

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

# H. R. 4276

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IN THE SENATE OF THE UNITED STATES

AUGUST 31, 1998

Received

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## AN ACT

Making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 1999, 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,*

1 That the following sums are appropriated, out of any  
2 money in the Treasury not otherwise appropriated, for the  
3 fiscal year ending September 30, 1998, and for other pur-  
4 poses, namely:

5 TITLE I—DEPARTMENT OF JUSTICE

6 GENERAL ADMINISTRATION

7 SALARIES AND EXPENSES

8 For expenses necessary for the administration of the  
9 Department of Justice, \$79,448,000, of which not to ex-  
10 ceed \$3,317,000 is for the Facilities Program 2000, to  
11 remain available until expended: *Provided*, That not to ex-  
12 ceed 43 permanent positions and 44 full-time equivalent  
13 workyears and \$8,136,000 shall be expended for the De-  
14 partment Leadership Program exclusive of augmentation  
15 that occurred in these offices in fiscal year 1998: *Provided*  
16 *further*, That not to exceed 41 permanent positions and  
17 48 full-time equivalent workyears and \$4,811,000 shall be  
18 expended for the Offices of Legislative Affairs and Public  
19 Affairs: *Provided further*, That the latter two aforemen-  
20 tioned offices shall not be augmented by personnel details,  
21 temporary transfers of personnel on either a reimbursable  
22 or non-reimbursable basis or any other type of formal or  
23 informal transfer or reimbursement of personnel or funds  
24 on either a temporary or long-term basis.

## 1 COUNTERTERRORISM FUND

2 For necessary expenses, as determined by the Attor-  
3 ney General, \$129,200,000 (reduced by \$40,000,000), to  
4 remain available until expended, to reimburse departments  
5 and agencies of the Federal Government for any costs in-  
6 curred in connection with—

7 (1) providing bomb training and response capa-  
8 bilities to State and local law enforcement agencies;

9 (2) providing training and related equipment  
10 for chemical, biological, nuclear, and cyber attack  
11 prevention and response capabilities to State and  
12 local agencies; and

13 (3) providing grants, contracts, cooperative  
14 agreements, and other assistance authorized by sec-  
15 tions 819, 821, and 822 of the Antiterrorism and  
16 Effective Death Penalty Act of 1996.

## 17 ADMINISTRATIVE REVIEW AND APPEALS

18 For expenses necessary for the administration of par-  
19 don and clemency petitions and immigration related activi-  
20 ties, \$75,312,000.

21 In addition, \$59,251,000, for such purposes, to re-  
22 main available until expended, to be derived from the Vio-  
23 lent Crime Reduction Trust Fund.

## 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.),  
 5 \$36,610,000; including not to exceed \$10,000 to meet un-  
 6 foreseen emergencies of a confidential character, to be ex-  
 7 pended under the direction of, and to be accounted for  
 8 solely under the certificate of, the Attorney General; and  
 9 for the acquisition, lease, maintenance, and operation of  
 10 motor vehicles, without regard to the general purchase  
 11 price limitation for the current fiscal year: *Provided*, That  
 12 up to one-tenth of one percent of the Department of Jus-  
 13 tice's allocation from the Violent Crime Reduction Trust  
 14 Fund grant programs may be transferred at the discretion  
 15 of the Attorney General to this account for the audit or  
 16 other review of such grant programs, as authorized by sec-  
 17 tion 130005 of the Violent Crime Control and Law En-  
 18 forcement Act of 1994 (Public Law 103-322).

## 19 UNITED STATES PAROLE COMMISSION

## 20 SALARIES AND EXPENSES

21 For necessary expenses of the United States Parole  
 22 Commission as authorized by law, \$7,400,000.

## LEGAL ACTIVITIES

## SALARIES AND EXPENSES, GENERAL LEGAL ACTIVITIES

For expenses necessary for the legal activities of the Department of Justice, not otherwise provided for, including not to exceed \$20,000 for expenses of collecting evidence, to be expended under the direction of, and to be accounted for solely under the certificate of, the Attorney General; and rent of private or Government-owned space in the District of Columbia, \$462,265,000; of which not to exceed \$10,000,000 for litigation support contracts shall remain available until expended: *Provided*, That of the funds available in this appropriation, not to exceed \$17,834,000 shall remain available until expended for office automation systems for the legal divisions covered by this appropriation, and for the United States Attorneys, the Antitrust Division, and offices funded through “Salaries and Expenses”, General Administration: *Provided further*, That of the total amount appropriated, not to exceed \$1,000 shall be available to the United States National Central Bureau, INTERPOL, for official reception and representation expenses: *Provided further*, That \$813,333 of funds made available to the Department of Justice in this Act shall be transferred by the Attorney General to the Presidential Advisory Commission on Holocaust Assets in the United States: *Provided further*, That any

1 transfer pursuant to the previous proviso shall be treated  
2 as a reprogramming under section 605 of this Act and  
3 shall not be available for obligation or expenditure except  
4 in compliance with the procedures set forth in that section.

5 In addition, \$8,160,000, to be derived from the Vio-  
6 lent Crime Reduction Trust Fund, to remain available  
7 until expended for such purposes.

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

13 SALARIES AND EXPENSES, ANTITRUST DIVISION

14 For expenses necessary for the enforcement of anti-  
15 trust and kindred laws, \$68,275,000: *Provided*, That, not-  
16 withstanding any other provision of law, not to exceed  
17 \$68,275,000 of offsetting collections derived from fees col-  
18 lected for premerger notification filings under the Hart-  
19 Scott-Rodino Antitrust Improvements Act of 1976 (15  
20 U.S.C. 18(a)) shall be retained and used for necessary ex-  
21 penses in this appropriation, and shall remain available  
22 until expended: *Provided further*, That the sum herein ap-  
23 propriated from the General Fund shall be reduced as  
24 such offsetting collections are received during fiscal year  
25 1999, so as to result in a final fiscal year 1999 appropria-

1 tion from the General Fund estimated at not more than  
2 \$0: *Provided further*, That any fees received in excess of  
3 \$68,275,000 in fiscal year 1999 shall remain available  
4 until expended, but shall not be available for obligation  
5 until October 1, 1999.

6 SALARIES AND EXPENSES, UNITED STATES ATTORNEYS

7 For necessary expenses of the Offices of the United  
8 States Attorneys, including intergovernmental and cooper-  
9 ative agreements, \$1,037,471,000 (increased by  
10 \$1,676,000); of which not to exceed \$2,500,000 shall be  
11 available until September 30, 2000, for: (1) training per-  
12 sonnel in debt collection; (2) locating debtors and their  
13 property; (3) paying the net costs of selling property; and  
14 (4) tracking debts owed to the United States Government:  
15 *Provided*, That, of the total amount appropriated, not to  
16 exceed \$8,000 shall be available for official reception and  
17 representation expenses: *Provided further*, That not to ex-  
18 ceed \$10,000,000 of those funds available for automated  
19 litigation support contracts shall remain available until ex-  
20 pended: *Provided further*, That, in addition to reimburs-  
21 able full-time equivalent workyears available to the Offices  
22 of the United States Attorneys, not to exceed 9,044 posi-  
23 tions and 9,312 full-time equivalent workyears shall be  
24 supported from the funds appropriated in this Act for the  
25 United States Attorneys.

1        In addition, \$54,231,000 (reduced by \$3,000,000), to  
2 be derived from the Violent Crime Reduction Trust Fund,  
3 to remain available until expended for such purposes.

4                    UNITED STATES TRUSTEE SYSTEM FUND

5        For necessary expenses of the United States Trustee  
6 Program, as authorized by 28 U.S.C. 589a(a),  
7 \$114,248,000, to remain available until expended and to  
8 be derived from the United States Trustee System Fund:  
9 *Provided*, That, notwithstanding any other provision of  
10 law, deposits to the Fund shall be available in such  
11 amounts as may be necessary to pay refunds due deposi-  
12 tors: *Provided further*, That, notwithstanding any other  
13 provision of law, \$114,248,000 of offsetting collections de-  
14 rived from fees collected pursuant to 28 U.S.C. 589a(b)  
15 shall be retained and used for necessary expenses in this  
16 appropriation and remain available until expended: *Pro-*  
17 *vided further*, That the sum herein appropriated from the  
18 Fund shall be reduced as such offsetting collections are  
19 received during fiscal year 1999, so as to result in a final  
20 fiscal year 1999 appropriation from the Fund estimated  
21 at \$0: *Provided further*, That any such fees collected in  
22 excess of \$114,248,000 in fiscal year 1999 shall remain  
23 available until expended, but shall not be available for obli-  
24 gation until October 1, 1999.



1 SALARIES AND EXPENSES, FOREIGN CLAIMS

2 SETTLEMENT COMMISSION

3 For expenses necessary to carry out the activities of  
4 the Foreign Claims Settlement Commission, including  
5 services as authorized by 5 U.S.C. 3109, \$1,335,000.

6 SALARIES AND EXPENSES, UNITED STATES MARSHALS

7 SERVICE

8 For necessary expenses of the United States Mar-  
9 shals Service; including the acquisition, lease, mainte-  
10 nance, and operation of vehicles, and the purchase of pas-  
11 senger motor vehicles for police-type use, without regard  
12 to the general purchase price limitation for the current  
13 fiscal year, \$477,611,000, as authorized by 28 U.S.C.  
14 561(i); of which not to exceed \$6,000 shall be available  
15 for official reception and representation expenses; and of  
16 which not to exceed \$4,000,000 for development, imple-  
17 mentation, maintenance and support, and training for an  
18 automated prisoner information system shall remain avail-  
19 able until expended.

20 In addition, \$25,553,000, for such purposes, to re-  
21 main available until expended, to be derived from the Vio-  
22 lent Crime Reduction Trust Fund.

23 JUSTICE PRISONER AND ALIEN TRANSPORTATION SYSTEM

24 FUND, UNITED STATES MARSHALS SERVICE

25 There is hereby established a Justice Prisoner and  
26 Alien Transportation System Fund for the payment of

1 necessary expenses related to the scheduling and transpor-  
2 tation of United States prisoners and illegal and criminal  
3 aliens in the custody of the United States Marshals Serv-  
4 ice, as authorized in 18 U.S.C. 4013, including, without  
5 limitation, salaries and expenses, operations, and the ac-  
6 quisition, lease, and maintenance of aircraft and support  
7 facilities: *Provided*, That the Fund shall be reimbursed or  
8 credited with advance payments from amounts available  
9 to the Department of Justice, other Federal agencies, and  
10 other sources at rates that will recover the expenses of  
11 Fund operations, including, without limitation, accrual of  
12 annual leave and depreciation of plant and equipment of  
13 the Fund: *Provided further*, That proceeds from the dis-  
14 posal of Fund aircraft shall be credited to the Fund: *Pro-*  
15 *vided further*, That amounts in the Fund shall be available  
16 without fiscal year limitation, and may be used for operat-  
17 ing equipment lease agreements that do not exceed 5  
18 years.

19 FEDERAL PRISONER DETENTION

20 For expenses, related to United States prisoners in  
21 the custody of the United States Marshals Service as au-  
22 thorized in 18 U.S.C. 4013, but not including expenses  
23 otherwise provided for in appropriations available to the  
24 Attorney General, \$425,000,000, as authorized by 28  
25 U.S.C. 561(i), to remain available until expended.

## 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, \$95,000,000, to remain  
7 available until expended; of which not to exceed  
8 \$6,000,000 may be made available for planning, construc-  
9 tion, renovations, maintenance, remodeling, and repair of  
10 buildings, and the purchase of equipment incident thereto,  
11 for protected witness safesites; and of which not to exceed  
12 \$1,000,000 may be made available for the purchase and  
13 maintenance of armored vehicles for transportation of pro-  
14 tected witnesses.

## 15 SALARIES AND EXPENSES, COMMUNITY RELATIONS

## 16 SERVICE

17 For necessary expenses of the Community Relations  
18 Service, established by title X of the Civil Rights Act of  
19 1964, \$7,199,000 and, in addition, up to \$1,000,000 of  
20 funds made available to the Department of Justice in this  
21 Act may be transferred by the Attorney General to this  
22 account: *Provided*, That notwithstanding any other provi-  
23 sion of law, upon a determination by the Attorney General  
24 that emergent circumstances require additional funding  
25 for conflict prevention and resolution activities of the

1 Community Relations Service, the Attorney General may  
2 transfer such amounts to the Community Relations Serv-  
3 ice, from available appropriations for the current fiscal  
4 year for the Department of Justice, as may be necessary  
5 to respond to such circumstances: *Provided further*, That  
6 any transfer pursuant to the previous proviso shall be  
7 treated as a reprogramming under section 605 of this Act  
8 and shall not be available for obligation or expenditure ex-  
9 cept in compliance with the procedures set forth in that  
10 section.

11 ASSETS FORFEITURE FUND

12 For expenses authorized by 28 U.S.C.  
13 524(c)(1)(A)(ii), (B), (F), and (G), as amended,  
14 \$23,000,000, to be derived from the Department of Jus-  
15 tice Assets Forfeiture Fund.

16 RADIATION EXPOSURE COMPENSATION

17 ADMINISTRATIVE EXPENSES

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

21 INTERAGENCY LAW ENFORCEMENT

22 INTERAGENCY CRIME AND DRUG ENFORCEMENT

23 For necessary expenses for the detection, investiga-  
24 tion, and prosecution of individuals involved in organized  
25 crime drug trafficking not otherwise provided for, to in-

1 clude intergovernmental agreements with State and local  
2 law enforcement agencies engaged in the investigation and  
3 prosecution of individuals involved in organized crime drug  
4 trafficking, \$304,014,000, of which \$50,000,000 shall re-  
5 main available until expended: *Provided*, That any  
6 amounts obligated from appropriations under this heading  
7 may be used under authorities available to the organiza-  
8 tions reimbursed from this appropriation: *Provided fur-*  
9 *ther*, That any unobligated balances remaining available  
10 at the end of the fiscal year shall revert to the Attorney  
11 General for reallocation among participating organizations  
12 in succeeding fiscal years, subject to the reprogramming  
13 procedures described in section 605 of this Act.

14 FEDERAL BUREAU OF INVESTIGATION

15 SALARIES AND EXPENSES

16 For necessary expenses of the Federal Bureau of In-  
17 vestigation for detection, investigation, and prosecution of  
18 crimes against the United States; including purchase for  
19 police-type use of not to exceed 2,688 passenger motor ve-  
20 hicles, of which 2,000 will be for replacement only, without  
21 regard to the general purchase price limitation for the cur-  
22 rent fiscal year, and hire of passenger motor vehicles; ac-  
23 quisition, lease, maintenance, and operation of aircraft;  
24 and not to exceed \$70,000 to meet unforeseen emergencies  
25 of a confidential character, to be expended under the di-

1 rection of, and to be accounted for solely under the certifi-  
2 cate of, the Attorney General, \$2,750,615,000; of which  
3 not to exceed \$50,000,000 for automated data processing  
4 and telecommunications and technical investigative equip-  
5 ment and not to exceed \$1,000,000 for undercover oper-  
6 ations shall remain available until September 30, 2000;  
7 of which not less than \$282,473,000 shall be for  
8 counterterrorism investigations, foreign counterintel-  
9 ligence, and other activities related to our national secu-  
10 rity; of which not to exceed \$69,846,000 shall remain  
11 available until expended, of which not to exceed  
12 \$8,046,000 shall be for equipment to address chemical  
13 and biological attacks; of which not to exceed \$10,000,000  
14 is authorized to be made available for making advances  
15 for expenses arising out of contractual or reimbursable  
16 agreements with State and local law enforcement agencies  
17 while engaged in cooperative activities related to violent  
18 crime, terrorism, organized crime, and drug investigations;  
19 and of which \$1,500,000 shall be available to maintain  
20 an independent program office dedicated solely to the au-  
21 tomation of fingerprint identification services: *Provided*,  
22 That not to exceed \$45,000 shall be available for official  
23 reception and representation expenses: *Provided further*,  
24 That no funds in this Act may be used to provide ballistics  
25 imaging equipment to any State or local authority which

1 has obtained similar equipment through a Federal grant  
2 or subsidy unless the State or local authority agrees to  
3 return that equipment or to repay that grant or subsidy  
4 to the Federal Government.

5 In addition, \$215,356,000 for such purposes, to re-  
6 main available until expended, to be derived from the Vio-  
7 lent Crime Reduction Trust Fund, as authorized by the  
8 Violent Crime Control and Law Enforcement Act of 1994,  
9 as amended, and the Antiterrorism and Effective Death  
10 Penalty Act of 1996.

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, \$11,287,000, to re-  
17 main available until expended.

18 DRUG ENFORCEMENT ADMINISTRATION

19 SALARIES AND EXPENSES

20 For necessary expenses of the Drug Enforcement Ad-  
21 ministration, including not to exceed \$70,000 to meet un-  
22 foreseen emergencies of a confidential character, to be ex-  
23 pended under the direction of, and to be accounted for  
24 solely under the certificate of, the Attorney General; ex-  
25 penses for conducting drug education and training pro-  
26 grams, including travel and related expenses for partici-

1 pants in such programs and the distribution of items of  
2 token value that promote the goals of such programs; pur-  
3 chase of not to exceed 1,428 passenger motor vehicles, of  
4 which 1,080 will be for replacement only, for police-type  
5 use without regard to the general purchase price limitation  
6 for the current fiscal year; and acquisition, lease, mainte-  
7 nance, and operation of aircraft, \$796,290,000, of which  
8 not to exceed \$1,800,000 for research and \$15,000,000  
9 for transfer to the Drug Diversion Control Fee Account  
10 for operating expenses shall remain available until ex-  
11 pended, and of which not to exceed \$4,000,000 for pur-  
12 chase of evidence and payments for information, not to  
13 exceed \$10,000,000 for contracting for automated data  
14 processing and telecommunications equipment, and not to  
15 exceed \$2,000,000 for laboratory equipment, \$4,000,000  
16 for technical equipment, and \$2,000,000 for aircraft re-  
17 placement retrofit and parts, shall remain available until  
18 September 30, 2000; and of which not to exceed \$50,000  
19 shall be available for official reception and representation  
20 expenses.

21 In addition, \$405,000,000, to be derived from the  
22 Violent Crime Reduction Trust Fund, to remain available  
23 until expended for such purposes.



## 1 CONSTRUCTION

2 For necessary expenses to construct or acquire build-  
3 ings and sites by purchase, or as otherwise authorized by  
4 law (including equipment for such buildings); conversion  
5 and extension of federally owned buildings; and prelimi-  
6 nary planning and design of projects, \$8,000,000, to re-  
7 main available until expended.

