

Union Calendar No. 357

105TH CONGRESS
2^D SESSION

H. R. 4276

[Report No. 105-636]

A BILL

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.

JULY 20, 1998

Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

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IN THE HOUSE OF REPRESENTATIVES

JULY 20, 1998

Mr. ROGERS, from the Committee on Appropriations, reported the following bill; which was committed to the Committee of the Whole House on the State of the Union and ordered to be printed

A BILL

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,*
3 That the following sums are appropriated, out of any
4 money in the Treasury not otherwise appropriated, for the

1 fiscal year ending September 30, 1998, and for other pur-
2 poses, namely:

3 TITLE I—DEPARTMENT OF JUSTICE

4 GENERAL ADMINISTRATION

5 SALARIES AND EXPENSES

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

23 COUNTERTERRORISM FUND

24 For necessary expenses, as determined by the Attor-
25 ney General, \$129,200,000, to remain available until ex-

1 pending, to reimburse departments and agencies of the
2 Federal Government for any costs incurred in connection
3 with—

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

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

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

14 ADMINISTRATIVE REVIEW AND APPEALS

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

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

21 OFFICE OF INSPECTOR GENERAL

22 For necessary expenses of the Office of Inspector
23 General in carrying out the provisions of the Inspector
24 General Act of 1978, as amended (5 U.S.C. App.),
25 \$36,610,000; including not to exceed \$10,000 to meet un-

1 foreseen emergencies of a confidential character, to be ex-
2 pended under the direction of, and to be accounted for
3 solely under the certificate of, the Attorney General; and
4 for the acquisition, lease, maintenance, and operation of
5 motor vehicles, without regard to the general purchase
6 price limitation for the current fiscal year: *Provided*, That
7 up to one-tenth of one percent of the Department of Jus-
8 tice's allocation from the Violent Crime Reduction Trust
9 Fund grant programs may be transferred at the discretion
10 of the Attorney General to this account for the audit or
11 other review of such grant programs, as authorized by sec-
12 tion 130005 of the Violent Crime Control and Law En-
13 forcement Act of 1994 (Public Law 103-322).

14 UNITED STATES PAROLE COMMISSION

15 SALARIES AND EXPENSES

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

18 LEGAL ACTIVITIES

19 SALARIES AND EXPENSES, GENERAL LEGAL ACTIVITIES

20 For expenses necessary for the legal activities of the
21 Department of Justice, not otherwise provided for, includ-
22 ing not to exceed \$20,000 for expenses of collecting evi-
23 dence, to be expended under the direction of, and to be
24 accounted for solely under the certificate of, the Attorney
25 General; and rent of private or Government-owned space

1 in the District of Columbia; \$462,265,000; of which not
2 to exceed \$10,000,000 for litigation support contracts
3 shall remain available until expended: *Provided*, That of
4 the funds available in this appropriation, not to exceed
5 \$17,834,000 shall remain available until expended for of-
6 fice automation systems for the legal divisions covered by
7 this appropriation, and for the United States Attorneys,
8 the Antitrust Division, and offices funded through “Sala-
9 ries and Expenses”, General Administration: *Provided fur-*
10 *ther*, That of the total amount appropriated, not to exceed
11 \$1,000 shall be available to the United States National
12 Central Bureau, INTERPOL, for official reception and
13 representation expenses: *Provided further*, That \$813,333
14 of funds made available to the Department of Justice in
15 this Act shall be transferred by the Attorney General to
16 the Presidential Advisory Commission on Holocaust As-
17 sets in the United States: *Provided further*, That any
18 transfer pursuant to the previous proviso shall be treated
19 as a reprogramming under section 605 of this Act and
20 shall not be available for obligation or expenditure except
21 in compliance with the procedures set forth in that section.

