or~~
19 ~~operating any United States diplomatic or consular post~~
20 ~~in the Socialist Republic of Vietnam that was not operat-~~
21 ~~ing on July 11, 1995; (2) expanding any United States~~
22 ~~diplomatic or consular post in the Socialist Republic of~~
23 ~~Vietnam that was operating on July 11, 1995; or (3) in-~~
24 ~~creasing the total number of personnel assigned to United~~
25 ~~States diplomatic or consular posts in the Socialist Repub-~~

1 lie of Vietnam above the levels existing on July 11, 1995,
2 unless the President certifies within 60 days, based upon
3 all information available to the United States Government
4 that the Government of the Socialist Republic of Vietnam
5 is cooperating in full faith with the United States in the
6 following four areas:

7 (1) Resolving discrepancy cases, live sightings
8 and field activities,

9 (2) Recovering and repatriating American re-
10 mains,

11 (3) Accelerating efforts to provide documents
12 that will help lead to fullest possible accounting of
13 POW/MIA's.

14 (4) Providing further assistance in implement-
15 ing trilateral investigations with Laos.

16 SEC. 610. None of the funds made available by this
17 Act may be used for any United Nations undertaking
18 when it is made known to the Federal official having au-
19 thority to obligate or expend such funds (1) that the Unit-
20 ed Nations undertaking is a peacekeeping mission, (2)
21 that such undertaking will involve United States Armed
22 Forces under the command or operational control of a for-
23 eign national, and (3) that the President's military advi-
24 sors have not submitted to the President a recommenda-
25 tion that such involvement is in the national security inter-

1 ests of the United States and the President has not sub-
2 mitted to the Congress such a recommendation.

3 SEC. 611. None of the funds made available in this
4 Act shall be used to provide the following amenities or per-
5 sonal comforts in the Federal prison system—

6 (1) in-cell television viewing except for prisoners
7 who are segregated from the general prison popu-
8 lation for their own safety;

9 (2) the viewing of R, X, and NC-17 rated mov-
10 ies, through whatever medium presented;

11 (3) any instruction (live or through broadcasts)
12 or training equipment for boxing, wrestling, judo,
13 karate, or other martial art, or any bodybuilding or
14 weightlifting equipment of any sort;

15 (4) possession of in-cell coffee pots, hot plates,
16 or heating elements; or

17 (5) the use or possession of any electric or elec-
18 tronic musical instrument.

19 ~~SEC. 612. None of the funds made available in title~~
20 ~~II for the National Oceanic and Atmospheric Administra-~~
21 ~~tion under the heading “Fleet Modernization, Shipbuild-~~
22 ~~ing and Conversion” may be used to implement sections~~
23 ~~603, 604, and 605 of Public Law 102-567.~~

24 ~~SEC. 613. None of the funds made available in this~~
25 ~~Act may be used for “USIA Television Marti Program”~~

1 under the Television Broadcasting to Cuba Act or any
2 other program of United States Government television
3 broadcasts to Cuba, when it is made known to the Federal
4 official having authority to obligate or expend such funds
5 that such use would be inconsistent with the applicable
6 provisions of the March 1995 Office of Cuba Broadcasting
7 Reinventing Plan of the United States Information Agen-
8 ey.

9 SEC. 614. Any costs incurred by a Department or
10 agency funded under this Act resulting from personnel ac-
11 tions taken in response to funding reductions included in
12 this Act shall be absorbed within the total budgetary re-
13 sources available to such Department or agency: *Provided*,
14 That the authority to transfer funds between appropria-
15 tions accounts as may be necessary to carry out this sec-
16 tion is provided in addition to authorities included else-
17 where in this Act: *Provided further*, That use of funds to
18 carry out this section shall be treated as a reprogramming
19 of funds under section 605 of this Act and shall not be
20 available for obligation or expenditure except in compli-
21 ance with the procedures set forth in that section.

22 SEC. 615. None of the funds made available in this
23 Act to the Federal Bureau of Prisons may be used to dis-
24 tribute or make available any commercially published in-
25 formation or material to a prisoner when it is made known

1 to the Federal official having authority to obligate or ex-
2 pend such funds that such information or material is sexu-
3 ally explicit or features nudity.

4 SEC. 616. Of the funds appropriated in this Act
5 under the heading “OFFICE OF JUSTICE PRO-
6 GRAMS—STATE AND LOCAL LAW ENFORCEMENT ASSIST-
7 ANCE”, not more than ninety percent of the amount to
8 be awarded to an entity under part Q of title I of the
9 Omnibus Crime Control and Safe Streets Act of 1968
10 shall be made available to such an entity when it is made
11 known to the Federal official having authority to obligate
12 or expend such funds that the entity that employs a public
13 safety officer (as such term is defined in section 1204 of
14 title I of the Omnibus Crime Control and Safe Streets Act
15 of 1968) does not provide such a public safety officer who
16 retires or is separated from service due to injury suffered
17 as the direct and proximate result of a personal injury
18 sustained in the line of duty while responding to an emer-
19 gency situation or a hot pursuit (as such terms are defined
20 by State law) with the same or better level of health insur-
21 ance benefits that are paid by the entity at the time of
22 retirement or separation.