## 8 IMMIGRATION AND NATURALIZATION SERVICE

## 9 SALARIES AND EXPENSES

10 For expenses, not otherwise provided for, necessary  
11 for the administration and enforcement of the laws relat-  
12 ing to immigration, naturalization, and alien registration,  
13 as follows:

## 14 ENFORCEMENT AND BORDER AFFAIRS

15 For salaries and expenses, not otherwise provided for,  
16 for the Border Patrol program, the detention and deporta-  
17 tion program, the intelligence program, the investigations  
18 program, and the inspections program, including not to  
19 exceed \$50,000 to meet unforeseen emergencies of a con-  
20 fidential character, to be expended under the direction of,  
21 and to be accounted for solely under the certificate of, the  
22 Attorney General; purchase for police-type use (not to ex-  
23 ceed 3,855 passenger motor vehicles, of which 2,535 are  
24 for replacement only), without regard to the general pur-  
25 chase price limitation for the current fiscal year, and hire

1 of passenger motor vehicles; acquisition, lease, mainte-  
2 nance and operation of aircraft; research related to immi-  
3 gration enforcement; and for the care and housing of Fed-  
4 eral detainees held in the joint Immigration and Natu-  
5 ralization Service and United States Marshals Service's  
6 Buffalo Detention Facility, \$1,096,431,000, of which not  
7 to exceed \$400,000 for research shall remain available  
8 until expended; of which not to exceed \$10,000,000 shall  
9 be available for costs associated with the training program  
10 for basic officer training, and \$5,000,000 is for payments  
11 or advances arising out of contractual or reimbursable  
12 agreements with State and local law enforcement agencies  
13 while engaged in cooperative activities related to immigra-  
14 tion; and of which not to exceed \$5,000,000 is to fund  
15 or reimburse other Federal agencies for the costs associ-  
16 ated with the care, maintenance, and repatriation of  
17 smuggled illegal aliens: *Provided*, That none of the funds  
18 available to the Immigration and Naturalization Service  
19 shall be available to pay any employee overtime pay in an  
20 amount in excess of \$30,000 during the calendar year be-  
21 ginning January 1, 1999: *Provided further*, That uniforms  
22 may be purchased without regard to the general purchase  
23 price limitation for the current fiscal year: *Provided fur-*  
24 *ther*, That none of the funds provided in this or any other  
25 Act shall be used for the continued operation of the San

1 Clemente and Temecula checkpoints unless the check-  
2 points are open and traffic is being checked on a continu-  
3 ous 24-hour basis.

4 CITIZENSHIP AND BENEFITS, IMMIGRATION SUPPORT AND  
5 PROGRAM DIRECTION

6 For all programs of the Immigration and Naturaliza-  
7 tion Service not included under the heading “Enforcement  
8 and Border Affairs”, \$523,083,000: *Provided*, That not  
9 to exceed \$5,000 shall be available for official reception  
10 and representation expenses: *Provided further*, That the  
11 Attorney General may transfer any funds appropriated  
12 under this heading and the heading “Enforcement and  
13 Border Affairs” between said appropriations notwith-  
14 standing any percentage transfer limitations imposed  
15 under this appropriation Act and may direct such fees as  
16 are collected by the Immigration and Naturalization Serv-  
17 ice to the activities funded under this heading and the  
18 heading “Enforcement and Border Affairs” for perform-  
19 ance of the functions for which the fees legally may be  
20 expended: *Provided further*, That not to exceed 43 perma-  
21 nent positions and 43 full-time equivalent workyears and  
22 \$4,284,000 shall be expended for the Offices of Legislative  
23 Affairs and Public Affairs: *Provided further*, That the lat-  
24 ter two aforementioned offices shall not be augmented by  
25 personnel details, temporary transfers of personnel on ei-

1 ther a reimbursable or non-reimbursable basis, or any  
2 other type of formal or informal transfer or reimburse-  
3 ment of personnel or funds on either a temporary or long-  
4 term basis: *Provided further*, That the number of positions  
5 filled through non-career appointment at the Immigration  
6 and Naturalization Service, for which funding is provided  
7 in this Act or is otherwise made available to the Immigra-  
8 tion and Naturalization Service, shall not exceed 4 perma-  
9 nent positions and 4 full-time equivalent workyears: *Pro-*  
10 *vided further*, That, notwithstanding any other provision  
11 of law, during fiscal year 1999, the Attorney General is  
12 authorized and directed to impose disciplinary action, in-  
13 cluding termination of employment, pursuant to policies  
14 and procedures applicable to employees of the Federal Bu-  
15 reau of Investigation, for any employee of the Immigration  
16 and Naturalization Service who violates policies and proce-  
17 dures set forth by the Department of Justice relative to  
18 the granting of citizenship or who willfully deceives the  
19 Congress or department leadership on any matter.

20 VIOLENT CRIME REDUCTION PROGRAMS

21 In addition, \$866,490,000, for such purposes, to re-  
22 main available until expended, to be derived from the Vio-  
23 lent Crime Reduction Trust Fund: *Provided*, That the At-  
24 torney General may use the transfer authority provided  
25 under the heading “Citizenship and Benefits, Immigration

1 Support and Program Direction” to provide funds to any  
2 program of the Immigration and Naturalization Service  
3 that heretofore has been funded by the Violent Crime Re-  
4 duction Trust Fund.

5 CONSTRUCTION

6 For planning, construction, renovation, equipping,  
7 and maintenance of buildings and facilities necessary for  
8 the administration and enforcement of the laws relating  
9 to immigration, naturalization, and alien registration, not  
10 otherwise provided for, \$81,570,000, to remain available  
11 until expended.

12 FEDERAL PRISON SYSTEM

13 SALARIES AND EXPENSES

14 For expenses necessary for the administration, oper-  
15 ation, and maintenance of Federal penal and correctional  
16 institutions, including purchase (not to exceed 763, of  
17 which 599 are for replacement only) and hire of law en-  
18 forcement and passenger motor vehicles, and for the provi-  
19 sion of technical assistance and advice on corrections re-  
20 lated issues to foreign governments, \$2,922,354,000 (re-  
21 duced by \$60,000,000): *Provided*, That the Attorney Gen-  
22 eral may transfer to the Health Resources and Services  
23 Administration such amounts as may be necessary for di-  
24 rect expenditures by that Administration for medical relief  
25 for inmates of Federal penal and correctional institutions:

1 *Provided further*, That the Director of the Federal Prison  
2 System (FPS), where necessary, may enter into contracts  
3 with a fiscal agent/fiscal intermediary claims processor to  
4 determine the amounts payable to persons who, on behalf  
5 of the FPS, furnish health services to individuals commit-  
6 ted to the custody of the FPS: *Provided further*, That uni-  
7 forms may be purchased without regard to the general  
8 purchase price limitation for the current fiscal year: *Pro-*  
9 *vided further*, That not to exceed \$6,000 shall be available  
10 for official reception and representation expenses: *Pro-*  
11 *vided further*, That not to exceed \$90,000,000 for the acti-  
12 vation of new facilities shall remain available until Sep-  
13 tember 30, 2000: *Provided further*, That, of the amounts  
14 provided for Contract Confinement, not to exceed  
15 \$20,000,000 shall remain available until expended to  
16 make payments in advance for grants, contracts and reim-  
17 bursable agreements, and other expenses authorized by  
18 section 501(c) of the Refugee Education Assistance Act  
19 of 1980, as amended, for the care and security in the  
20 United States of Cuban and Haitian entrants: *Provided*  
21 *further*, That, notwithstanding section 4(d) of the Service  
22 Contract Act of 1965 (41 U.S.C. 353(d)), FPS may enter  
23 into contracts and other agreements with private entities  
24 for periods of not to exceed 3 years and 7 additional option  
25 years for the confinement of Federal prisoners.

1           In addition, \$26,499,000, for such purposes, to re-  
2 main available until expended, to be derived from the Vio-  
3 lent Crime Reduction Trust Fund.

4                                           BUILDINGS AND FACILITIES

5           For planning, acquisition of sites and construction of  
6 new facilities; leasing the Oklahoma City Airport Trust  
7 Facility; purchase and acquisition of facilities and remodel-  
8 eling, and equipping of such facilities for penal and correc-  
9 tional use, including all necessary expenses incident there-  
10 to, by contract or force account; and constructing, remodel-  
11 eling, and equipping necessary buildings and facilities at  
12 existing penal and correctional institutions, including all  
13 necessary expenses incident thereto, by contract or force  
14 account, \$413,997,000, to remain available until ex-  
15 pended, of which not to exceed \$14,074,000 shall be avail-  
16 able to construct areas for inmate work programs: *Pro-*  
17 *vided*, That labor of United States prisoners may be used  
18 for work performed under this appropriation: *Provided*  
19 *further*, That not to exceed 10 percent of the funds appro-  
20 priated to “Buildings and Facilities” in this Act or any  
21 other Act may be transferred to “Salaries and Expenses”,  
22 Federal Prison System, upon notification by the Attorney  
23 General to the Committees on Appropriations of the  
24 House of Representatives and the Senate in accordance  
25 with section 605 of this Act: *Provided further*, That, of

1 the total amount appropriated, not to exceed \$3,300,000  
2 shall be available for the renovation and construction of  
3 United States Marshals Service prisoner-holding facilities.

4 FEDERAL PRISON INDUSTRIES, INCORPORATED

5 The Federal Prison Industries, Incorporated, is here-  
6 by authorized to make such expenditures, within the limits  
7 of funds and borrowing authority available, and in accord  
8 with the law, and to make such contracts and commit-  
9 ments, without regard to fiscal year limitations as pro-  
10 vided by section 9104 of title 31, United States Code, as  
11 may be necessary in carrying out the program set forth  
12 in the budget for the current fiscal year for such corpora-  
13 tion, including purchase of (not to exceed 5 for replace-  
14 ment only) and hire of passenger motor vehicles.

15 LIMITATION ON ADMINISTRATIVE EXPENSES, FEDERAL  
16 PRISON INDUSTRIES, INCORPORATED

17 Not to exceed \$3,266,000 of the funds of the corpora-  
18 tion shall be available for its administrative expenses, and  
19 for services as authorized by 5 U.S.C. 3109, to be com-  
20 puted on an accrual basis to be determined in accordance  
21 with the corporation's current prescribed accounting sys-  
22 tem, and such amounts shall be exclusive of depreciation,  
23 payment of claims, and expenditures which the said ac-  
24 counting system requires to be capitalized or charged to  
25 cost of commodities acquired or produced, including sell-



1 ing and shipping expenses, and expenses in connection  
2 with acquisition, construction, operation, maintenance, im-  
3 provement, protection, or disposition of facilities and other  
4 property belonging to the corporation or in which it has  
5 an interest.

6 OFFICE OF JUSTICE PROGRAMS

7 JUSTICE ASSISTANCE

8 For grants, contracts, cooperative agreements, and  
9 other assistance authorized by title I of the Omnibus  
10 Crime Control and Safe Streets Act of 1968, as amended,  
11 and the Missing Children's Assistance Act, as amended,  
12 including salaries and expenses in connection therewith,  
13 and with the Victims of Crime Act of 1984, as amended,  
14 \$155,000,000 (increased by \$40,000,000), to remain  
15 available until expended, as authorized by section 1001 of  
16 title I of the Omnibus Crime Control and Safe Streets Act  
17 of 1968, as amended by Public Law 102-534 (106 Stat.  
18 3524).

19 STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE

20 For grants, contracts, cooperative agreements, and  
21 other assistance authorized by part E of title I of the Om-  
22 nibus Crime Control and Safe Streets Act of 1968, as  
23 amended, for State and Local Narcotics Control and Jus-  
24 tice Assistance Improvements, notwithstanding the provi-  
25 sions of section 511 of said Act, \$552,750,000, to remain

1 available until expended, as authorized by section 1001 of  
2 title I of said Act, as amended by Public Law 102–534  
3 (106 Stat. 3524), of which \$47,750,000 shall be available  
4 to carry out the provisions of chapter A of subpart 2 of  
5 part E of title I of said Act, for discretionary grants under  
6 the Edward Byrne Memorial State and Local Law En-  
7 forcement Assistance Programs.

8 VIOLENT CRIME REDUCTION PROGRAMS, STATE AND  
9 LOCAL LAW ENFORCEMENT ASSISTANCE

10 For assistance (including amounts for administrative  
11 costs for management and administration, which amounts  
12 shall be transferred to and merged with the “Justice As-  
13 sistance” account) authorized by the Violent Crime Con-  
14 trol and Law Enforcement Act of 1994 (Public Law 103–  
15 322), as amended (“the 1994 Act”); the Omnibus Crime  
16 Control and Safe Streets Act of 1968, as amended (“the  
17 1968 Act”); and the Victims of Child Abuse Act of 1990,  
18 as amended (“the 1990 Act”), \$2,371,400,000 (increased  
19 by \$3,000,000), to remain available until expended, which  
20 shall be derived from the Violent Crime Reduction Trust  
21 Fund; of which \$523,000,000 shall be for Local Law En-  
22 forcement Block Grants, pursuant to H.R. 728 as passed  
23 by the House of Representatives on February 14, 1995,  
24 except that for purposes of this Act, the Commonwealth  
25 of Puerto Rico shall be considered a “unit of local govern-

1 ment” as well as a “State”, for the purposes set forth  
2 in subparagraphs (A), (B), (D), (F), and (I) of section  
3 101(a)(2) of H.R. 728 and for establishing crime preven-  
4 tion programs involving cooperation between community  
5 residents and law enforcement personnel in order to con-  
6 trol, detect, or investigate crime or the prosecution of  
7 criminals: *Provided*, That no funds provided under this  
8 heading may be used as matching funds for any other  
9 Federal grant program: *Provided further*, That  
10 \$20,000,000 of this amount shall be for Boys and Girls  
11 Clubs in public housing facilities and other areas in co-  
12 operation with State and local law enforcement: *Provided*  
13 *further*, That funds may also be used to defray the costs  
14 of indemnification insurance for law enforcement officers:  
15 *Provided further*, That for the purpose of distribution of  
16 grants under the Local Law Enforcement Block Grant  
17 Program in the State of Louisiana, or any other State the  
18 Attorney General finds as having provisions within its con-  
19 stitution similar to those of Louisiana which establish the  
20 office of the sheriff in such State as an independent elect-  
21 ed official with its own taxing and spending authority, par-  
22 ish sheriffs shall be eligible to receive a direct grant of  
23 50 percent of the funding otherwise provided to the par-  
24 ishes; of which \$45,000,000 shall be for grants to upgrade  
25 criminal records, as authorized by section 106(b) of the

1 Brady Handgun Violence Prevention Act of 1993, as  
2 amended, and section 4(b) of the National Child Protec-  
3 tion Act of 1993; of which \$420,000,000 shall be for the  
4 State Criminal Alien Assistance Program, as authorized  
5 by section 242(j) of the Immigration and Nationality Act,  
6 as amended; of which \$730,500,000 shall be for Violent  
7 Offender Incarceration and Truth in Sentencing Incentive  
8 Grants pursuant to subtitle A of title II of the 1994 Act,  
9 of which \$165,000,000 shall be available for payments to  
10 States for incarceration of criminal aliens, of which  
11 \$25,000,000 shall be available for the Cooperative Agree-  
12 ment Program, and of which \$15,000,000 shall be re-  
13 served by the Attorney General for fiscal year 1999 under  
14 section 20109(a) of subtitle A of title II of the 1994 Act;  
15 of which \$7,000,000 shall be for the Court Appointed Spe-  
16 cial Advocate Program, as authorized by section 218 of  
17 the 1990 Act; of which \$2,000,000 shall be for Child  
18 Abuse Training Programs for Judicial Personnel and  
19 Practitioners, as authorized by section 224 of the 1990  
20 Act; of which \$200,750,000 shall be for Grants to Combat  
21 Violence Against Women, to States, units of local govern-  
22 ment, and Indian tribal governments, as authorized by  
23 section 1001(a)(18) of the 1968 Act, including  
24 \$23,000,000 which shall be used exclusively for the pur-  
25 pose of strengthening civil legal assistance programs for

1 victims of domestic violence: *Provided further*, That, of  
2 these funds, \$5,200,000 shall be provided to the National  
3 Institute of Justice for research and evaluation of violence  
4 against women, and \$1,196,000 shall be provided to the  
5 Office of the United States Attorney for the District of  
6 Columbia for domestic violence programs in D.C. Superior  
7 Court; of which \$39,000,000 shall be for Grants to En-  
8 courage Arrest Policies to States, units of local govern-  
9 ment, and Indian tribal governments, as authorized by  
10 section 1001(a)(19) of the 1968 Act; of which  
11 \$25,000,000 shall be for Rural Domestic Violence and  
12 Child Abuse Enforcement Assistance Grants, as author-  
13 ized by section 40295 of the 1994 Act; of which  
14 \$5,000,000 shall be for training programs to assist proba-  
15 tion and parole officers who work with released sex offend-  
16 ers, as authorized by section 40152(c) of the 1994 Act;  
17 of which \$1,000,000 shall be for grants for televised testi-  
18 mony, as authorized by section 1001(a)(7) of the 1968  
19 Act; of which \$63,000,000 shall be for grants for residen-  
20 tial substance abuse treatment for State prisoners, as au-  
21 thorized by section 1001(a)(17) of the 1968 Act; of which  
22 \$15,000,000 shall be for grants to States and units of  
23 local government for projects to improve DNA analysis,  
24 as authorized by section 1001(a)(22) of the 1968 Act; of  
25 which \$900,000 shall be for the Missing Alzheimer's Dis-

1 ease Patient Alert Program, as authorized by section  
2 240001(c) of the 1994 Act; of which \$750,000 shall be  
3 for Motor Vehicle Theft Prevention Programs, as author-  
4 ized by section 220002(h) of the 1994 Act; of which  
5 \$40,000,000 (increased by \$3,000,000) shall be for Drug  
6 Courts, as authorized by title V of the 1994 Act; of which  
7 \$1,500,000 shall be for Law Enforcement Family Support  
8 Programs, as authorized by section 1001(a)(21) of the  
9 1968 Act; of which \$2,000,000 shall be for public aware-  
10 ness programs addressing marketing scams aimed at sen-  
11 ior citizens, as authorized by section 250005(3) of the  
12 1994 Act; and of which \$250,000,000 shall be for Juvenile  
13 Accountability Incentive Block Grants, except that such  
14 funds shall be subject to the same terms and conditions  
15 as set forth in the provisions under this heading for this  
16 program in Public Law 105–119, but all references in  
17 such provisions to 1998 shall be deemed to refer instead  
18 to 1999: *Provided further*, That funds made available in  
19 fiscal year 1999 under subpart 1 of part E of title I of  
20 the 1968 Act may be obligated for programs to assist  
21 States in the litigation processing of death penalty Federal  
22 habeas corpus petitions and for drug testing initiatives:  
23 *Provided further*, That, if a unit of local government uses  
24 any of the funds made available under this title to increase  
25 the number of law enforcement officers, the unit of local

1 government will achieve a net gain in the number of law  
2 enforcement officers who perform nonadministrative pub-  
3 lic safety service.