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

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

6 SALARIES AND EXPENSES, ANTITRUST DIVISION

7 For expenses necessary for the enforcement of anti-
8 trust and kindred laws, \$68,275,000: *Provided*, That, not-
9 withstanding any other provision of law, not to exceed
10 \$68,275,000 of offsetting collections derived from fees col-
11 lected for premerger notification filings under the Hart-
12 Scott-Rodino Antitrust Improvements Act of 1976 (15
13 U.S.C. 18(a)) shall be retained and used for necessary ex-
14 penses in this appropriation, and shall remain available
15 until expended: *Provided further*, That the sum herein ap-
16 propriated from the General Fund shall be reduced as
17 such offsetting collections are received during fiscal year
18 1999, so as to result in a final fiscal year 1999 appropria-
19 tion from the General Fund estimated at not more than
20 \$0: *Provided further*, That any fees received in excess of
21 \$68,275,000 in fiscal year 1999 shall remain available
22 until expended, but shall not be available for obligation
23 until October 1, 1999.

1 SALARIES AND EXPENSES, UNITED STATES ATTORNEYS

2 For necessary expenses of the Offices of the United
3 States Attorneys, including intergovernmental and cooper-
4 ative agreements, \$1,037,471,000; of which not to exceed
5 \$2,500,000 shall be available until September 30, 2000,
6 for (1) training personnel in debt collection; (2) locating
7 debtors and their property; (3) paying the net costs of sell-
8 ing property; and (4) tracking debts owed to the United
9 States Government: *Provided*, That, of the total amount
10 appropriated, not to exceed \$8,000 shall be available for
11 official reception and representation expenses: *Provided*
12 *further*, That not to exceed \$10,000,000 of those funds
13 available for automated litigation support contracts shall
14 remain available until expended: *Provided further*, That,
15 in addition to reimbursable full-time equivalent workyears
16 available to the Offices of the United States Attorneys,
17 not to exceed 9,044 positions and 9,312 full-time equiva-
18 lent workyears shall be supported from the funds appro-
19 priated in this Act for the United States Attorneys.

20 In addition, \$54,231,000, to be derived from the Vio-
21 lent Crime Reduction Trust Fund, to remain available
22 until expended for such purposes.

23 UNITED STATES TRUSTEE SYSTEM FUND

24 For necessary expenses of the United States Trustee
25 Program, as authorized by 28 U.S.C. 589a(a),

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

19 SALARIES AND EXPENSES, FOREIGN CLAIMS

20 SETTLEMENT COMMISSION

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

1 SALARIES AND EXPENSES, UNITED STATES MARSHALS
2 SERVICE

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

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

18 JUSTICE PRISONER AND ALIEN TRANSPORTATION SYSTEM
19 FUND, UNITED STATES MARSHALS SERVICE

20 There is hereby established a Justice Prisoner and
21 Alien Transportation System Fund for the payment of
22 necessary expenses related to the scheduling and transpor-
23 tation of United States prisoners and illegal and criminal
24 aliens in the custody of the United States Marshals Serv-
25 ice, as authorized in 18 U.S.C. 4013, including, without
26 limitation, salaries and expenses, operations, and the ac-

1 quisation, lease, and maintenance of aircraft and support
2 facilities: *Provided*, That the Fund shall be reimbursed or
3 credited with advance payments from amounts available
4 to the Department of Justice, other Federal agencies, and
5 other sources at rates that will recover the expenses of
6 Fund operations, including, without limitation, accrual of
7 annual leave and depreciation of plant and equipment of
8 the Fund: *Provided further*, That proceeds from the dis-
9 posal of Fund aircraft shall be credited to the Fund: *Pro-*
10 *vided further*, That amounts in the Fund shall be available
11 without fiscal year limitation, and may be used for operat-
12 ing equipment lease agreements that do not exceed 5
13 years.

14 FEDERAL PRISONER DETENTION

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

21 FEES AND EXPENSES OF WITNESSES

22 For expenses, mileage, compensation, and per diems
23 of witnesses, for expenses of contracts for the procurement
24 and supervision of expert witnesses, for private counsel ex-
25 penses, and for per diems in lieu of subsistence, as author-

1 ized by law, including advances, \$95,000,000, to remain
2 available until expended; of which not to exceed
3 \$6,000,000 may be made available for planning, construc-
4 tion, renovations, maintenance, remodeling, and repair of
5 buildings, and the purchase of equipment incident thereto,
6 for protected witness safesites; and of which not to exceed
7 \$1,000,000 may be made available for the purchase and
8 maintenance of armored vehicles for transportation of pro-
9 tected witnesses.