23 SEC. 617. Of the funds in this Act appropriated for
24 a municipal or county jail, State or Federal prison, or
25 other similar facility for the confinement of individuals in

1 connection with crime or criminal proceedings, not more
2 than 90 percent of the funds otherwise authorized to be
3 made available to any such municipal or county jail, State
4 or Federal prison, or other similar facility, may be made
5 available when it is made known to the Federal official
6 having authority to obligate or expend such funds that the
7 authorities of such jail, prison, or other facility have not
8 reported to the Attorney General each death of any indi-
9 vidual who dies in custody in that jail, prison, or facility,
10 and the circumstances that surround that death.

11 SEC. 618. The amount provided in this Act for
12 “Equal Employment Opportunity Commission—Salaries
13 and Expenses” is increased by \$7,000,000, and the
14 amount provided for Small Business Administration, Dis-
15 aster Loan Program Account for administrative expenses
16 is reduced by \$8,000,000.

17 SEC. 619. (a) LIMITATION ON USE OF FUNDS TO
18 ISSUE CERTAIN PATENTS.—None of the funds made
19 available in this Act may be used by the Patent and
20 Trademark Office to issue a patent when it is made known
21 to the Federal official having authority to obligate or ex-
22 pend such funds that the patent is for any invention or
23 discovery of a technique, method, or process for perform-
24 ing a surgical procedure (defined as a treatment for curing
25 or preventing disease, injury, illness, disorder, or deform-

1 ity by operative methods, in which human tissue is cut,
2 burned, or vaporized by the use of any mechanical means,
3 laser, or ionizing radiation, or the penetration of the skin
4 or body orifice by any means), performing a medical proce-
5 dure (defined as a nonsurgical, nondiagnostic procedure
6 for curing or preventing a disease, injury, illness, disorder,
7 or deformity), or making a medical diagnosis (defined as
8 the identification of a medical condition or a disease or
9 disorder of a body).

10 (b) EXCEPTIONS.—The limitation established in sub-
11 section (a) shall not apply to the issuance of a patent when
12 it is made known to the Federal official having authority
13 to obligate or expend such funds that—

14 (1) the patent is for a machine, manufacture,
15 or composition of matter, or improvement thereof,
16 that is itself patentable subject matter, and the tech-
17 nique, method, or process referred to in subsection
18 (a) is performed by or is a necessary component of
19 the machine, manufacture, or composition of matter;
20 or

21 (2) the patent is for a new use of a composition
22 of matter or biotechnological process.

23 *SEC. 620. Effective with the enactment of this Act and*
24 *in any fiscal year hereafter, section 8 of Public Law 96-*
25 *132 is hereby repealed.*

1 *SEC. 621. CERTAIN UNITED STATES ORIGIN HISTORIC*
2 *FIREARMS IMPORTS.*—*Notwithstanding any other provi-*
3 *sion of law, no department, agency, or instrumentality of*
4 *the United States receiving appropriated funds under this*
5 *Act or any other Act shall obligate or expend in any way*
6 *such funds to pay administrative expenses or the compensa-*
7 *tion of any officer or employee of the United States to deny*
8 *any application submitted pursuant to 22 U.S.C.*
9 *2778(b)(1)(B) and qualified pursuant to 27 C.F.R.*
10 *§§ 178.112 or .113, for a permit to import United States*
11 *origin “curios or relics” firearms, parts, or ammunition.*

12 **SEC. 622. SHIPYARD REACTIVATION AND MODERNIZATION.**

13 *(a) SHIPYARD REACTIVATION.*—*Notwithstanding the*
14 *provisions of title XI of the Merchant Marine Act, 1936 (46*
15 *App. U.S.C. 1271) or any other law, the Secretary of Trans-*
16 *portation may provide a guarantee or commitment to guar-*
17 *antee under the authority of section 1103 of that title and*
18 *in accordance with appropriate terms that the Secretary*
19 *shall prescribe otherwise, for shipyard infrastructure devel-*
20 *opment and modernization and for vessels integral to the*
21 *reactivation and modernization of a shipyard that receives*
22 *a guarantee under this section.*

23 *(b) ELIGIBLE SHIPYARD.*—*The Secretary of Transpor-*
24 *tation may provide a guarantee or commitment under this*
25 *section to shipyards that—*

1 (1) *have historically built military vessels and*
2 *are seeking to become part of a self-sufficient, inter-*
3 *nationally competitive shipbuilding industry;*

4 (2) *(i) have been designated by the President for*
5 *reactivation as a public-private project, or (ii) have*
6 *reuse plans approved by the Navy in which commer-*
7 *cial shipbuilding and repair are primary activities*
8 *and have a revolving economic conversion fund ap-*
9 *proved by the Department of Defense; and*

10 (3) *maintain shipbuilding capacity for national*
11 *security objectives consistent with the National Ship-*
12 *building Initiative program (U.S.C. 2501 note).*

13 *TITLE VII—RESCISSIONS*

14 *DEPARTMENT OF JUSTICE*

15 *GENERAL ADMINISTRATION*

16 *WORKING CAPITAL FUND*

17 *(RESCISSION)*

18 *Of the unobligated balances available under this head-*
19 *ing on October 31, 1996, \$30,000,000 are rescinded.*

20 *IMMIGRATION AND NATURALIZATION SERVICE*

21 *IMMIGRATION EMERGENCY FUND*

22 *(RESCISSION)*

23 *Of the unobligated balances available under this head-*
24 *ing, \$34,779,000 are rescinded.*

1 This Act may be cited as the “Departments of Com-
2 merce, Justice, and State, the Judiciary, and Related
3 Agencies Appropriations Act, 1997.”.

Passed the House of Representatives July 24, 1996.

Attest:

ROBIN H. CARLE,

Clerk.