4 WEED AND SEED PROGRAM FUND

5 For necessary expenses, including salaries and relat-  
6 ed expenses of the Executive Office for Weed and Seed,  
7 to implement “Weed and Seed” program activities,  
8 \$33,500,000 to remain available until expended, for inter-  
9 governmental agreements, including grants, cooperative  
10 agreements, and contracts, with State and local law en-  
11 forcement agencies engaged in the investigation and pros-  
12 ecution of violent crimes and drug offenses in “Weed and  
13 Seed” designated communities, and for either reimburse-  
14 ments or transfers to appropriation accounts of the De-  
15 partment of Justice and other Federal agencies which  
16 shall be specified by the Attorney General to execute the  
17 “Weed and Seed” program strategy: *Provided*, That funds  
18 designated by Congress through language for other De-  
19 partment of Justice appropriation accounts for “Weed and  
20 Seed” program activities shall be managed and executed  
21 by the Attorney General through the Executive Office for  
22 Weed and Seed: *Provided further*, That the Attorney Gen-  
23 eral may direct the use of other Department of Justice  
24 funds and personnel in support of “Weed and Seed” pro-  
25 gram activities only after the Attorney General notifies the  
26 Committees on Appropriations of the House of Represent-

1 atives and the Senate in accordance with section 605 of  
2 this Act.

3 COMMUNITY ORIENTED POLICING SERVICES

4 VIOLENT CRIME REDUCTION PROGRAMS

5 For activities authorized by the Violent Crime Con-  
6 trol and Law Enforcement Act of 1994, Public Law 103-  
7 322 (“the 1994 Act”) (including administrative costs),  
8 \$1,400,000,000, to remain available until expended, which  
9 shall be derived from the Violent Crime Reduction Trust  
10 Fund, for Public Safety and Community Policing Grants  
11 pursuant to title I of the 1994 Act: *Provided*, That not  
12 to exceed 266 permanent positions and 266 full-time  
13 equivalent workyears and \$32,023,000 shall be expended  
14 for program management and administration: *Provided*  
15 *further*, That, of the unobligated balances available in this  
16 program, \$170,000,000 (increased by \$5,000,000) shall  
17 be used for innovative policing programs, of which  
18 \$50,000,000 shall be used for a law enforcement tech-  
19 nology program, \$50,000,000 shall be used for policing  
20 initiatives to combat methamphetamine production and  
21 trafficking and to enhance policing initiatives in drug “hot  
22 spots”, \$20,000,000 shall be used for programs to combat  
23 violence in schools, \$25,000,000 shall be used for bullet  
24 proof vests for law enforcement officers, \$10,000,000 shall  
25 be used for additional community law enforcement officers



1 and related program support for the District of Columbia  
2 Offender Supervision, Defender, and Court Services Agen-  
3 cy, and \$15,000,000 shall be used for equipment and  
4 training for tribal law enforcement officers.

5 In addition, for programs of Police Corps education,  
6 training, and service as set forth in sections 200101–  
7 200113 of the 1994 Act, \$20,000,000, to remain available  
8 until expended, which shall be derived from the Violent  
9 Crime Reduction Trust Fund.

10 JUVENILE JUSTICE PROGRAMS

11 For grants, contracts, cooperative agreements, and  
12 other assistance authorized by the Juvenile Justice and  
13 Delinquency Prevention Act of 1974, as amended, includ-  
14 ing salaries and expenses in connection therewith to be  
15 transferred and merged with the appropriations for Jus-  
16 tice Assistance, \$265,950,000, to remain available until  
17 expended: *Provided*, That these funds shall be available  
18 for obligation and expenditure upon enactment of reau-  
19 thorization legislation for the Juvenile Justice and Delin-  
20 quency Prevention Act of 1974 (H.R. 1818 or comparable  
21 legislation).

22 In addition, for grants, contracts, cooperative agree-  
23 ments, and other assistance, \$10,000,000 to remain avail-  
24 able until expended, for developing, testing, and dem-

1 onstrating programs designed to reduce drug use among  
2 juveniles.

3       In addition, for grants, contracts, cooperative agree-  
4 ments, and other assistance authorized by the Victims of  
5 Child Abuse Act of 1990, as amended, \$7,000,000, to re-  
6 main available until expended, as authorized by section  
7 214B of the Act.

8                   PUBLIC SAFETY OFFICERS BENEFITS

9       To remain available until expended, for payments au-  
10 thorized by part L of title I of the Omnibus Crime Control  
11 and Safe Streets Act of 1968 (42 U.S.C. 3796), as amend-  
12 ed, such sums as are necessary, as authorized by section  
13 6093 of Public Law 100–690 (102 Stat. 4339–4340); and  
14 \$250,000 for the Federal Law Enforcement Dependents  
15 Assistance Program, as authorized by section 1212 of said  
16 Act.

17           GENERAL PROVISIONS—DEPARTMENT OF JUSTICE

18       SEC. 101. In addition to amounts otherwise made  
19 available in this title for official reception and representa-  
20 tion expenses, a total of not to exceed \$45,000 from funds  
21 appropriated to the Department of Justice in this title  
22 shall be available to the Attorney General for official re-  
23 ception and representation expenses in accordance with  
24 distributions, procedures, and regulations established by  
25 the Attorney General.

1       SEC. 102. Authorities contained in the Department  
2 of Justice Appropriation Authorization Act, Fiscal Year  
3 1980 (Public Law 96–132; 93 Stat. 1040 (1979)), as  
4 amended, shall remain in effect until the termination date  
5 of this Act or until the effective date of a Department  
6 of Justice Appropriation Authorization Act, whichever is  
7 earlier.

8       SEC. 103. None of the funds appropriated by this  
9 title shall be available to pay for an abortion, except where  
10 the life of the mother would be endangered if the fetus  
11 were carried to term, or in the case of rape: *Provided*,  
12 That should this prohibition be declared unconstitutional  
13 by a court of competent jurisdiction, this section shall be  
14 null and void.

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

18       SEC. 105. Nothing in the preceding section shall re-  
19 move the obligation of the Director of the Bureau of Pris-  
20 ons to provide escort services necessary for a female in-  
21 mate to receive such service outside the Federal facility:  
22 *Provided*, That nothing in this section in any way dimin-  
23 ishes the effect of section 104 intended to address the phil-  
24 osophical beliefs of individual employees of the Bureau of  
25 Prisons.

1        SEC. 106. Notwithstanding any other provision of  
2 law, not to exceed \$10,000,000 of the funds made avail-  
3 able in this Act may be used to establish and publicize  
4 a program under which publicly advertised, extraordinary  
5 rewards may be paid, which shall not be subject to spend-  
6 ing limitations contained in sections 3059 and 3072 of  
7 title 18, United States Code: *Provided*, That any reward  
8 of \$100,000 or more, up to a maximum of \$2,000,000,  
9 may not be made without the personal approval of the  
10 President or the Attorney General and such approval may  
11 not be delegated.

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

24        SEC. 108. In fiscal year 1999 and thereafter, the Di-  
25 rector of the Bureau of Prisons is authorized to make ex-

1 penditures out of the Federal Prison System’s Com-  
2 missary Fund, Federal Prisons, for the installation, oper-  
3 ation, and maintenance of the inmate telephone system,  
4 including, without limitation, the payment of all the equip-  
5 ment purchased or leased in connection with the inmate  
6 telephone system and the salaries, benefits, and other ex-  
7 penses of personnel who install, operate and maintain the  
8 inmate telephone system, regardless of whether these ex-  
9 penditures are security related.

10 SEC. 109. Section 524(c)(9)(B) of title 28, United  
11 States Code, is amended by striking “1997” and inserting  
12 “1999”.

13 SEC. 110. (a) Section 3201 of the Crime Control Act  
14 of 1990 (28 U.S.C. 509 note) is amended to read as fol-  
15 lows—

16 “Appropriations in this or any other Act hereafter for  
17 the Federal Bureau of Investigation, the Drug Enforce-  
18 ment Administration, or the Immigration and Naturaliza-  
19 tion Service are available, in an amount of not to exceed  
20 \$25,000 each per fiscal year, to pay humanitarian ex-  
21 penses incurred by or for any employee thereof (or any  
22 member of the employee’s immediate family) that results  
23 from or is incident to serious illness, serious injury, or  
24 death occurring to the employee while on official duty or  
25 business.”.

1 (b) The Illegal Immigration Reform and Immigrant  
2 Responsibility Act of 1996 is amended by striking section  
3 626 (8 U.S.C. 1363b).

4 SEC. 111. Any amounts credited to the “Legalization  
5 Account” established under section 245(c)(7)(B) of the  
6 Immigration and Nationality Act (8 U.S.C.  
7 1255a(c)(7)(B)) are transferred to the “Examinations  
8 Fee Account” established under section 286(m) of that  
9 Act (8 U.S.C. 1356(m)).

10 SEC. 112. The Director of the Bureau of Prisons  
11 shall conduct a study, not later than 270 days after the  
12 date of the enactment of this Act, of private prisons that  
13 evaluates the growth and development of the private pris-  
14 on industry during the past 15 years, training qualifica-  
15 tions of personnel at private prisons, and the security pro-  
16 cedures of such facilities, and compares the general stand-  
17 ards and conditions between private prisons and Federal  
18 prisons. The results of such study shall be submitted to  
19 the Committees on the Judiciary and Appropriations of  
20 the House of Representatives and the Senate.

21 This title may be cited as the “Department of Justice  
22 Appropriations Act, 1999”.

1 TITLE II—DEPARTMENT OF COMMERCE AND  
2 RELATED AGENCIES

3 TRADE AND INFRASTRUCTURE DEVELOPMENT  
4 RELATED AGENCIES

5 OFFICE OF THE UNITED STATES TRADE  
6 REPRESENTATIVE

7 SALARIES AND EXPENSES

8 For necessary expenses of the Office of the United  
9 States Trade Representative, including the hire of pas-  
10 senger motor vehicles and the employment of experts and  
11 consultants as authorized by 5 U.S.C. 3109, \$24,000,000:  
12 *Provided*, That not to exceed \$98,000 shall be available  
13 for official reception and representation expenses.

14 INTERNATIONAL TRADE COMMISSION

15 SALARIES AND EXPENSES

16 For necessary expenses of the International Trade  
17 Commission, including hire of passenger motor vehicles,  
18 and services as authorized by 5 U.S.C. 3109, and not to  
19 exceed \$2,500 for official reception and representation ex-  
20 penses, \$44,200,000, to remain available until expended.

21 DEPARTMENT OF COMMERCE

22 INTERNATIONAL TRADE ADMINISTRATION

23 OPERATIONS AND ADMINISTRATION

24 For necessary expenses for international trade activi-  
25 ties of the Department of Commerce provided for by law,

1 and engaging in trade promotional activities abroad, in-  
2 cluding expenses of grants and cooperative agreements for  
3 the purpose of promoting exports of United States firms,  
4 without regard to 44 U.S.C. 3702 and 3703; full medical  
5 coverage for dependent members of immediate families of  
6 employees stationed overseas and employees temporarily  
7 posted overseas; travel and transportation of employees of  
8 the United States and Foreign Commercial Service be-  
9 tween two points abroad, without regard to 49 U.S.C.  
10 1517; employment of Americans and aliens by contract for  
11 services; rental of space abroad for periods not exceeding  
12 ten years, and expenses of alteration, repair, or improve-  
13 ment; purchase or construction of temporary demountable  
14 exhibition structures for use abroad; payment of tort  
15 claims, in the manner authorized in the first paragraph  
16 of 28 U.S.C. 2672 when such claims arise in foreign coun-  
17 tries; not to exceed \$327,000 for official representation  
18 expenses abroad; purchase of passenger motor vehicles for  
19 official use abroad, not to exceed \$30,000 per vehicle; ob-  
20 tain insurance on official motor vehicles; and rent tie lines  
21 and teletype equipment, \$284,123,000 (reduced by  
22 \$1,000,000), to remain available until expended, of which  
23 \$1,600,000 is to be derived from fees to be retained and  
24 used by the International Trade Administration, notwith-  
25 standing 31 U.S.C. 3302: *Provided*, That, of the



1 \$296,616,000 (reduced by \$1,000,000) provided for in  
2 direct obligations (of which \$282,523,000 (reduced by  
3 \$1,000,000) is appropriated from the General Fund,  
4 \$1,600,000 is derived from fee collections, and  
5 \$12,493,000 is derived from unobligated balances and  
6 deobligations from prior years), \$49,225,000 (reduced by  
7 \$1,000,000) shall be for Trade Development,  
8 \$17,779,000 shall be for Market Access and Compliance,  
9 \$31,047,000 shall be for the Import Administration,  
10 \$186,650,000 shall be for the United States and Foreign  
11 Commercial Service, and \$11,915,000 shall be for Execu-  
12 tive Direction and Administration: *Provided further*, That  
13 the provisions of the first sentence of section 105(f) and  
14 all of section 108(c) of the Mutual Educational and Cul-  
15 tural Exchange Act of 1961 (22 U.S.C. 2455(f) and  
16 2458(c)) shall apply in carrying out these activities with-  
17 out regard to section 5412 of the Omnibus Trade and  
18 Competitiveness Act of 1988 (15 U.S.C. 4912); and that  
19 for the purpose of this Act, contributions under the provi-  
20 sions of the Mutual Educational and Cultural Exchange  
21 Act shall include payment for assessments for services pro-  
22 vided as part of these activities.

## 1 EXPORT ADMINISTRATION

## 2 OPERATIONS AND ADMINISTRATION

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, \$47,777,000, to re-  
22 main available until expended, of which \$3,877,000 shall  
23 be for inspections and other activities related to national  
24 security: *Provided*, That the provisions of the first sen-  
25 tence of section 105(f) and all of section 108(c) of the

1 Mutual Educational and Cultural Exchange Act of 1961  
2 (22 U.S.C. 2455(f) and 2458(c)) shall apply in carrying  
3 out these activities: *Provided further*, That payments and  
4 contributions collected and accepted for materials or serv-  
5 ices provided as part of such activities may be retained  
6 for use in covering the cost of such activities, and for pro-  
7 viding information to the public with respect to the export  
8 administration and national security activities of the De-  
9 partment of Commerce and other export control programs  
10 of the United States and other governments: *Provided fur-*  
11 *ther*, That no funds may be obligated or expended for proc-  
12 essing licenses for the export of satellites of United States  
13 origin (including commercial satellites and satellite compo-  
14 nents) to the People's Republic of China, unless, at least  
15 15 days in advance, the Committees on Appropriations of  
16 the House and the Senate and other appropriate Commit-  
17 tees of the Congress are notified of such proposed action.

18 ECONOMIC DEVELOPMENT ADMINISTRATION

19 ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

20 For grants for economic development assistance as  
21 provided by the Public Works and Economic Development  
22 Act of 1965, as amended, Public Law 91-304, and such  
23 laws that were in effect immediately before September 30,  
24 1982, and for trade adjustment assistance, \$368,379,000:  
25 *Provided*, That none of the funds appropriated or other-

1 wise made available under this heading may be used di-  
2 rectly or indirectly for attorneys' or consultants' fees in  
3 connection with securing grants and contracts made by  
4 the Economic Development Administration: *Provided fur-*  
5 *ther*, That, notwithstanding any other provision of law, the  
6 Secretary of Commerce may provide financial assistance  
7 for projects to be located on military installations closed  
8 or scheduled for closure or realignment to grantees eligible  
9 for assistance under the Public Works and Economic De-  
10 velopment Act of 1965, as amended, without it being re-  
11 quired that the grantee have title or ability to obtain a  
12 lease for the property, for the useful life of the project,  
13 when in the opinion of the Secretary of Commerce, such  
14 financial assistance is necessary for the economic develop-  
15 ment of the area: *Provided further*, That the Secretary of  
16 Commerce may, as the Secretary considers appropriate,  
17 consult with the Secretary of Defense regarding the title  
18 to land on military installations closed or scheduled for  
19 closure or realignment.

20 SALARIES AND EXPENSES

21 For necessary expenses of administering the eco-  
22 nomic development assistance programs as provided for by  
23 law, \$25,000,000: *Provided*, That these funds may be used  
24 to monitor projects approved pursuant to title I of the  
25 Public Works Employment Act of 1976, as amended, title

1 II of the Trade Act of 1974, as amended, and the Commu-  
2 nity Emergency Drought Relief Act of 1977.

3 MINORITY BUSINESS DEVELOPMENT AGENCY

4 MINORITY BUSINESS DEVELOPMENT

5 For necessary expenses of the Department of Com-  
6 merce in fostering, promoting, and developing minority  
7 business enterprise, including expenses of grants, con-  
8 tracts, and other agreements with public or private organi-  
9 zations, \$25,276,000.

10 ECONOMIC AND INFORMATION INFRASTRUCTURE

11 ECONOMIC AND STATISTICAL ANALYSIS

12 SALARIES AND EXPENSES

13 For necessary expenses, as authorized by law, of eco-  
14 nomic and statistical analysis programs of the Department  
15 of Commerce, \$48,000,000, to remain available until Sep-  
16 tember 30, 2000.

17 BUREAU OF THE CENSUS

18 SALARIES AND EXPENSES

19 For expenses necessary for collecting, compiling, ana-  
20 lyzing, preparing, and publishing statistics, provided for  
21 by law, \$140,147,000.

22 PERIODIC CENSUSES AND PROGRAMS

23 For expenses necessary to conduct the decennial cen-  
24 sus, \$951,936,000 to remain available until expended:  
25 *Provided*, That, of this amount, \$475,968,000 shall not

1 be available for obligation or expenditure until after March  
2 31, 1999, and until the following shall have occurred: (1)  
3 not later than March 15, 1999, the President has submit-  
4 ted a request to release the funds, and such request shall  
5 include the President's estimate of the expenditures re-  
6 quired for the completion of the decennial census; and (2)  
7 the Congress has enacted legislation making available the  
8 unobligated and unexpended funds: *Provided further*, That  
9 the Congress is required to take legislative action on such  
10 legislation not later than March 31, 1999.

11 In addition, for necessary expenses of the Census  
12 Monitoring Board as authorized by section 210 of Public  
13 Law 105-119, \$4,000,000, to remain available until ex-  
14 pended.

15 In addition, for expenses to collect and publish statis-  
16 tics for other periodic censuses and programs provided for  
17 by law, \$155,951,000, to remain available until expended.