10 SALARIES AND EXPENSES, COMMUNITY RELATIONS

11 SERVICE

12 For necessary expenses of the Community Relations
13 Service, established by title X of the Civil Rights Act of
14 1964, \$6,699,000 and, in addition, up to \$1,000,000 of
15 funds made available to the Department of Justice in this
16 Act may be transferred by the Attorney General to this
17 account: *Provided*, That notwithstanding any other provi-
18 sion of law, upon a determination by the Attorney General
19 that emergent circumstances require additional funding
20 for conflict prevention and resolution activities of the
21 Community Relations Service, the Attorney General may
22 transfer such amounts to the Community Relations Serv-
23 ice, from available appropriations for the current fiscal
24 year for the Department of Justice, as may be necessary
25 to respond to such circumstances: *Provided further*, That

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

6 ASSETS FORFEITURE FUND

7 For expenses authorized by 28 U.S.C.
8 524(c)(1)(A)(ii), (B), (F), and (G), as amended,
9 \$23,000,000, to be derived from the Department of Jus-
10 tice Assets Forfeiture Fund.

11 RADIATION EXPOSURE COMPENSATION

12 ADMINISTRATIVE EXPENSES

13 For necessary administrative expenses in accordance
14 with the Radiation Exposure Compensation Act,
15 \$2,000,000.

16 INTERAGENCY LAW ENFORCEMENT

17 INTERAGENCY CRIME AND DRUG ENFORCEMENT

18 For necessary expenses for the detection, investiga-
19 tion, and prosecution of individuals involved in organized
20 crime drug trafficking not otherwise provided for, to in-
21 clude intergovernmental agreements with State and local
22 law enforcement agencies engaged in the investigation and
23 prosecution of individuals involved in organized crime drug
24 trafficking, \$304,014,000, of which \$50,000,000 shall re-
25 main available until expended: *Provided*, That any

1 amounts obligated from appropriations under this heading
2 may be used under authorities available to the organiza-
3 tions reimbursed from this appropriation: *Provided fur-*
4 *ther*, That any unobligated balances remaining available
5 at the end of the fiscal year shall revert to the Attorney
6 General for reallocation among participating organizations
7 in succeeding fiscal years, subject to the reprogramming
8 procedures described in section 605 of this Act.

9 FEDERAL BUREAU OF INVESTIGATION

10 SALARIES AND EXPENSES

11 For necessary expenses of the Federal Bureau of In-
12 vestigation for detection, investigation, and prosecution of
13 crimes against the United States; including purchase for
14 police-type use of not to exceed 2,688 passenger motor ve-
15 hicles, of which 2,000 will be for replacement only, without
16 regard to the general purchase price limitation for the cur-
17 rent fiscal year, and hire of passenger motor vehicles; ac-
18 quisition, lease, maintenance, and operation of aircraft;
19 and not to exceed \$70,000 to meet unforeseen emergencies
20 of a confidential character, to be expended under the di-
21 rection of, and to be accounted for solely under the certifi-
22 cate of, the Attorney General, \$2,750,615,000; of which
23 not to exceed \$50,000,000 for automated data processing
24 and telecommunications and technical investigative equip-
25 ment and not to exceed \$1,000,000 for undercover oper-

1 ations shall remain available until September 30, 2000;
2 of which not less than \$282,473,000 shall be for
3 counterterrorism investigations, foreign counterintel-
4 ligence, and other activities related to our national secu-
5 rity; of which not to exceed \$69,846,000 shall remain
6 available until expended, of which not to exceed
7 \$8,046,000 shall be for equipment to address chemical
8 and biological attacks; of which not to exceed \$10,000,000
9 is authorized to be made available for making advances
10 for expenses arising out of contractual or reimbursable
11 agreements with State and local law enforcement agencies
12 while engaged in cooperative activities related to violent
13 crime, terrorism, organized crime, and drug investigations;
14 and of which \$1,500,000 shall be available to maintain
15 an independent program office dedicated solely to the au-
16 tomation of fingerprint identification services: *Provided*,
17 That not to exceed \$45,000 shall be available for official
18 reception and representation expenses: *Provided further*,
19 That no funds in this Act may be used to provide ballistics
20 imaging equipment to any State or local authority which
21 has obtained similar equipment through a Federal grant
22 or subsidy unless the State or local authority agrees to
23 return that equipment or to repay that grant or subsidy
24 to the Federal Government.