18 NATIONAL TELECOMMUNICATIONS AND INFORMATION

19 ADMINISTRATION

20 SALARIES AND EXPENSES

21 For necessary expenses, as provided for by law, of  
22 the National Telecommunications and Information Ad-  
23 ministration (NTIA), \$10,940,000, to remain available  
24 until expended: *Provided*, That, notwithstanding 31  
25 U.S.C. 1535(d), the Secretary of Commerce shall charge

1 Federal agencies for costs incurred in spectrum manage-  
2 ment, analysis, and operations, and related services and  
3 such fees shall be retained and used as offsetting collec-  
4 tions for costs of such spectrum services, to remain avail-  
5 able until expended: *Provided further*, That hereafter, not-  
6 withstanding any other provision of law, NTIA shall not  
7 authorize spectrum use or provide any spectrum functions  
8 pursuant to the NTIA Organization Act, 47 U.S.C. 902–  
9 903, to any Federal entity without reimbursement as re-  
10 quired by NTIA for such spectrum management costs, and  
11 Federal entities withholding payment of such cost shall  
12 not use spectrum: *Provided further*, That the Secretary of  
13 Commerce is authorized to retain and use as offsetting  
14 collections all funds transferred, or previously transferred,  
15 from other Government agencies for all costs incurred in  
16 telecommunications research, engineering, and related ac-  
17 tivities by the Institute for Telecommunication Sciences  
18 of the NTIA, in furtherance of its assigned functions  
19 under this paragraph, and such funds received from other  
20 Government agencies shall remain available until ex-  
21 pended.

22 PUBLIC TELECOMMUNICATIONS FACILITIES, PLANNING

23 AND CONSTRUCTION

24 For grants authorized by section 392 of the Commu-  
25 nications Act of 1934, as amended, \$21,000,000, to re-  
26 main available until expended as authorized by section 391

1 of the Act, as amended: *Provided*, That not to exceed  
2 \$1,800,000, shall be available for program administration  
3 as authorized by section 391 of the Act: *Provided further*,  
4 That notwithstanding the provisions of section 391 of the  
5 Act, the prior year unobligated balances may be made  
6 available for grants for projects for which applications  
7 have been submitted and approved during any fiscal year.

8 INFORMATION INFRASTRUCTURE GRANTS

9 For grants authorized by section 392 of the Commu-  
10 nications Act of 1934, as amended, \$16,000,000, to re-  
11 main available until expended as authorized by section 391  
12 of the Act, as amended: *Provided*, That not to exceed  
13 \$3,000,000 shall be available for program administration  
14 and other support activities as authorized by section 391:  
15 *Provided further*, That, of the funds appropriated herein,  
16 not to exceed 5 percent may be available for telecommuni-  
17 cations research activities for projects related directly to  
18 the development of a national information infrastructure:  
19 *Provided further*, That, notwithstanding the requirements  
20 of section 392(a) and 392(c) of the Act, these funds may  
21 be used for the planning and construction of telecommuni-  
22 cations networks for the provision of educational, cultural,  
23 health care, public information, public safety, or other so-  
24 cial services.



## PATENT AND TRADEMARK OFFICE

## SALARIES AND EXPENSES

1           For necessary expenses of the Patent and Trademark  
2 Office provided for by law, including defense of suits insti-  
3 tuted against the Commissioner of Patents and Trade-  
4 marks, \$653,526,000, to remain available until expended:  
5 *Provided*, That, of this amount, \$653,526,000 shall be de-  
6 rived from offsetting collections assessed and collected  
7 pursuant to 15 U.S.C. 1113 and 35 U.S.C. 41 and 376,  
8 and shall be retained and used for necessary expenses in  
9 this appropriation: *Provided further*, That the sum herein  
10 appropriated from the General Fund shall be reduced as  
11 such offsetting collections are received during fiscal year  
12 1999, so as to result in final fiscal year 1999 appropria-  
13 tion from the General Fund estimated at \$0: *Provided fur-*  
14 *ther*, That, during fiscal year 1999, should the total  
15 amount of offsetting fee collections be less than  
16 \$653,526,000, the total amounts available to the Patent  
17 and Trademark Office shall be reduced accordingly: *Pro-*  
18 *vided further*, That any amount received in excess of  
19 \$653,526,000 in fiscal year 1999 shall remain available  
20 until expended, but shall not be available for obligation  
21 until October 1, 1999.

22           In addition, upon enactment of legislation to increase  
23 fees collected pursuant to 35 U.S.C. 41, such fees shall

1 be collected and credited to this account as offsetting col-  
2 lections and shall remain available until expended: *Pro-*  
3 *vided*, That not to exceed \$102,000,000 of such amounts  
4 collected shall be available for obligation in fiscal year  
5 1999 for purposes as authorized by law: *Provided further*,  
6 That any amount received in excess of \$102,000,000 in  
7 fiscal year 1999 shall remain available until expended, but  
8 shall not be available for obligation until October 1, 1999.

9 SCIENCE AND TECHNOLOGY

10 TECHNOLOGY ADMINISTRATION

11 UNDER SECRETARY FOR TECHNOLOGY/OFFICE OF

12 TECHNOLOGY POLICY

13 SALARIES AND EXPENSES

14 For necessary expenses for the Under Secretary for  
15 Technology/Office of Technology Policy, \$9,000,000, of  
16 which not to exceed \$1,000,000 shall remain available  
17 until September 30, 2000.

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, \$280,470,000, to remain  
22 available until expended, of which not to exceed  
23 \$1,800,000 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, \$106,800,000, to remain available until  
5 expended: *Provided*, That, notwithstanding the time limi-  
6 tations imposed by 15 U.S.C. 278k(c)(1) and (5) on the  
7 duration of Federal financial assistance that may be  
8 awarded by the Secretary of Commerce to Regional Cen-  
9 ters for the Transfer of Manufacturing Technology (“Cen-  
10 ters”), such Federal financial assistance for a Center may  
11 continue beyond 6 years and may be renewed for addi-  
12 tional periods, not to exceed 1 year, at a rate not to exceed  
13 one-third of the Center’s total annual costs or the level  
14 of funding in the sixth year, whichever is less, subject be-  
15 fore any such renewal to a positive evaluation of the Cen-  
16 ter and to a finding by the Secretary of Commerce that  
17 continuation of Federal funding to the Center is in the  
18 best interest of the Regional Centers for the Transfer of  
19 Manufacturing Technology Program: *Provided further*,  
20 That the Center’s most recent performance evaluation is  
21 positive, and the Center has submitted a reapplication  
22 which has successfully passed merit review.

23 In addition, for necessary expenses of the Advanced  
24 Technology Program of the National Institute of Stand-  
25 ards and Technology, \$180,200,000, to remain available

1 until expended, of which not to exceed \$43,000,000 shall  
2 be available for the award of new grants, and of which  
3 not to exceed \$500,000 may be transferred to the “Work-  
4 ing Capital Fund”.

5 CONSTRUCTION OF RESEARCH FACILITIES

6 For construction of new research facilities, including  
7 architectural and engineering design, and for renovation  
8 of existing facilities, not otherwise provided for the Na-  
9 tional Institute of Standards and Technology, as author-  
10 ized by 15 U.S.C. 278c–278e, \$56,714,000, to remain  
11 available until expended: *Provided*, That of the amounts  
12 provided under this heading, \$40,000,000 shall be avail-  
13 able for obligation and expenditure only after submission  
14 of a plan for the expenditure of these funds, in accordance  
15 with section 605 of this Act.

16 NATIONAL OCEANIC AND ATMOSPHERIC

17 ADMINISTRATION

18 OPERATIONS, RESEARCH, AND FACILITIES

19 (INCLUDING TRANSFER OF FUNDS)

20 For necessary expenses of activities authorized by law  
21 for the National Oceanic and Atmospheric Administration,  
22 including maintenance, operation, and hire of aircraft; not  
23 to exceed 240 commissioned officers on the active list as  
24 of September 30, 1999; grants, contracts, or other pay-  
25 ments to nonprofit organizations for the purposes of con-

1 ducting activities pursuant to cooperative agreements; and  
2 relocation of facilities as authorized by 33 U.S.C. 883i,  
3 \$1,470,042,000, to remain available until expended: *Pro-*  
4 *vided*, That fees and donations received by the National  
5 Ocean Service for the management of the national marine  
6 sanctuaries may be retained and used for the salaries and  
7 expenses associated with those activities, notwithstanding  
8 31 U.S.C. 3302: *Provided further*, That, in addition,  
9 \$62,381,000 (increased by \$1,000,000) shall be derived  
10 by transfer from the fund entitled “Promote and Develop  
11 Fishery Products and Research Pertaining to American  
12 Fisheries”: *Provided further*, That grants to States pursu-  
13 ant to sections 306 and 306A of the Coastal Zone Man-  
14 agement Act of 1972, as amended, shall not exceed  
15 \$2,000,000: *Provided further*, That, of the \$1,578,933,000  
16 (increased by \$1,000,000) provided for in direct obliga-  
17 tions under this heading (of which \$1,470,042,000 is ap-  
18 propriated from the general fund, \$74,895,000 (increased  
19 by \$1,000,000) is provided by transfer, and \$33,996,000  
20 is derived from unobligated balances and deobligations  
21 from prior years), \$244,933,000 (increased by  
22 \$1,000,000) shall be for the National Ocean Service,  
23 \$339,732,000 shall be for the National Marine Fisheries  
24 Service, \$254,830,000 shall be for Oceanic and Atmos-  
25 pheric Research, \$551,747,000 shall be for the National

1 Weather Service, \$104,232,000 shall be for the National  
2 Environmental Satellite, Data, and Information Service,  
3 \$63,894,000 shall be for Program Support, \$6,300,000  
4 shall be for Fleet Maintenance, and \$13,265,000 shall be  
5 for Facilities Maintenance: *Provided further*, That, not to  
6 exceed \$31,069,000 shall be expended for Executive Direc-  
7 tion and Administration, which consists of the Offices of  
8 the Under Secretary, the Executive Secretariat, Policy and  
9 Strategic Planning, International Affairs, Legislative Af-  
10 fairs, Public Affairs, Sustainable Development, the Chief  
11 Scientist, and the General Counsel: *Provided further*, That  
12 the aforementioned offices shall not be augmented by per-  
13 sonnel details, temporary transfers of personnel on either  
14 a reimbursable or nonreimbursable basis or any other type  
15 of formal or informal transfer or reimbursement of person-  
16 nel or funds on either a temporary or long-term basis: *Pro-*  
17 *vided further*, That not to exceed \$77,843,000 shall be ex-  
18 pended for central administrative support and common  
19 services not otherwise provided for under “Program Sup-  
20 port” except in accordance with the procedures set forth  
21 in section 605 of this Act: *Provided further*, That, except  
22 as provided for in the previous proviso, no additional ad-  
23 ministrative charge or other assessment shall be applied  
24 against any program, project, or activity for which funds  
25 are provided under this heading unless explicitly provided

1 for in this Act: *Provided further*, That any use of  
2 deobligated balances of funds provided under this heading  
3 in previous years shall be subject to the procedures set  
4 forth in section 605 of this Act.

5       PROCUREMENT, ACQUISITION AND CONSTRUCTION  
6                   (INCLUDING TRANSFER OF FUNDS)

7       For procurement, acquisition and construction of  
8 capital assets, including alteration and modification costs,  
9 of the National Oceanic and Atmospheric Administration,  
10 \$538,439,000, to remain available until expended: *Pro-*  
11 *vided*, That not to exceed \$67,667,000 is available for the  
12 advanced weather interactive processing system, and may  
13 be available for obligation and expenditure only pursuant  
14 to a certification by the Secretary of Commerce that the  
15 total cost to complete the acquisition and deployment of  
16 the advanced weather interactive processing system  
17 through Build 4.2 and NOAA Port system, including pro-  
18 gram management, operations, and maintenance costs  
19 through deployment, will not exceed \$71,790,000: *Pro-*  
20 *vided further*, That unexpended balances of amounts pre-  
21 viously made available in the “Operations, Research, and  
22 Facilities” account for activities funded under this head-  
23 ing may be transferred to and merged with this account,  
24 to remain available until expended for the purposes for  
25 which the funds were originally appropriated.

## 1 COASTAL ZONE MANAGEMENT FUND

2 Of amounts collected pursuant to section 308 of the  
3 Coastal Zone Management Act of 1972 (16 U.S.C.  
4 1456a), not to exceed \$7,800,000, for purposes set forth  
5 in sections 308(b)(2)(A), 308(b)(2)(B)(v), and 315(e) of  
6 such Act.

## 7 FISHERMEN'S CONTINGENCY FUND

8 For carrying out the provisions of title IV of Public  
9 Law 95-372, not to exceed \$953,000, to be derived from  
10 receipts collected pursuant to that Act, to remain available  
11 until expended.

## 12 FOREIGN FISHING OBSERVER FUND

13 For expenses necessary to carry out the provisions  
14 of the Atlantic Tunas Convention Act of 1975, as amend-  
15 ed (Public Law 96-339), and the Magnuson-Stevens Fish-  
16 ery Conservation and Management Act of 1976, as  
17 amended (Public Law 100-627), to be derived from the  
18 fees imposed under the foreign fishery observer program  
19 authorized by these Acts, not to exceed \$189,000, to re-  
20 main available until expended.

## 21 FISHERIES FINANCE PROGRAM ACCOUNT

22 For the cost of direct loans, \$238,000, as authorized  
23 by the Merchant Marine Act of 1936, as amended: *Pro-*  
24 *vided*, That such costs, including the cost of modifying  
25 such loans, shall be as defined in section 502 of the Con-



1 gressional Budget Act of 1974: *Provided further*, That  
2 none of the funds made available under this heading may  
3 be used for direct loans for any new fishing vessel that  
4 will increase the harvesting capacity in any United States  
5 fishery.

6                                   GENERAL ADMINISTRATION

7                                   SALARIES AND EXPENSES

8           For expenses necessary for the general administra-  
9 tion of the Department of Commerce provided for by law,  
10 including not to exceed \$3,000 for official entertainment,  
11 \$28,900,000.

12                                  OFFICE OF INSPECTOR GENERAL

13           For necessary expenses of the Office of Inspector  
14 General in carrying out the provisions of the Inspector  
15 General Act of 1978, as amended (5 U.S.C. App.),  
16 \$21,400,000.

17                                  PATENT AND TRADEMARK OFFICE

18                                  SALARIES AND EXPENSES

19                                               (RESCISSION)

20           Of the unobligated balances available under this  
21 heading from prior year appropriations, fees collected in  
22 this fiscal year, and balances of prior year fees,  
23 \$41,000,000 are rescinded.

1 NATIONAL OCEANIC AND ATMOSPHERIC  
2 ADMINISTRATION  
3 PROCUREMENT, ACQUISITION AND CONSTRUCTION  
4 (RESCISSION)

5 Of the unobligated balances available under this  
6 heading, \$5,000,000 are rescinded.

7 GENERAL PROVISIONS—DEPARTMENT OF COMMERCE

8 SEC. 201. During the current fiscal year, applicable  
9 appropriations and funds made available to the Depart-  
10 ment of Commerce by this Act shall be available for the  
11 activities specified in the Act of October 26, 1949 (15  
12 U.S.C. 1514), to the extent and in the manner prescribed  
13 by the Act, and, notwithstanding 31 U.S.C. 3324, may  
14 be used for advanced payments not otherwise authorized  
15 only upon the certification of officials designated by the  
16 Secretary of Commerce that such payments are in the  
17 public interest.

18 SEC. 202. During the current fiscal year, appropria-  
19 tions made available to the Department of Commerce by  
20 this Act for salaries and expenses shall be available for  
21 hire of passenger motor vehicles as authorized by 31  
22 U.S.C. 1343 and 1344; services as authorized by 5 U.S.C.  
23 3109; and uniforms or allowances therefore, as authorized  
24 by law (5 U.S.C. 5901–5902).

25 SEC. 203. None of the funds made available by this  
26 Act may be used to support the hurricane reconnaissance

1 aircraft and activities that are under the control of the  
2 United States Air Force or the United States Air Force  
3 Reserve.

4       SEC. 204. None of the funds provided in this or any  
5 previous Act, or hereinafter made available to the Depart-  
6 ment of Commerce, shall be available to reimburse the Un-  
7 employment Trust Fund or any other fund or account of  
8 the Treasury to pay for any expenses paid before October  
9 1, 1992, as authorized by section 8501 of title 5, United  
10 States Code, for services performed after April 20, 1990,  
11 by individuals appointed to temporary positions within the  
12 Bureau of the Census for purposes relating to the 1990  
13 decennial census of population.

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

24       SEC. 206. (a) Should legislation be enacted to dis-  
25 mantle or reorganize the Department of Commerce, or any

1 portion thereof, the Secretary of Commerce, no later than  
2 90 days thereafter, shall submit to the Committees on Ap-  
3 propriations of the House and the Senate a plan for trans-  
4 ferring funds provided in this Act to the appropriate suc-  
5 cessor organizations: *Provided*, That the plan shall include  
6 a proposal for transferring or rescinding funds appro-  
7 priated herein for agencies or programs terminated under  
8 such legislation: *Provided further*, That such plan shall be  
9 transmitted in accordance with section 605 of this Act.

10 (b) The Secretary of Commerce or the appropriate  
11 head of any successor organization may use any available  
12 funds to carry out legislation dismantling or reorganizing  
13 the Department of Commerce, or any portion thereof, to  
14 cover the costs of actions relating to the abolishment, reor-  
15 ganization, or transfer of functions and any related per-  
16 sonnel action, including voluntary separation incentives if  
17 authorized by such legislation: *Provided*, That the author-  
18 ity to transfer funds between appropriations accounts that  
19 may be necessary to carry out this section is provided in  
20 addition to authorities included under section 205 of this  
21 Act: *Provided further*, That use of funds to carry out this  
22 section shall be treated as a reprogramming of funds  
23 under section 605 of this Act and shall not be available  
24 for obligation or expenditure except in compliance with the  
25 procedures set forth in that section.

1        SEC. 207. Any costs incurred by a department or  
2 agency funded under this title resulting from personnel  
3 actions taken in response to funding reductions included  
4 in this title or from actions taken for the care and protec-  
5 tion of loan collateral or grant property shall be absorbed  
6 within the total budgetary resources available to such de-  
7 partment or agency: *Provided*, That the authority to trans-  
8 fer funds between appropriations accounts as may be nec-  
9 essary to carry out this section is provided in addition to  
10 authorities included elsewhere in this Act: *Provided fur-*  
11 *ther*, That use of funds to carry out this section shall be  
12 treated as a reprogramming of funds under section 605  
13 of this Act and shall not be available for obligation or ex-  
14 penditure except in compliance with the procedures set  
15 forth in that section.

16        SEC. 208. The Secretary of Commerce may award  
17 contracts for hydrographic, geodetic, and photogrammet-  
18 ric surveying and mapping services in accordance with title  
19 IX of the Federal Property and Administrative Services  
20 Act of 1949 (40 U.S.C. 541 et seq.).

21        SEC. 209. The Secretary of Commerce may use the  
22 Commerce franchise fund for expenses and equipment nec-  
23 essary for the maintenance and operation of such adminis-  
24 trative services as the Secretary determines may be per-  
25 formed more advantageously as central services, pursuant

1 to section 403 of Public Law 103–356: *Provided*, That any  
2 inventories, equipment, and other assets pertaining to the  
3 services to be provided by such fund, either on hand or  
4 on order, less the related liabilities or unpaid obligations,  
5 and any appropriations made for the purpose of providing  
6 capital shall be used to capitalize such fund: *Provided fur-*  
7 *ther*, That such fund shall be paid in advance from funds  
8 available to the Department and other Federal agencies  
9 for which such centralized services are performed, at rates  
10 which will return in full all expenses of operation, includ-  
11 ing accrued leave, depreciation of fund plant and equip-  
12 ment, amortization of automated data processing (ADP)  
13 software and systems (either acquired or donated), and  
14 an amount necessary to maintain a reasonable operating  
15 reserve, as determined by the Secretary: *Provided further*,  
16 That such fund shall provide services on a competitive  
17 basis: *Provided further*, That an amount not to exceed 4  
18 percent of the total annual income to such fund may be  
19 retained in the fund for fiscal year 1999 and each fiscal  
20 year thereafter, to remain available until expended, to be  
21 used for the acquisition of capital equipment, and for the  
22 improvement and implementation of Department financial  
23 management, ADP, and other support systems: *Provided*  
24 *further*, That such amounts retained in the fund for fiscal  
25 year 1999 and each fiscal year thereafter shall be available

1 for obligation and expenditure only in accordance with sec-  
2 tion 605 of this Act: *Provided further*, That no later than  
3 30 days after the end of each fiscal year, amounts in ex-  
4 cess of this reserve limitation shall be deposited as mis-  
5 cellaneous receipts in the Treasury: *Provided further*, That  
6 such franchise fund pilot program shall terminate pursu-  
7 ant to section 403(f) of Public Law 103–356.

8 This title may be cited as the “Department of Com-  
9 merce and Related Agencies Appropriations Act, 1999”.

### 10 TITLE III—THE JUDICIARY

#### 11 SUPREME COURT OF THE UNITED STATES

##### 12 SALARIES AND EXPENSES

13 For expenses necessary for the operation of the Su-  
14 preme Court, as required by law, excluding care of the  
15 building and grounds, including purchase or hire, driving,  
16 maintenance, and operation of an automobile for the Chief  
17 Justice, not to exceed \$10,000 for the purpose of trans-  
18 porting Associate Justices, and hire of passenger motor  
19 vehicles as authorized by 31 U.S.C. 1343 and 1344; not  
20 to exceed \$10,000 for official reception and representation  
21 expenses; and for miscellaneous expenses, to be expended  
22 as the Chief Justice may approve, \$31,095,000.

##### 23 CARE OF THE BUILDING AND GROUNDS

24 For such expenditures as may be necessary to enable  
25 the Architect of the Capitol to carry out the duties im-

1 posed upon the Architect by the Act approved May 7,  
2 1934 (40 U.S.C. 13a–13b), \$5,400,000, of which  
3 \$2,364,000 shall remain available until expended.

4 UNITED STATES COURT OF APPEALS FOR THE FEDERAL  
5 CIRCUIT

6 SALARIES AND EXPENSES

7 For salaries of the chief judge, judges, and other offi-  
8 cers and employees, and for necessary expenses of the  
9 court, as authorized by law, \$16,143,000.

10 UNITED STATES COURT OF INTERNATIONAL TRADE

11 SALARIES AND EXPENSES

12 For salaries of the chief judge and 8 judges, salaries  
13 of the officers and employees of the court, services as au-  
14 thorized by 5 U.S.C. 3109, and necessary expenses of the  
15 court, as authorized by law, \$11,822,000.

16 COURTS OF APPEALS, DISTRICT COURTS, AND OTHER  
17 JUDICIAL SERVICES

18 SALARIES AND EXPENSES

19 For the salaries of circuit and district judges (includ-  
20 ing judges of the territorial courts of the United States),  
21 justices and judges retired from office or from regular ac-  
22 tive service, judges of the United States Court of Federal  
23 Claims, bankruptcy judges, magistrate judges, and all  
24 other officers and employees of the Federal Judiciary not  
25 otherwise specifically provided for, and necessary expenses



1 of the courts, as authorized by law, \$2,848,329,000 (re-  
2 duced by \$20,000,000) (including the purchase of fire-  
3 arms and ammunition); of which not to exceed  
4 \$13,454,000 shall remain available until expended for  
5 space alteration projects; and of which not to exceed  
6 \$10,000,000 shall remain available until expended for fur-  
7 niture and furnishings related to new space alteration and  
8 construction projects.

9 In addition, for expenses of the United States Court  
10 of Federal Claims associated with processing cases under  
11 the National Childhood Vaccine Injury Act of 1986, not  
12 to exceed \$2,515,000, to be appropriated from the Vaccine  
13 Injury Compensation Trust Fund.

14 VIOLENT CRIME REDUCTION PROGRAMS

15 For activities of the Federal Judiciary as authorized  
16 by law, \$60,000,000, to remain available until expended,  
17 which shall be derived from the Violent Crime Reduction  
18 Trust Fund, as authorized by section 190001(a) of Public  
19 Law 103–322, and sections 818 and 823 of Public Law  
20 104–132.

21 DEFENDER SERVICES

22 For the operation of Federal Public Defender and  
23 Community Defender organizations; the compensation and  
24 reimbursement of expenses of attorneys appointed to rep-  
25 resent persons under the Criminal Justice Act of 1964,

1 as amended; the compensation and reimbursement of ex-  
2 penses of persons furnishing investigative, expert and  
3 other services under the Criminal Justice Act (18 U.S.C.  
4 3006A(e)); the compensation (in accordance with Criminal  
5 Justice Act maximums) and reimbursement of expenses  
6 of attorneys appointed to assist the court in criminal cases  
7 where the defendant has waived representation by counsel;  
8 the compensation and reimbursement of travel expenses  
9 of guardians ad litem acting on behalf of financially eligi-  
10 ble minor or incompetent offenders in connection with  
11 transfers from the United States to foreign countries with  
12 which the United States has a treaty for the execution  
13 of penal sentences; and the compensation of attorneys ap-  
14 pointed to represent jurors in civil actions for the protec-  
15 tion of their employment, as authorized by 28 U.S.C.  
16 1875(d), \$360,952,000, to remain available until ex-  
17 pended as authorized by section 3006A(i) of title 18,  
18 United States Code.

19                   FEES OF JURORS AND COMMISSIONERS

20           For fees and expenses of jurors as authorized by 28  
21 U.S.C. 1871 and 1876; compensation of jury commis-  
22 sioners as authorized by 28 U.S.C. 1863; and compensa-  
23 tion of commissioners appointed in condemnation cases  
24 pursuant to rule 71A(h) of the Federal Rules of Civil Pro-  
25 cedure (28 U.S.C. Appendix Rule 71A(h)), \$67,000,000,

1 to remain available until expended: *Provided*, That the  
2 compensation of land commissioners shall not exceed the  
3 daily equivalent of the highest rate payable under section  
4 5332 of title 5, United States Code.

5 COURT SECURITY

6 For necessary expenses, not otherwise provided for,  
7 incident to the procurement, installation, and maintenance  
8 of security equipment and protective services for the  
9 United States Courts in courtrooms and adjacent areas,  
10 including building ingress-egress control, inspection of  
11 packages, directed security patrols, and other similar ac-  
12 tivities as authorized by section 1010 of the Judicial Im-  
13 provement and Access to Justice Act (Public Law 100-  
14 702), \$174,100,000, of which not to exceed \$10,000,000  
15 shall remain available until expended for security systems,  
16 to be expended directly or transferred to the United States  
17 Marshals Service, which shall be responsible for admin-  
18 istering elements of the Judicial Security Program consist-  
19 ent with standards or guidelines agreed to by the Director  
20 of the Administrative Office of the United States Courts  
21 and the Attorney General.

1 ADMINISTRATIVE OFFICE OF THE UNITED STATES

2 COURTS

3 SALARIES AND EXPENSES

4 For necessary expenses of the Administrative Office  
5 of the United States Courts as authorized by law, includ-  
6 ing travel as authorized by 31 U.S.C. 1345, hire of a pas-  
7 senger motor vehicle as authorized by 31 U.S.C. 1343(b),  
8 advertising and rent in the District of Columbia and else-  
9 where, \$54,500,000, of which not to exceed \$7,500 is au-  
10 thorized for official reception and representation expenses.

11 FEDERAL JUDICIAL CENTER

12 SALARIES AND EXPENSES

13 For necessary expenses of the Federal Judicial Cen-  
14 ter, as authorized by Public Law 90–219, \$18,000,000;  
15 of which \$1,800,000 shall remain available through Sep-  
16 tember 30, 2000, to provide education and training to  
17 Federal court personnel; and of which not to exceed  
18 \$1,000 is authorized for official reception and representa-  
19 tion expenses.

20 JUDICIAL RETIREMENT FUNDS

21 PAYMENT TO JUDICIARY TRUST FUNDS

22 For payment to the Judicial Officers' Retirement  
23 Fund, as authorized by 28 U.S.C. 377(o), \$27,500,000;  
24 to the Judicial Survivors' Annuities Fund, as authorized  
25 by 28 U.S.C. 376(c), \$7,800,000; and to the United

1 States Court of Federal Claims Judges' Retirement Fund,  
2 as authorized by 28 U.S.C. 178(1), \$2,000,000.

3 UNITED STATES SENTENCING COMMISSION

4 SALARIES AND EXPENSES

5 For the salaries and expenses necessary to carry out  
6 the provisions of chapter 58 of title 28, United States  
7 Code, \$9,600,000, of which not to exceed \$1,000 is au-  
8 thorized for official reception and representation expenses.

9 GENERAL PROVISIONS—THE JUDICIARY

10 SEC. 301. Appropriations and authorizations made in  
11 this title which are available for salaries and expenses shall  
12 be available for services as authorized by section 3109 of  
13 title 5, United States Code.

14 SEC. 302. Not to exceed 5 percent of any appropria-  
15 tion made available for the current fiscal year for the Judi-  
16 ciary in this Act may be transferred between such approp-  
17 riations, but no such appropriation, except “Courts of  
18 Appeals, District Courts, and Other Judicial Services, De-  
19 fender Services” and “Courts of Appeals, District Courts,  
20 and Other Judicial Services, Fees of Jurors and Commis-  
21 sioners”, shall be increased by more than 10 percent by  
22 any such transfers: *Provided*, That any transfer pursuant  
23 to this section shall be treated as a reprogramming of  
24 funds under section 605 of this Act and shall not be avail-

1 able for obligation or expenditure except in compliance  
2 with the procedures set forth in that section.

3       SEC. 303. Notwithstanding any other provision of  
4 law, the salaries and expenses appropriation for district  
5 courts, courts of appeals, and other judicial services shall  
6 be available for official reception and representation ex-  
7 penses of the Judicial Conference of the United States:  
8 *Provided*, That such available funds shall not exceed  
9 \$10,000 and shall be administered by the Director of the  
10 Administrative Office of the United States Courts in the  
11 capacity as Secretary of the Judicial Conference.

12       This title may be cited as “The Judiciary Appropria-  
13 tions Act, 1999”.

14       TITLE IV—DEPARTMENT OF STATE AND  
15                                   RELATED AGENCIES

16                                   DEPARTMENT OF STATE

17                                   ADMINISTRATION OF FOREIGN AFFAIRS

18                                   DIPLOMATIC AND CONSULAR PROGRAMS

19       For necessary expenses of the Department of State  
20 and the Foreign Service not otherwise provided for, includ-  
21 ing expenses authorized by the State Department Basic  
22 Authorities Act of 1956, as amended; representation to  
23 certain international organizations in which the United  
24 States participates pursuant to treaties, ratified pursuant  
25 to the advice and consent of the Senate, or specific Acts

1 of Congress; acquisition by exchange or purchase of pas-  
2 senger motor vehicles as authorized by 31 U.S.C. 1343,  
3 40 U.S.C. 481(c), and 22 U.S.C. 2674; and for expenses  
4 of general administration, \$1,641,000,000 (reduced by  
5 \$10,000,000): *Provided*, That, of the amount made avail-  
6 able under this heading, not to exceed \$4,000,000 may  
7 be transferred to, and merged with, funds in the “Emer-  
8 gencies in the Diplomatic and Consular Service” appro-  
9 priations account, to be available only for emergency evac-  
10 uations and terrorism rewards: *Provided further*, That not-  
11 withstanding any other provision of law, not to exceed  
12 \$250,000,000 of offsetting collections derived from fees  
13 collected under the authority of section 140(a)(1) of the  
14 Foreign Relations Authorization Act, Fiscal Years 1994  
15 and 1995 (Public Law 103–236) during fiscal year 1999  
16 shall be retained and used for authorized expenses in this  
17 appropriation and shall remain available until expended:  
18 *Provided further*, That any fees received in excess of  
19 \$250,000,000 in fiscal year 1999 shall remain available  
20 until expended, but shall not be available for obligation  
21 until October 1, 1999.

22 In addition, not to exceed \$700,000 in registration  
23 fees collected pursuant to section 38 of the Arms Export  
24 Control Act, as amended, may be used in accordance with  
25 section 45 of the State Department Basic Authorities Act

1 of 1956 (22 U.S.C. 2717); in addition, not to exceed  
2 \$1,252,000 shall be derived from fees collected from other  
3 executive agencies for lease or use of facilities located at  
4 the International Center in accordance with section 4 of  
5 the International Center Act (Public Law 90–553), as  
6 amended; in addition, as authorized by section 5 of such  
7 Act, \$490,000, to be derived from the reserve authorized  
8 by that section, to be used for the purposes set out in  
9 that section; and, in addition, not to exceed \$15,000,  
10 which shall be derived from reimbursements, surcharges,  
11 and fees for use of Blair House facilities in accordance  
12 with section 46 of the State Department Basic Authorities  
13 Act of 1956 (22 U.S.C. 2718(a)).

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



1 In addition, for counterterrorism requirements over-  
2 seas, including security guards and equipment,  
3 \$25,700,000, to remain available until expended.

4 SALARIES AND EXPENSES

5 For expenses necessary for the general administra-  
6 tion of the Department of State and the Foreign Service,  
7 provided for by law, including expenses authorized by sec-  
8 tion 9 of the Act of August 31, 1964, as amended (31  
9 U.S.C. 3721), and the State Department Basic Authori-  
10 ties Act of 1956, as amended, \$365,235,000: *Provided*,  
11 That, of this amount, \$813,333 shall be transferred to the  
12 Presidential Advisory Commission on Holocaust Assets in  
13 the United States.

14 CAPITAL INVESTMENT FUND

15 For necessary expenses of the Capital Investment  
16 Fund, \$80,000,000, to remain available until expended,  
17 as authorized in Public Law 103–236: *Provided*, That sec-  
18 tion 135(e) of Public Law 103–236 shall not apply to  
19 funds available under this heading.

20 OFFICE OF INSPECTOR GENERAL

21 For necessary expenses of the Office of Inspector  
22 General in carrying out the provisions of the Inspector  
23 General Act of 1978, as amended (5 U.S.C. App.),  
24 \$28,000,000, notwithstanding section 209(a)(1) of the

1 Foreign Service Act of 1980, as amended (Public Law 96–  
2 465), as it relates to post inspections.

3 REPRESENTATION ALLOWANCES

4 For representation allowances as authorized by sec-  
5 tion 905 of the Foreign Service Act of 1980, as amended  
6 (22 U.S.C. 4085), \$4,200,000.

7 PROTECTION OF FOREIGN MISSIONS AND OFFICIALS

8 For expenses, not otherwise provided, to enable the  
9 Secretary of State to provide for extraordinary protective  
10 services in accordance with the provisions of section 214  
11 of the State Department Basic Authorities Act of 1956  
12 (22 U.S.C. 4314) and 3 U.S.C. 208, \$8,100,000, to re-  
13 main available until September 30, 2000.

14 SECURITY AND MAINTENANCE OF UNITED STATES

15 MISSIONS

16 For necessary expenses for carrying out the Foreign  
17 Service Buildings Act of 1926, as amended (22 U.S.C.  
18 292–300), preserving, maintaining, repairing, and plan-  
19 ning for, buildings that are owned or directly leased by  
20 the Department of State, and carrying out the Diplomatic  
21 Security Construction Program as authorized by title IV  
22 of the Omnibus Diplomatic Security and Antiterrorism  
23 Act of 1986 (22 U.S.C. 4851), \$396,000,000, to remain  
24 available until expended as authorized by section 24(c) of  
25 the State Department Basic Authorities Act of 1956 (22

1 U.S.C. 2696(c)): *Provided*, That none of the funds appro-  
2 priated in this paragraph shall be available for acquisition  
3 of furniture and furnishings and generators for other de-  
4 partments and agencies.

5 EMERGENCIES IN THE DIPLOMATIC AND CONSULAR  
6 SERVICE

7 For expenses necessary to enable the Secretary of  
8 State to meet unforeseen emergencies arising in the Diplo-  
9 matic and Consular Service pursuant to the requirement  
10 of 31 U.S.C. 3526(e), \$5,500,000 to remain available until  
11 expended as authorized by section 24(c) of the State De-  
12 partment Basic Authorities Act of 1956 (22 U.S.C.  
13 2696(c)), of which not to exceed \$1,000,000 may be trans-  
14 ferred to and merged with the Repatriation Loans Pro-  
15 gram Account, subject to the same terms and conditions.

16 REPATRIATION LOANS PROGRAM ACCOUNT

17 For the cost of direct loans, \$593,000, as authorized  
18 by section 4 of the State Department Basic Authorities  
19 Act of 1956 (22 U.S.C. 2671): *Provided*, That such costs,  
20 including the cost of modifying such loans, shall be as de-  
21 fined in section 502 of the Congressional Budget Act of  
22 1974. In addition, for administrative expenses necessary  
23 to carry out the direct loan program, \$607,000, which may  
24 be transferred to and merged with the Salaries and Ex-  
25 penses account under Administration of Foreign Affairs.

1 PAYMENT TO THE AMERICAN INSTITUTE IN TAIWAN

2 For necessary expenses to carry out the Taiwan Rela-  
3 tions Act, Public Law 96–8, \$15,000,000.

4 PAYMENT TO THE FOREIGN SERVICE RETIREMENT AND  
5 DISABILITY FUND

6 For payment to the Foreign Service Retirement and  
7 Disability Fund, as authorized by law, \$132,500,000.

8 INTERNATIONAL ORGANIZATIONS AND CONFERENCES  
9 CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

10 For expenses, not otherwise provided for, necessary  
11 to meet annual obligations of membership in international  
12 multilateral organizations, pursuant to treaties ratified  
13 pursuant to the advice and consent of the Senate, conven-  
14 tions or specific Acts of Congress, \$915,000,000 (reduced  
15 by \$1,000,000): *Provided*, That any payment of arrear-  
16 ages shall be directed toward special activities that are  
17 mutually agreed upon by the United States and the re-  
18 spective international organization: *Provided further*, That  
19 none of the funds appropriated in this paragraph shall be  
20 available for a United States contribution to an inter-  
21 national organization for the United States share of inter-  
22 est costs made known to the United States Government  
23 by such organization for loans incurred on or after Octo-  
24 ber 1, 1984, through external borrowings: *Provided fur-*  
25 *ther*, That, of the funds appropriated in this paragraph,

1 \$100,000,000 may be made available only on a semi-an-  
2 nual basis pursuant to a certification by the Secretary of  
3 State on a semi-annual basis, that the United Nations has  
4 taken no action during the preceding 6 months to increase  
5 funding for any United Nations program without identify-  
6 ing an offsetting decrease during that 6-month period else-  
7 where in the United Nations budget and cause the United  
8 Nations to exceed the expected reform budget for the bien-  
9 nium 1998–1999 of \$2,533,000,000: *Provided further,*  
10 That not to exceed \$15,000,000 shall be transferred from  
11 funds made available under this heading to the “Inter-  
12 national Conferences and Contingencies” account for  
13 United States contributions to the Comprehensive Nuclear  
14 Test Ban Treaty Preparatory Commission, except that  
15 such transferred funds may be obligated or expended only  
16 for Commission meetings and sessions, provisional tech-  
17 nical secretariat salaries and expenses, other Commission  
18 administrative and training activities, including purchase  
19 of training equipment, and upgrades to existing inter-  
20 nationally based monitoring systems involved in coopera-  
21 tive data sharing agreements with the United States as  
22 of the date of enactment of this Act, until the United  
23 States Senate ratifies the Comprehensive Nuclear Test  
24 Ban Treaty.



1 for United Nations peacekeeping activities equal to those  
2 being given to foreign manufacturers and suppliers.

3 ARREARAGE PAYMENTS

4 For an additional amount for payment of arrearages  
5 to meet obligations of membership in the United Nations,  
6 and to pay assessed expenses of international peacekeep-  
7 ing activities, \$475,000,000, to remain available until ex-  
8 pended: *Provided*, That none of the funds appropriated or  
9 otherwise made available by this Act for payment of ar-  
10 rearages may be obligated or expended unless such obliga-  
11 tion or expenditure is expressly authorized by law: *Pro-*  
12 *vided further*, That none of the funds appropriated or oth-  
13 erwise made available by this Act for payment of arrear-  
14 ages may be obligated or expended until such time as the  
15 share of the total of all assessed contributions for the reg-  
16 ular budget of the United Nations does not exceed 22 per-  
17 cent for any single United Nations member, and the share  
18 of the budget for each assessed United Nations peacekeep-  
19 ing operation does not exceed 25 percent for any single  
20 United Nations member.

21 INTERNATIONAL COMMISSIONS

22 For necessary expenses, not otherwise provided for,  
23 to meet obligations of the United States arising under  
24 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, \$7,000,000, to remain available until ex-  
14 pended, as authorized by section 24(c) of the State De-  
15 partment Basic Authorities Act of 1956 (22 U.S.C.  
16 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, of which not to exceed \$9,000 shall



1 be available for representation expenses incurred by the  
2 International Joint Commission.

3 INTERNATIONAL FISHERIES COMMISSIONS

4 For necessary expenses for international fisheries  
5 commissions, not otherwise provided for, as authorized by  
6 law, \$14,490,000: *Provided*, That the United States' share  
7 of such expenses may be advanced to the respective com-  
8 missions, pursuant to section 3324 of title 31, United  
9 States Code.

10 OTHER

11 PAYMENT TO THE ASIA FOUNDATION

12 For a grant to the Asia Foundation, as authorized  
13 by section 501 of Public Law 101-246, \$8,250,000, to  
14 remain available until expended, as authorized by section  
15 24(c) of the State Department Basic Authorities Act of  
16 1956 (22 U.S.C. 2696(c)).

17 RELATED AGENCIES

18 ARMS CONTROL AND DISARMAMENT AGENCY

19 ARMS CONTROL AND DISARMAMENT ACTIVITIES

20 For necessary expenses not otherwise provided, for  
21 arms control, nonproliferation, and disarmament activi-  
22 ties, \$41,500,000, of which not to exceed \$50,000 shall  
23 be for official reception and representation expenses as au-  
24 thorized by the Act of September 26, 1961, as amended  
25 (22 U.S.C. 2551 et seq.).

1 UNITED STATES INFORMATION AGENCY  
2 INTERNATIONAL INFORMATION PROGRAMS

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)), \$457,146,000: *Provided*, That not to ex-  
20 ceed \$1,400,000 may be used for representation abroad  
21 as authorized by section 302 of such Act of 1948 (22  
22 U.S.C. 1452) and section 905 of the Foreign Service Act  
23 of 1980 (22 U.S.C. 4085): *Provided further*, That not to  
24 exceed \$6,000,000, to remain available until expended,  
25 may be credited to this appropriation from fees or other

1 payments received from or in connection with English  
2 teaching, library, motion pictures, and publication pro-  
3 grams as authorized by section 810 of such Act of 1948  
4 (22 U.S.C. 1475e) and, notwithstanding any other law,  
5 fees from educational advising and counseling, and ex-  
6 change visitor program services: *Provided further*, That  
7 not to exceed \$920,000, to remain available until ex-  
8 pended, may be used to carry out projects involving secu-  
9 rity construction and related improvements for agency fa-  
10 cilities not physically located together with Department of  
11 State facilities abroad.

12 EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS

13 For expenses of educational and cultural exchange  
14 programs, as authorized by the Mutual Educational and  
15 Cultural Exchange Act of 1961, as amended (22 U.S.C.  
16 2451 et seq.), and Reorganization Plan No. 2 of 1977 (91  
17 Stat. 1636), \$200,000,000, to remain available until ex-  
18 pended as authorized by section 105 of such Act of 1961  
19 (22 U.S.C. 2455): *Provided*, That not to exceed \$800,000,  
20 to remain available until expended, may be credited to this  
21 appropriation from fees or other payments received from  
22 or in connection with English teaching and publication  
23 programs as authorized by section 810 of the United  
24 States Information and Educational Exchange Act of  
25 1948 (22 U.S.C. 1475e) and, notwithstanding any other

1 provision of law, fees from educational advising and coun-  
2 seling.

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, 1999, 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, 1999, 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 Radio Broadcasting to Cuba Act, as amend-  
6 ed, the Television Broadcasting to Cuba Act, the United  
7 States International Broadcasting Act of 1994, as amend-  
8 ed, and Reorganization Plan No. 2 of 1977, to carry out  
9 international communication activities, including the pur-  
10 chase, installation, rent, construction, and improvement of  
11 facilities for radio and television transmission and recep-  
12 tion to Cuba, \$383,957,000, of which not to exceed  
13 \$16,000 may be used for official receptions within the  
14 United States as authorized by section 804(3) of such Act  
15 of 1948 (22 U.S.C. 1747(3)), not to exceed \$35,000 may  
16 be used for representation abroad as authorized by section  
17 302 of such Act of 1948 (22 U.S.C. 1452) and section  
18 905 of the Foreign Service Act of 1980 (22 U.S.C. 4085),  
19 and not to exceed \$39,000 may be used for official recep-  
20 tion and representation expenses of Radio Free Europe/  
21 Radio Liberty; and, in addition, notwithstanding any other  
22 provision of law, not to exceed \$2,000,000 in receipts from  
23 advertising and revenue from business ventures, not to ex-  
24 ceed \$500,000 in receipts from cooperating international  
25 organizations, and not to exceed \$1,000,000 in receipts

1 from privatization efforts of the Voice of America and the  
2 International Broadcasting Bureau, to remain available  
3 until expended for carrying out authorized purposes.

4 RADIO CONSTRUCTION

5 For the purchase, rent, construction, and improve-  
6 ment of facilities for radio transmission and reception, and  
7 purchase and installation of necessary equipment for radio  
8 and television transmission and reception as authorized by  
9 section 801 of the United States Information and Edu-  
10 cational Exchange Act of 1948 (22 U.S.C. 1471),  
11 \$25,308,000 (reduced by \$9,000,000), to remain available  
12 until expended, as authorized by section 704(a) of such  
13 Act of 1948 (22 U.S.C. 1477b(a)).

14 NATIONAL ENDOWMENT FOR DEMOCRACY

15 For grants made by the United States Information  
16 Agency to the National Endowment for Democracy as au-  
17 thorized by the National Endowment for Democracy Act,  
18 \$31,000,000, to remain available until expended.

19 GENERAL PROVISIONS—DEPARTMENT OF STATE AND  
20 RELATED AGENCIES

21 SEC. 401. Funds appropriated under this title shall  
22 be available, except as otherwise provided, for allowances  
23 and differentials as authorized by subchapter 59 of title  
24 5, United States Code; for services as authorized by 5

1 U.S.C. 3109; and hire of passenger transportation pursu-  
2 ant to section 1343(b) of title 31, United States Code.

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

20 SEC. 403. (a) An employee who regularly commutes  
21 from his or her place of residence in the continental  
22 United States to an official duty station in Canada or  
23 Mexico shall receive a border equalization adjustment  
24 equal to the amount of comparability payments under sec-  
25 tion 5304 of title 5, United States Code, that he or she

1 would receive if assigned to an official duty station within  
2 the United States locality pay area closest to the employ-  
3 ee’s official duty station.

4 (b) For purposes of this section, the term “employee”  
5 shall mean a person who—

6 (1) is an “employee” as defined under section  
7 2105 of title 5, United States Code; and

8 (2) is employed by the United States Depart-  
9 ment of State, the United States Information Agen-  
10 cy, the United States Agency for International De-  
11 velopment, or the International Joint Commission,  
12 except that the term shall not include members of  
13 the Foreign Service as defined by section 103 of the  
14 Foreign Service Act of 1980 (Public Law 96–465),  
15 section 3903 of title 22, United States Code.

16 (c) An equalization adjustment payable under this  
17 section shall be considered basic pay for the same purposes  
18 as are comparability payments under section 5304 of title  
19 5, United States Code, and its implementing regulations.

20 (d) The agencies referenced in subsection (c)(2) are  
21 authorized to promulgate regulations to carry out the pur-  
22 poses of this section.

23 SEC. 404. (a)(1) Section 6(4) of the Japan-United  
24 States Friendship Act (22 U.S.C. 2905(4)) is amended by



1 striking “needed, except” and all that follows through  
2 “United States” and inserting “needed”.

3       (2) The second sentence of section 7(b) of the Japan-  
4 United States Friendship Act (22 U.S.C. 2906(b)) is  
5 amended to read as follows: “Such investment may be  
6 made only in interest-bearing obligations of the United  
7 States, in obligations guaranteed as to both principal and  
8 interest by the United States, in interest-bearing obliga-  
9 tions of Japan, or in obligations guaranteed as to both  
10 principal and interest by Japan.”.

11       (b)(1) Effective on the date of enactment of this Act,  
12 the Japan-United States Friendship Commission shall be  
13 redesignated as the “United States-Japan Commission”.  
14 Any reference in any provision of law, Executive order,  
15 regulation, delegation of authority, or other document to  
16 the Japan-United States Friendship Commission shall be  
17 considered to be a reference to the United States-Japan  
18 Commission.

19       (2) The heading of section 4 of the Japan-United  
20 States Friendship Act (22 U.S.C. 2903) is amended to  
21 read as follows:

22               “UNITED STATES-JAPAN COMMISSION”.

23       (3) The Japan-United States Friendship Act is  
24 amended by striking “Japan-United States Friendship  
25 Commission” each place such term appears and inserting  
26 “United States-Japan Commission”.

1           (c)(1) Effective on the date of enactment of this Act,  
2 the Japan-United States Friendship Trust Fund shall be  
3 redesignated as the “United States-Japan Trust Fund”.  
4 Any reference in any provision of law, Executive order,  
5 regulation, delegation of authority, or other document to  
6 the Japan-United States Friendship Trust Fund shall be  
7 considered to be a reference to the United States-Japan  
8 Trust Fund.

9           (2) Section 3(a) of the Japan-United States Friend-  
10 ship Act (22 U.S.C. 2902(a)) is amended by striking  
11 “Japan-United States Friendship Trust Fund” and in-  
12 serting “United States-Japan Trust Fund”.

13           SEC. 405. The Director of the United States Infor-  
14 mation Agency is authorized to administer summer travel  
15 and work programs without regard to preplacement re-  
16 quirements.

17           SEC. 406. Section 12 of the International Organiza-  
18 tions Immunities Act (22 U.S.C. 288f-2) is amended by  
19 inserting “and the United Nations Industrial Development  
20 Organization” after “International Labor Organization”.

21           SEC. 407. (a) Section 5545a of title 5, United States  
22 Code, is amended by adding at the end the following:

23           “(k)(1) For purposes of this section, the term ‘crimi-  
24 nal investigator’ includes a special agent occupying a posi-

1 tion under title II of Public Law 99–399 if such special  
2 agent—

3 “(A) meets the definition of such terms under  
4 paragraph (2) of subsection (a) (applied disregard-  
5 ing the parenthetical matter before subparagraph  
6 (A) thereof); and

7 “(B) such special agent satisfies the require-  
8 ments of subsection (d) without taking into account  
9 any hours described in paragraph (2)(B) thereof.

10 “(2) In applying subsection (h) with respect to a spe-  
11 cial agent under this subsection—

12 “(A) any reference in such subsection to ‘basic  
13 pay’ shall be considered to include amounts des-  
14 ignated as ‘salary’;

15 “(B) paragraph (2)(A) of such subsection shall  
16 be considered to include (in addition to the provi-  
17 sions of law specified therein) sections 609(b)(1),  
18 805, 806, and 856 of the Foreign Service Act of  
19 1980; and

20 “(C) paragraph (2)(B) of such subsection shall  
21 be applied by substituting for ‘Office of Personnel  
22 Management’ the following: ‘Office of Personnel  
23 Management or the Secretary of State (to the extent  
24 that matters exclusively within the jurisdiction of the  
25 Secretary are concerned)’.”.

1 (b) Not later than the date on which the amendments  
2 made by this section take effect, each special agent of the  
3 Diplomatic Security Service who satisfies the requirements  
4 of subsection (k)(1) of section 5545a of title 5, United  
5 States Code, as amended by this section, and the appro-  
6 priate supervisory officer, to be designated by the Sec-  
7 retary of State, shall make an initial certification to the  
8 Secretary of State that the special agent is expected to  
9 meet the requirements of subsection (d) of such section  
10 5545a. The Secretary of State may prescribe procedures  
11 necessary to administer this subsection.

12 (c)(1) Paragraph (2) of section 5545a(a) of title 5,  
13 United States Code, is amended (in the matter before sub-  
14 paragraph (A)) by striking “Public Law 99–399” and in-  
15 serting “Public Law 99–399, subject to subsection (k)”.

16 (2) Section 5542(e) of such title is amended by strik-  
17 ing “title 18, United States Code,” and inserting “title  
18 18 or section 37(a)(3) of the State Department Basic Au-  
19 thorities Act of 1956,”.

20 (d) The amendments made by this section shall take  
21 effect on the first day of the first applicable pay period—

22 (1) which begins on or after the 90th day fol-  
23 lowing the date of the enactment of this Act; and

24 (2) on which date all regulations necessary to  
25 carry out such amendments are (in the judgment of

1 the Director of the Office of Personnel Management  
2 and the Secretary of State) in effect.

3 This title may be cited as the “Department of State  
4 and Related Agencies Appropriations Act, 1999”.

5 TITLE V—RELATED AGENCIES

6 DEPARTMENT OF TRANSPORTATION

7 MARITIME ADMINISTRATION

8 MARITIME SECURITY PROGRAM

9 For necessary expenses to maintain and preserve a  
10 U.S.-flag merchant fleet to serve the national security  
11 needs of the United States, \$97,650,000, to remain avail-  
12 able until expended.

13 OPERATIONS AND TRAINING

14 For necessary expenses of operations and training ac-  
15 tivities authorized by law, \$67,600,000.

16 MARITIME GUARANTEED LOAN (TITLE XI) PROGRAM

17 ACCOUNT

18 For the cost of guaranteed loans, as authorized by  
19 the Merchant Marine Act, 1936, \$16,000,000 (reduced by  
20 \$10,000,000), to remain available until expended: *Pro-*  
21 *vided*, That such costs, including the cost of modifying  
22 such loans, shall be as defined in section 502 of the Con-  
23 gressional Budget Act of 1974, as amended: *Provided fur-*  
24 *ther*, That these funds are available to subsidize total loan

1 principal, any part of which is to be guaranteed, not to  
2 exceed \$1,000,000,000.

3 In addition, for administrative expenses to carry out  
4 the guaranteed loan program, not to exceed \$3,725,000,  
5 which shall be transferred to and merged with the appro-  
6 priation for Operations and Training.

7 ADMINISTRATIVE PROVISIONS—MARITIME

8 ADMINISTRATION

9 Notwithstanding any other provision of this Act, the  
10 Maritime Administration is authorized to furnish utilities  
11 and services and make necessary repairs in connection  
12 with any lease, contract, or occupancy involving Govern-  
13 ment property under control of the Maritime Administra-  
14 tion, and payments received therefore shall be credited to  
15 the appropriation charged with the cost thereof: *Provided*,  
16 That rental payments under any such lease, contract, or  
17 occupancy for items other than such utilities, services, or  
18 repairs shall be covered into the Treasury as miscellaneous  
19 receipts.

20 No obligations shall be incurred during the current  
21 fiscal year from the construction fund established by the  
22 Merchant Marine Act, 1936, or otherwise, in excess of the  
23 appropriations and limitations contained in this Act or in  
24 any prior appropriation Act, and all receipts which other-

1 wise would be deposited to the credit of said fund shall  
2 be covered into the Treasury as miscellaneous receipts.

3 COMMISSION FOR THE PRESERVATION OF AMERICA'S  
4 HERITAGE ABROAD  
5 SALARIES AND EXPENSES

6 For expenses for the Commission for the Preservation  
7 of America's Heritage Abroad, \$280,000, as authorized by  
8 section 1303 of Public Law 99-83.

9 COMMISSION ON CIVIL RIGHTS  
10 SALARIES AND EXPENSES

11 For necessary expenses of the Commission on Civil  
12 Rights, including hire of passenger motor vehicles,  
13 \$8,740,000: *Provided*, That not to exceed \$50,000 may  
14 be used to employ consultants: *Provided further*, That  
15 none of the funds appropriated in this paragraph shall be  
16 used to employ in excess of 4 full-time individuals under  
17 Schedule C of the Excepted Service exclusive of 1 special  
18 assistant for each Commissioner: *Provided further*, That  
19 none of the funds appropriated in this paragraph shall be  
20 used to reimburse Commissioners for more than 75  
21 billable days, with the exception of the chairperson who  
22 is permitted 125 billable days.

1 COMMISSION ON SECURITY AND COOPERATION IN  
2 EUROPE  
3 SALARIES AND EXPENSES

4 For necessary expenses of the Commission on Security and Cooperation in Europe, as authorized by Public  
5 Law 94-304, \$1,170,000, to remain available until expended as authorized by section 3 of Public Law 99-7.

8 EQUAL EMPLOYMENT OPPORTUNITY COMMISSION  
9 SALARIES AND EXPENSES

10 For necessary expenses of the Equal Employment  
11 Opportunity Commission as authorized by title VII of the  
12 Civil Rights Act of 1964, as amended (29 U.S.C. 206(d)  
13 and 621-634), the Americans with Disabilities Act of  
14 1990, and the Civil Rights Act of 1991, including services  
15 as authorized by 5 U.S.C. 3109; hire of passenger motor  
16 vehicles as authorized by 31 U.S.C. 1343(b); non-monetary  
17 awards to private citizens; and not to exceed  
18 \$28,000,000 for payments to State and local enforcement  
19 agencies for services to the Commission pursuant to title  
20 VII of the Civil Rights Act of 1964, as amended, sections  
21 6 and 14 of the Age Discrimination in Employment Act,  
22 the Americans with Disabilities Act of 1990, and the Civil  
23 Rights Act of 1991, \$260,500,000: *Provided*, That the  
24 Commission is authorized to make available for official re-



1 ception and representation expenses not to exceed \$2,500  
2 from available funds.

3 FEDERAL COMMUNICATIONS COMMISSION

4 SALARIES AND EXPENSES

5 For necessary expenses of the Federal Communica-  
6 tions Commission, as authorized by law, including uni-  
7 forms and allowances therefor, as authorized by 5 U.S.C.  
8 5901–02; not to exceed \$600,000 for land and structure;  
9 not to exceed \$500,000 for improvement and care of  
10 grounds and repair to buildings; not to exceed \$4,000 for  
11 official reception and representation expenses; purchase  
12 (not to exceed 16) and hire of motor vehicles; special coun-  
13 sel fees; and services as authorized by 5 U.S.C. 3109,  
14 \$181,514,000, of which not to exceed \$300,000 shall re-  
15 main available until September 30, 2000, for research and  
16 policy studies: *Provided*, That \$172,523,000 of offsetting  
17 collections shall be assessed and collected pursuant to sec-  
18 tion 9 of title I of the Communications Act of 1934, as  
19 amended, and shall be retained and used for necessary ex-  
20 penses in this appropriation, and shall remain available  
21 until expended: *Provided further*, That the sum herein ap-  
22 propriated shall be reduced as such offsetting collections  
23 are received during fiscal year 1999 so as to result in a  
24 final fiscal year 1999 appropriation estimated at  
25 \$8,991,000: *Provided further*, That any offsetting collec-

1 tions received in excess of \$172,523,000 in fiscal year  
2 1999 shall remain available until expended, but shall not  
3 be available for obligation until October 1, 1999: *Provided*  
4 *further*, That none of the funds provided in this account  
5 shall be used for expenses for rental of headquarters space  
6 at the Portals II building assessed by the General Services  
7 Administration, or for any relocation expenses, until such  
8 time as ongoing investigations by the Congress and the  
9 Department of Justice determine that the lease agreement  
10 was lawfully entered into by the parties involved.

11 FEDERAL MARITIME COMMISSION

12 SALARIES AND EXPENSES

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

22 FEDERAL TRADE COMMISSION

23 SALARIES AND EXPENSES

24 For necessary expenses of the Federal Trade Com-  
25 mission, including uniforms or allowances therefor, as au-

1 thORIZED BY 5 U.S.C. 5901–5902; SERVICES AS AUTHORIZED  
2 BY 5 U.S.C. 3109; HIRE OF PASSENGER MOTOR VEHICLES; AND  
3 NOT TO EXCEED \$2,000 FOR OFFICIAL RECEPTION AND REPRESENTA-  
4 TION EXPENSES, \$80,490,000: *Provided*, That not to exceed  
5 \$300,000 SHALL BE AVAILABLE FOR USE TO CONTRACT WITH A PER-  
6 SON OR PERSONS FOR COLLECTION SERVICES IN ACCORDANCE WITH  
7 THE TERMS OF 31 U.S.C. 3718, AS AMENDED: *Provided fur-*  
8 *ther*, That, NOTWITHSTANDING ANY OTHER PROVISION OF LAW, NOT  
9 TO EXCEED \$76,500,000 OF OFFSETTING COLLECTIONS DERIVED  
10 FROM FEES COLLECTED FOR PREMERGER NOTIFICATION FILINGS UNDER  
11 THE HART-SCOTT-RODINO ANTITRUST IMPROVEMENTS ACT OF  
12 1976 (15 U.S.C. 18(a)) SHALL BE RETAINED AND USED FOR NEC-  
13 ESSARY EXPENSES IN THIS APPROPRIATION, AND SHALL REMAIN  
14 AVAILABLE UNTIL EXPENDED: *Provided further*, That the sum  
15 HEREIN APPROPRIATED FROM THE GENERAL FUND SHALL BE RE-  
16 DUCED AS SUCH OFFSETTING COLLECTIONS ARE RECEIVED DURING FIS-  
17 CAL YEAR 1999, SO AS TO RESULT IN A FINAL FISCAL YEAR 1999  
18 APPROPRIATION FROM THE GENERAL FUND ESTIMATED AT NOT  
19 MORE THAN \$3,990,000, TO REMAIN AVAILABLE UNTIL EXPENDED:  
20 *Provided further*, That any fees received in excess of  
21 \$76,500,000 IN FISCAL YEAR 1999 SHALL REMAIN AVAILABLE  
22 UNTIL EXPENDED, BUT SHALL NOT BE AVAILABLE FOR OBLIGATION  
23 UNTIL OCTOBER 1, 1999: *Provided further*, That none of the  
24 FUNDS MADE AVAILABLE TO THE FEDERAL TRADE COMMISSION  
25 SHALL BE AVAILABLE FOR OBLIGATION FOR EXPENSES AUTHORIZED

1 by section 151 of the Federal Deposit Insurance Corpora-  
2 tion Improvement Act of 1991 (Public Law 102–242, 105  
3 Stat. 2282–2285).

4                   LEGAL SERVICES CORPORATION

5           PAYMENT TO THE LEGAL SERVICES CORPORATION

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

15           ADMINISTRATIVE PROVISION—LEGAL SERVICES

16                                   CORPORATION

17           SEC. 501. None of the funds appropriated in this Act  
18 to the Legal Services Corporation shall be expended for  
19 any purpose prohibited or limited by, or contrary to any  
20 of the provisions of, sections 501, 502, 503, 504, 505, and  
21 506 of Public Law 105–119, and all funds appropriated  
22 in this Act to the Legal Services Corporation shall be sub-  
23 ject to the same terms and conditions set forth in such  
24 sections, except that all references in sections 502 and 503

1 to 1997 and 1998 shall be deemed to refer instead to 1998  
2 and 1999, respectively.

3 MARINE MAMMAL COMMISSION

4 SALARIES AND EXPENSES

5 For necessary expenses of the Marine Mammal Com-  
6 mission as authorized by title II of Public Law 92-522,  
7 as amended, \$1,240,000.

8 SECURITIES AND EXCHANGE COMMISSION

9 SALARIES AND EXPENSES

10 For necessary expenses for the Securities and Ex-  
11 change Commission, including services as authorized by  
12 5 U.S.C. 3109, the rental of space (to include multiple  
13 year leases) in the District of Columbia and elsewhere, and  
14 not to exceed \$3,000 for official reception and representa-  
15 tion expenses, \$23,000,000; and, in addition, to remain  
16 available until expended, from fees collected in fiscal year  
17 1998, \$87,000,000, and from fees collected in fiscal year  
18 1999, \$214,000,000; of which not to exceed \$10,000 may  
19 be used toward funding a permanent secretariat for the  
20 International Organization of Securities Commissions; and  
21 of which not to exceed \$100,000 shall be available for ex-  
22 penses for consultations and meetings hosted by the Com-  
23 mission with foreign governmental and other regulatory  
24 officials, members of their delegations, appropriate rep-  
25 resentatives and staff to exchange views concerning devel-

1 opments relating to securities matters, development and  
2 implementation of cooperation agreements concerning se-  
3 curities matters and provision of technical assistance for  
4 the development of foreign securities markets, such ex-  
5 penses to include necessary logistic and administrative ex-  
6 penses and the expenses of Commission staff and foreign  
7 invitees in attendance at such consultations and meetings  
8 including: (1) such incidental expenses as meals taken in  
9 the course of such attendance; (2) any travel and trans-  
10 portation to or from such meetings; and (3) any other re-  
11 lated lodging or subsistence: *Provided*, That fees and  
12 charges authorized by sections 6(b)(4) of the Securities  
13 Act of 1933 (15 U.S.C. 77f(b)(4)) and 31(d) of the Secu-  
14 rities Exchange Act of 1934 (15 U.S.C. 78ee(d)) shall be  
15 credited to this account as offsetting collections.

16 SMALL BUSINESS ADMINISTRATION

17 SALARIES AND EXPENSES

18 For necessary expenses, not otherwise provided for,  
19 of the Small Business Administration as authorized by  
20 Public Law 103-403, including hire of passenger motor  
21 vehicles as authorized by 31 U.S.C. 1343 and 1344, and  
22 not to exceed \$3,500 for official reception and representa-  
23 tion expenses, \$246,750,000 (increased by \$2,000,000)  
24 (increased by \$250,000 to be used for the National Wom-  
25 en's Business Council as authorized by section 409 of the

1 Women's Business Ownership Act of 1988 (15 U.S.C. 631  
2 note): *Provided*, That the Administrator is authorized to  
3 charge fees to cover the cost of publications developed by  
4 the Small Business Administration, and certain loan serv-  
5 icing activities: *Provided further*, That, notwithstanding 31  
6 U.S.C. 3302, revenues received from all such activities  
7 shall be credited to this account, to be available for carry-  
8 ing out these purposes without further appropriations:  
9 *Provided further*, That \$78,800,000 shall be available to  
10 fund grants for performance in fiscal year 1999 or fiscal  
11 year 2000 as authorized by section 21 of the Small Busi-  
12 ness Act, as amended.

13 OFFICE OF INSPECTOR GENERAL

14 For necessary expenses of the Office of Inspector  
15 General in carrying out the provisions of the Inspector  
16 General Act of 1978, as amended (5 U.S.C. App.),  
17 \$11,300,000.

18 BUSINESS LOANS PROGRAM ACCOUNT

19 For the cost of direct loans, \$2,000,000, to be avail-  
20 able until expended; and for the cost of guaranteed loans,  
21 \$132,540,000 (increased by \$7,090,000), as authorized by  
22 15 U.S.C. 631 note, of which \$45,000,000 shall remain  
23 available until September 30, 2000: *Provided*, That such  
24 costs, including the cost of modifying such loans, shall be  
25 as defined in section 502 of the Congressional Budget Act

1 of 1974: *Provided further*, That, during fiscal year 1999,  
2 commitments to guarantee loans under section 503 of the  
3 Small Business Investment Act of 1958, as amended, shall  
4 not exceed the amount of financing authorized under sec-  
5 tion 20(d)(1)(B)ii of the Small Business Act, as amended:  
6 *Provided further*, That, during fiscal year 1999, commit-  
7 ments for general business loans authorized under section  
8 7(a) of the Small Business Act, as amended, shall not ex-  
9 ceed \$10,000,000,000 without prior notification of the  
10 Committees on Appropriations of the House of Represent-  
11 atives and Senate in accordance with section 605 of this  
12 Act.

13 In addition, for administrative expenses to carry out  
14 the direct and guaranteed loan programs, \$94,000,000  
15 (reduced by \$7,090,000), which may be transferred to and  
16 merged with the appropriations for Salaries and Expenses.

17 DISASTER LOANS PROGRAM ACCOUNT

18 For the cost of direct loans authorized by section 7(b)  
19 of the Small Business Act, as amended, \$100,000,000, to  
20 remain available until expended: *Provided*, That such  
21 costs, including the cost of modifying such loans, shall be  
22 as defined in section 502 of the Congressional Budget Act  
23 of 1974.

24 In addition, for administrative expenses to carry out  
25 the direct loan program, \$116,000,000, which may be



1 transferred to and merged with appropriations for Salaries  
2 and Expenses.

3 SURETY BOND GUARANTEES REVOLVING FUND

4 For additional capital for the “Surety Bond Guarantees Revolving Fund”, authorized by the Small Business  
5 Investment Act, as amended, \$3,300,000, to remain available without fiscal year limitation as authorized by  
6 U.S.C. 631 note.

9 ADMINISTRATIVE PROVISION—SMALL BUSINESS

10 ADMINISTRATION

11 Not to exceed 5 percent of any appropriation made  
12 available for the current fiscal year for the Small Business Administration in this Act may be transferred between  
13 such appropriations, but no such appropriation shall be  
14 increased by more than 10 percent by any such transfers:  
15 *Provided*, That any transfer pursuant to this paragraph  
16 shall be treated as a reprogramming of funds under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

21 STATE JUSTICE INSTITUTE

22 SALARIES AND EXPENSES

23 For necessary expenses of the State Justice Institute,  
24 as authorized by the State Justice Institute Authorization Act of 1992 (Public Law 102–572 (106 Stat. 4515–

1 4516)), \$6,850,000, to remain available until expended:  
2 *Provided*, That not to exceed \$2,500 shall be available for  
3 official reception and representation expenses.

#### 4 TITLE VI—GENERAL PROVISIONS

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

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

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

18 SEC. 604. If any provision of this Act or the applica-  
19 tion of such provision to any person or circumstances shall  
20 be held invalid, the remainder of the Act and the applica-  
21 tion of each provision to persons or circumstances other  
22 than those as to which it is held invalid shall not be af-  
23 fected thereby.

24 SEC. 605. (a) None of the funds provided under this  
25 Act, or provided under previous appropriations Acts to the

1 agencies funded by this Act that remain available for obli-  
2 gation or expenditure in fiscal year 1999, or provided from  
3 any accounts in the Treasury of the United States derived  
4 by the collection of fees available to the agencies funded  
5 by this Act, shall be available for obligation or expenditure  
6 through a reprogramming of funds which: (1) creates new  
7 programs; (2) eliminates a program, project, or activity;  
8 (3) increases funds or personnel by any means for any  
9 project or activity for which funds have been denied or  
10 restricted; (4) relocates an office or employees; (5) reorga-  
11 nizes offices, programs, or activities; or (6) contracts out  
12 or privatizes any functions, or activities presently per-  
13 formed by Federal employees; unless the Appropriations  
14 Committees of both Houses of Congress are notified 15  
15 days in advance of such reprogramming of funds.

16 (b) None of the funds provided under this Act, or  
17 provided under previous appropriations Acts to the agen-  
18 cies funded by this Act that remain available for obligation  
19 or expenditure in fiscal year 1999, or provided from any  
20 accounts in the Treasury of the United States derived by  
21 the collection of fees available to the agencies funded by  
22 this Act, shall be available for obligation or expenditure  
23 for activities, programs, or projects through a reprogram-  
24 ming of funds in excess of \$500,000 or 10 percent, which-  
25 ever is less, that: (1) augments existing programs,

1 projects, or activities; (2) reduces by 10 percent funding  
2 for any existing program, project, or activity, or numbers  
3 of personnel by 10 percent as approved by Congress; or  
4 (3) results from any general savings from a reduction in  
5 personnel which would result in a change in existing pro-  
6 grams, activities, or projects as approved by Congress; un-  
7 less the Appropriations Committees of both Houses of  
8 Congress are notified 15 days in advance of such re-  
9 programming of funds.

10       SEC. 606. None of the funds made available in this  
11 Act may be used for the construction, repair (other than  
12 emergency repair), overhaul, conversion, or modernization  
13 of vessels for the National Oceanic and Atmospheric Ad-  
14 ministration in shipyards located outside of the United  
15 States.

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

21       (b) NOTICE REQUIREMENT.—In providing financial  
22 assistance to, or entering into any contract with, any en-  
23 tity using funds made available in this Act, the head of  
24 each Federal agency, to the greatest extent practicable,

1 shall provide to such entity a notice describing the state-  
2 ment made in subsection (a) by the Congress.

3 (c) PROHIBITION OF CONTRACTS WITH PERSONS  
4 FALSELY LABELING PRODUCTS AS MADE IN AMERICA.—  
5 If it has been finally determined by a court or Federal  
6 agency that any person intentionally affixed a label bear-  
7 ing a “Made in America” inscription, or any inscription  
8 with the same meaning, to any product sold in or shipped  
9 to the United States that is not made in the United  
10 States, the person shall be ineligible to receive any con-  
11 tract or subcontract made with funds made available in  
12 this Act, pursuant to the debarment, suspension, and ineli-  
13 gibility procedures described in sections 9.400 through  
14 9.409 of title 48, Code of Federal Regulations.

15 SEC. 608. None of the funds made available in this  
16 Act may be used to implement, administer, or enforce any  
17 guidelines of the Equal Employment Opportunity Com-  
18 mission covering harassment based on religion, when it is  
19 made known to the Federal entity or official to which such  
20 funds are made available that such guidelines do not differ  
21 in any respect from the proposed guidelines published by  
22 the Commission on October 1, 1993 (58 Fed. Reg.  
23 51266).

24 SEC. 609. None of the funds appropriated or other-  
25 wise made available by this Act may be obligated or ex-

1 pending to pay for any cost incurred for: (1) opening or  
2 operating any United States diplomatic or consular post  
3 in the Socialist Republic of Vietnam that was not operat-  
4 ing on July 11, 1995; (2) expanding any United States  
5 diplomatic or consular post in the Socialist Republic of  
6 Vietnam that was operating on July 11, 1995; or (3) in-  
7 creasing the total number of personnel assigned to United  
8 States diplomatic or consular posts in the Socialist Repub-  
9 lic of Vietnam above the levels existing on July 11, 1995;  
10 unless the President certifies within 60 days the following:

11 (A) Based upon all information available to the  
12 United States Government, the Government of the  
13 Socialist Republic of Vietnam is fully cooperating in  
14 good faith with the United States in the following:

15 (i) Resolving discrepancy cases, live  
16 sightings, and field activities.

17 (ii) Recovering and repatriating American  
18 remains.

19 (iii) Accelerating efforts to provide docu-  
20 ments that will help lead to fullest possible ac-  
21 counting of prisoners of war and missing in ac-  
22 tion.

23 (iv) Providing further assistance in imple-  
24 menting trilateral investigations with Laos.

1           (B) The remains, artifacts, eyewitness accounts,  
2           archival material, and other evidence associated with  
3           prisoners of war and missing in action recovered  
4           from crash sites, military actions, and other loca-  
5           tions in Southeast Asia are being thoroughly ana-  
6           lyzed by the appropriate laboratories with the intent  
7           of providing surviving relatives with scientifically de-  
8           fensible, legal determinations of death or other ac-  
9           countability that are fully documented and available  
10          in unclassified and unredacted form to immediate  
11          family members.

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

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

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

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

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

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

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

17       SEC. 612. None of the funds made available in title  
18 II for the National Oceanic and Atmospheric Administra-  
19 tion (NOAA) under the headings “Operations, Research,  
20 and Facilities” and “Procurement, Acquisition and Con-  
21 struction” may be used to implement sections 603, 604,  
22 and 605 of Public Law 102-567.

23       SEC. 613. Any costs incurred by a department or  
24 agency funded under this Act resulting from personnel ac-  
25 tions taken in response to funding reductions included in



1 this Act shall be absorbed within the total budgetary re-  
2 sources available to such department or agency: *Provided*,  
3 That the authority to transfer funds between appropria-  
4 tions accounts as may be necessary to carry out this sec-  
5 tion is provided in addition to authorities included else-  
6 where in this Act: *Provided further*, That use of funds to  
7 carry out this section shall be treated as a reprogramming  
8 of funds under section 605 of this Act and shall not be  
9 available for obligation or expenditure except in compli-  
10 ance with the procedures set forth in that section.

11       SEC. 614. None of the funds made available in this  
12 Act to the Federal Bureau of Prisons may be used to dis-  
13 tribute or make available any commercially published in-  
14 formation or material to a prisoner when it is made known  
15 to the Federal official having authority to obligate or ex-  
16 pend such funds that such information or material is sexu-  
17 ally explicit or features nudity.

18       SEC. 615. Of the funds appropriated in this Act  
19 under the heading “Office of Justice Programs—State  
20 and Local Law Enforcement Assistance”, not more than  
21 90 percent of the amount to be awarded to an entity under  
22 the Local Law Enforcement Block Grant shall be made  
23 available to such an entity when it is made known to the  
24 Federal official having authority to obligate or expend  
25 such funds that the entity that employs a public safety

1 officer (as such term is defined in section 1204 of title  
2 I of the Omnibus Crime Control and Safe Streets Act of  
3 1968) does not provide such a public safety officer who  
4 retires or is separated from service due to injury suffered  
5 as the direct and proximate result of a personal injury  
6 sustained in the line of duty while responding to an emer-  
7 gency situation or a hot pursuit (as such terms are defined  
8 by State law) with the same or better level of health insur-  
9 ance benefits at the time of retirement or separation as  
10 they received while on duty.

11 SEC. 616. (a) None of the funds made available in  
12 this Act may be used to issue or renew a fishing permit  
13 or authorization for any fishing vessel of the United States  
14 greater than 165 feet in registered length or of more than  
15 750 gross registered tons, and that has an engine or en-  
16 gines capable of producing a total of more than 3,000  
17 shaft horsepower—

18 (1) as specified in the permit application re-  
19 quired under part 648.4(a)(5) of title 50, Code of  
20 Federal Regulations, part 648.12 of title 50, Code of  
21 Federal Regulations, and the authorization required  
22 under part 648.80(d)(2) of title 50, Code of Federal  
23 Regulations, to engage in fishing for Atlantic mack-  
24 erel or herring (or both) under the Magnuson-Ste-

1       vens Fishery Conservation and Management Act (16  
2       U.S.C. 1801 et seq.); or

3               (2) that would allow such a vessel to engage in  
4       the catching, taking, or harvesting of fish in any  
5       other fishery within the exclusive economic zone of  
6       the United States (except territories), unless a cer-  
7       tificate of documentation had been issued for the  
8       vessel and endorsed with a fishery endorsement that  
9       was effective on September 25, 1997, and such fish-  
10      ery endorsement was not surrendered at any time  
11      thereafter.

12      (b) Any fishing permit or authorization issued or re-  
13      newed prior to the date of the enactment of this Act for  
14      a fishing vessel to which the prohibition in subsection  
15      (a)(1) applies that would allow such vessel to engage in  
16      fishing for Atlantic mackerel or herring (or both) during  
17      fiscal year 1999 shall be null and void, and none of the  
18      funds made available in this Act may be used to issue a  
19      fishing permit or authorization that would allow a vessel  
20      whose permit or authorization was made null and void  
21      pursuant to this subsection to engage in the catching, tak-  
22      ing, or harvesting of fish in any other fishery within the  
23      exclusive economic zone of the United States.

24      SEC. 617. None of the funds provided by this Act  
25      shall be available to promote the sale or export of tobacco

1 or tobacco products, or to seek the reduction or removal  
2 by any foreign country of restrictions on the marketing  
3 of tobacco or tobacco products, except for restrictions  
4 which are not applied equally to all tobacco or tobacco  
5 products of the same type.

6       SEC. 618. None of the funds made available in this  
7 Act may be used to pay the expenses of an election officer  
8 appointed by a court to oversee an election of any officer  
9 or trustee for the International Brotherhood of Teamsters.

10       SEC. 619. The Federal Communications Commission  
11 shall reinstate the license of radio station WXEE, 1340  
12 AM, of Welch, West Virginia, notwithstanding the expira-  
13 tion of such license on February 1, 1998, pursuant to sec-  
14 tion 312(g) of the Communications Act of 1934 (47  
15 U.S.C. 312(g)).

16                           TITLE VII—RESCISSIONS  
17                           DEPARTMENT OF JUSTICE  
18                           GENERAL ADMINISTRATION  
19                           WORKING CAPITAL FUND  
20                           (RESCISSION)

21       Of the unobligated balances available under this  
22 heading on September 30, 1998, \$45,326,000 are re-  
23 scinded.

1                                   LEGAL ACTIVITIES  
2                                   UNITED STATES TRUSTEE SYSTEM FUND  
3                                   (RESCISSION)

4           Of the unobligated balances available from offsetting  
5 collections derived from fees collected pursuant to 28  
6 U.S.C. 589a(b), \$17,000,000 are rescinded.

7                                   TITLE VIII—CITIZENS PROTECTION

8                                   SHORT TITLE

9           SEC. 801. This title may be cited as the “Citizens  
10 Protection Act of 1998”.

11                                   INTERPRETATION

12           SEC. 802. As used in this title and the amendments  
13 made by this title, the term “employee” includes an attor-  
14 ney, investigator, or other employee of the Department of  
15 Justice (including any independent counsel appointed  
16 under title 28, United States Code, and any employees of  
17 such independent counsel acting under the authority of the  
18 Attorney General), as well as an attorney, investigator, or  
19 accountant, acting under the authority of the Department  
20 of Justice (including any independent counsel appointed  
21 under title 28, United States Code, and any employees of  
22 such independent counsel acting under the authority of the  
23 Attorney General).

1 SUBTITLE A—ETHICAL STANDARDS FOR FEDERAL  
2 PROSECUTORS

3 ETHICAL STANDARDS FOR FEDERAL PROSECUTORS

4 SEC. 811. (a) IN GENERAL.—Chapter 31 of title 28,  
5 United States Code, is amended by adding at the end the  
6 following:

7 “ETHICAL STANDARDS FOR ATTORNEYS FOR THE  
8 GOVERNMENT

9 “SEC. 530B. (a) An attorney for the Government  
10 shall be subject to State laws and rules, and local Federal  
11 court rules, governing attorneys in each State where such  
12 attorney engages in that attorney’s duties, to the same  
13 extent and in the same manner as other attorneys in that  
14 State.

15 “(b) The Attorney General shall make and amend  
16 rules of the Department of Justice to assure compliance  
17 with this section.

18 “(c) As used in this section, the term ‘attorney for  
19 the Government’ includes any attorney described in sec-  
20 tion 77.2(a) of part 77 of title 28 of the Code of Federal  
21 Regulations.”.

22 (b) CLERICAL AMENDMENT.—The table of sections  
23 at the beginning of such chapter is amended by adding  
24 at the end the following new item:

“530B. Ethical standards for attorneys for the Government.”.

## 1           SUBTITLE B—PUNISHABLE CONDUCT

## 2                           PUNISHABLE CONDUCT

3           SEC. 821. (a) VIOLATIONS.—The Attorney General  
4 shall establish, by plain rule, that it shall be punishable  
5 conduct for any Department of Justice employee to—

6                   (1) in the absence of probable cause seek the  
7 indictment of any person;

8                   (2) fail promptly to release information that  
9 would exonerate a person under indictment;

10                  (3) intentionally mislead a court as to the guilt  
11 of any person;

12                  (4) intentionally or knowingly misstate evi-  
13 dence;

14                  (5) intentionally or knowingly alter evidence;

15                  (6) attempt to influence or color a witness' tes-  
16 timony;

17                  (7) act to frustrate or impede a defendant's  
18 right to discovery;

19                  (8) offer or provide sexual activities to any gov-  
20 ernment witness or potential witness;

21                  (9) leak or otherwise improperly disseminate in-  
22 formation to any person during an investigation; or

23                  (10) engage in conduct that discredits the De-  
24 partment.

1 (b) PENALTIES.—The Attorney General shall estab-  
2 lish penalties for engaging in conduct described in sub-  
3 section (a) that shall include—

4 (1) probation;

5 (2) demotion;

6 (3) dismissal;

7 (4) referral of ethical charges to the bar;

8 (5) loss of pension or other retirement benefits;

9 (6) suspension from employment; and

10 (7) referral of the allegations, if appropriate, to  
11 a grand jury for possible criminal prosecution.

12 COMPLAINTS

13 SEC. 822. (a) WRITTEN STATEMENT.—A person who  
14 believes that an employee of the Department of Justice  
15 has engaged in conduct described in section 821(a) may  
16 submit a written statement, in such form as the Attorney  
17 General may require, describing the alleged conduct.

18 (b) PRELIMINARY INVESTIGATION.—Not later than  
19 30 days after receipt of a written statement submitted  
20 under subsection (a), the Attorney General shall conduct  
21 a preliminary investigation and determine whether the al-  
22 legations contained in such written statement warrant fur-  
23 ther investigation.

24 (c) INVESTIGATION AND PENALTY.—If the Attorney  
25 General determines after conducting a preliminary inves-  
26 tigation under subsection (a) that further investigation is



1 warranted, the Attorney General shall within 90 days fur-  
2 ther investigate the allegations and, if the Attorney Gen-  
3 eral determines that a preponderance of the evidence sup-  
4 ports the allegations, impose an appropriate penalty.

5 MISCONDUCT REVIEW BOARD

6 SEC. 823. (a) ESTABLISHMENT.—There is estab-  
7 lished as an independent establishment a board to be  
8 known as the “Misconduct Review Board” (hereinafter in  
9 this title referred to as the “Board”).

10 (b) MEMBERSHIP.—The Board shall consist of—

11 (1) three voting members appointed by the  
12 President, one of whom the President shall designate  
13 as Chairperson;

14 (2) two non-voting members appointed by the  
15 Speaker of the House of Representatives, one of  
16 whom shall be a Republican and one of whom shall  
17 be a Democrat; and

18 (3) two non-voting members appointed by the  
19 Majority Leader of the Senate, one of whom shall be  
20 a Republican and one of whom shall be a Democrat.

21 (c) NON-VOTING MEMBERS SERVE ADVISORY ROLE  
22 ONLY.—The non-voting members shall serve on the Board  
23 in an advisory capacity only and shall not take part in  
24 any decisions of the Board.

25 (d) SUBMISSION OF WRITTEN STATEMENT TO  
26 BOARD.—If the Attorney General makes no determination

1 pursuant to section 822(b) or imposes no penalty under  
2 section 822(c), a person who submitted a written state-  
3 ment under section 822(a) may submit such written state-  
4 ment to the Board.

5 (e) REVIEW OF ATTORNEY GENERAL DETERMINA-  
6 TION.—The Board shall review all determinations made  
7 by the Attorney General under sections 822(b) or 822(c).

8 (f) BOARD INVESTIGATION.—In reviewing a deter-  
9 mination with respect to a written statement under sub-  
10 section (e), or a written statement submitted under sub-  
11 section (d), the Board may investigate the allegations  
12 made in the written statement as the Board considers ap-  
13 propriate.

14 (g) SUBPOENA POWER.—

15 (1) IN GENERAL.—The Board may issue sub-  
16 poenas requiring the attendance and testimony of  
17 witnesses and the production of any evidence relat-  
18 ing to any matter under investigation by the Board.  
19 The attendance of witnesses and the production of  
20 evidence may be required from any place within the  
21 United States.

22 (2) FAILURE TO OBEY A SUBPOENA.—If a per-  
23 son refuses to obey a subpoena issued under para-  
24 graph (1), the Board may apply to a United States  
25 district court for an order requiring that person to

1 appear before the Board to give testimony, produce  
2 evidence, or both, relating to the matter under inves-  
3 tigation. The application may be made within the ju-  
4 dicial district where the hearing is conducted or  
5 where that person is found, resides, or transacts  
6 business. Any failure to obey the order of the court  
7 may be punished by the court as civil contempt.

8 (3) SERVICE OF SUBPOENAS.—The subpoenas  
9 of the Board shall be served in the manner provided  
10 for subpoenas issued by a United States district  
11 court under the Federal Rules of Civil Procedure for  
12 the United States district courts.

13 (4) SERVICE OF PROCESS.—All process of any  
14 court to which application is made under paragraph  
15 (2) may be served in the judicial district in which  
16 the person required to be served resides or may be  
17 found.

18 (h) MEETINGS.—The Board shall meet at the call of  
19 the Chairperson or a majority of its voting members. All  
20 meetings shall be open to the public. The Board is author-  
21 ized to sit where the Board considers most convenient  
22 given the facts of a particular complaint, but shall give  
23 due consideration to conducting its activities in the judi-  
24 cial district where the complainant resides.

1 (i) DECISIONS.—Decisions of the Board shall be  
2 made by majority vote of the voting members.

3 (j) AUTHORITY TO IMPOSE PENALTY.—After con-  
4 ducting such independent review and investigation as it  
5 deems appropriate, the Board by a majority vote of its  
6 voting members may impose a penalty, including dismis-  
7 sal, as provided in section 821(b) as it considers appro-  
8 priate.

9 (k) COMPENSATION.—

10 (1) PROHIBITION OF COMPENSATION OF FED-  
11 ERAL EMPLOYEES.—Members of the Board who are  
12 full-time officers or employees of the United States,  
13 including Members of Congress, may not receive ad-  
14 ditional pay, allowances, or benefits by reason of  
15 their service on the Board.

16 (2) TRAVEL EXPENSES.—Each member shall  
17 receive travel expenses, including per diem in lieu of  
18 subsistence, in accordance with sections 5702 and  
19 5703 of title 5, United States Code.

20 (l) EXPERTS AND CONSULTANTS.—The Board may  
21 procure temporary and intermittent services under section  
22 3109(b) of title 5, United States Code, but at rates for  
23 individuals not to exceed \$200 per day.

24 (m) STAFF OF FEDERAL AGENCIES.—Upon request  
25 of the Chairperson, the head of any Federal department

1 or agency may detail, on a reimbursable basis, any of the  
2 personnel of that department or agency to the Board to  
3 assist it in carrying out its duties under this title.

4 (n) OBTAINING OFFICIAL DATA.—The Board may  
5 secure directly from any department or agency of the  
6 United States information necessary to enable it to carry  
7 out this title. Upon request of the Chairperson of the  
8 Board, the head of that department or agency shall fur-  
9 nish that information to the Board.

10 (o) MAILS.—The Board may use the United States  
11 mails in the same manner and under the same conditions  
12 as other departments and agencies of the United States.

13 (p) ADMINISTRATIVE SUPPORT SERVICES.—Upon  
14 the request of the Board, the Administrator of General  
15 Services shall provide to the Board, on a reimbursable  
16 basis, the administrative support services necessary for the  
17 Board to carry out its responsibilities under this title.

18 (q) CONTRACT AUTHORITY.—The Board may con-  
19 tract with and compensate government and private agen-  
20 cies or persons for services, without regard to section 3709  
21 of the Revised Statutes (41 U.S.C. 5).

## 22 TITLE IX—ADDITIONAL GENERAL PROVISIONS

23 SEC. 901. None of the funds made available in this  
24 or any other Act may be used to implement, administer,

1 or enforce Executive Order No. 13083 (titled “Federal-  
2 ism” and dated May 14, 1998).

3 SEC. 902. None of the funds appropriated or other-  
4 wise made available in this Act may be used by the United  
5 States to intervene against a claim for attachment in aid  
6 of execution, or execution, of property of a foreign state  
7 upon a judgment relating to a claim brought under section  
8 1605(a)(7) of title 28, United States Code.

9 SEC. 903. (a) Section 118 of title 28, United States  
10 Code, is amended—

11 (1) in subsection (a) by striking “Philadelphia,  
12 and Schuylkill” and inserting “and Philadelphia”;  
13 and

14 (2) in subsection (b) by inserting “Schuylkill,”  
15 after “Potter,”.

16 (b)(1) This section and the amendments made by this  
17 section shall take effect 180 days after the date of the  
18 enactment of this Act.

19 (2) This section and the amendments made by this  
20 section shall not affect any action commenced before the  
21 effective date of this section and pending on such date in  
22 the United States District Court for the Eastern District  
23 of Pennsylvania.

24 (3) This section and the amendments made by this  
25 section shall not affect the composition, or preclude the

1 service, of any grand or petit jury summoned, impaneled,  
2 or actually serving on the effective date of this section.

3       SEC. 904. None of the funds appropriated or other-  
4 wise made available by this Act may be used for participa-  
5 tion by United States delegates to the Standing Consult-  
6 ative Commission in any activity of the Commission to im-  
7 plement the Memorandum of Understanding Relating to  
8 the Treaty Between the United States of America and the  
9 Union of Soviet Socialist Republics on the Limitation of  
10 Anti-Ballistic Missile Systems of May 26, 1972, entered  
11 into in New York on September 26, 1997, by the United  
12 States, Russia, Kazakhstan, Belarus, and Ukraine.

13       This Act may be cited as the “Departments of Com-  
14 merce, Justice, and State, the Judiciary, and Related  
15 Agencies Appropriations Act, 1999”.

Passed the House of Representatives August 6 (leg-  
islative day, August 5), 1998.

Attest:

ROBIN H. CARLE,

*Clerk.*