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

7 CONSTRUCTION

8 For necessary expenses to construct or acquire build-
9 ings and sites by purchase, or as otherwise authorized by
10 law (including equipment for such buildings); conversion
11 and extension of federally owned buildings; and prelimi-
12 nary planning and design of projects; \$11,287,000, to re-
13 main available until expended.

14 DRUG ENFORCEMENT ADMINISTRATION

15 SALARIES AND EXPENSES

16 For necessary expenses of the Drug Enforcement Ad-
17 ministration, including not to exceed \$70,000 to meet un-
18 foreseen emergencies of a confidential character, to be ex-
19 pended under the direction of, and to be accounted for
20 solely under the certificate of, the Attorney General; ex-
21 penses for conducting drug education and training pro-
22 grams, including travel and related expenses for partici-
23 pants in such programs and the distribution of items of
24 token value that promote the goals of such programs; pur-
25 chase of not to exceed 1,428 passenger motor vehicles, of
26 which 1,080 will be for replacement only, for police-type

1 use without regard to the general purchase price limitation
2 for the current fiscal year; and acquisition, lease, mainte-
3 nance, and operation of aircraft; \$796,290,000, of which
4 not to exceed \$1,800,000 for research and \$15,000,000
5 for transfer to the Drug Diversion Control Fee Account
6 for operating expenses shall remain available until ex-
7 pended, and of which not to exceed \$4,000,000 for pur-
8 chase of evidence and payments for information, not to
9 exceed \$10,000,000 for contracting for automated data
10 processing and telecommunications equipment, and not to
11 exceed \$2,000,000 for laboratory equipment, \$4,000,000
12 for technical equipment, and \$2,000,000 for aircraft re-
13 placement retrofit and parts, shall remain available until
14 September 30, 2000; and of which not to exceed \$50,000
15 shall be available for official reception and representation
16 expenses.

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

20 CONSTRUCTION

21 For necessary expenses to construct or acquire build-
22 ings and sites by purchase, or as otherwise authorized by
23 law (including equipment for such buildings); conversion
24 and extension of federally owned buildings; and prelimi-

1 nary planning and design of projects; \$8,000,000, to re-
2 main available until expended.

3 IMMIGRATION AND NATURALIZATION SERVICE

4 SALARIES AND EXPENSES

5 For expenses, not otherwise provided for, necessary
6 for the administration and enforcement of the laws relat-
7 ing to immigration, naturalization, and alien registration,
8 as follows:

9 ENFORCEMENT AND BORDER AFFAIRS

10 For salaries and expenses, not otherwise provided for,
11 for the Border Patrol program, the detention and deporta-
12 tion program, the intelligence program, the investigations
13 program, and the inspections program, including not to
14 exceed \$50,000 to meet unforeseen emergencies of a con-
15 fidential character, to be expended under the direction of,
16 and to be accounted for solely under the certificate of, the
17 Attorney General; purchase for police-type use (not to ex-
18 ceed 3,855 passenger motor vehicles, of which 2,535 are
19 for replacement only), without regard to the general pur-
20 chase price limitation for the current fiscal year, and hire
21 of passenger motor vehicles; acquisition, lease, mainte-
22 nance and operation of aircraft; research related to immi-
23 gration enforcement; and for the care and housing of Fed-
24 eral detainees held in the joint Immigration and Natu-
25 ralization Service and United States Marshals Service's

1 Buffalo Detention Facility; \$1,096,431,000, of which not
2 to exceed \$400,000 for research shall remain available
3 until expended; of which not to exceed \$10,000,000 shall
4 be available for costs associated with the training program
5 for basic officer training, and \$5,000,000 is for payments
6 or advances arising out of contractual or reimbursable
7 agreements with State and local law enforcement agencies
8 while engaged in cooperative activities related to immigra-
9 tion; and of which not to exceed \$5,000,000 is to fund
10 or reimburse other Federal agencies for the costs associ-
11 ated with the care, maintenance, and repatriation of
12 smuggled illegal aliens: *Provided*, That none of the funds
13 available to the Immigration and Naturalization Service
14 shall be available to pay any employee overtime pay in an
15 amount in excess of \$30,000 during the calendar year be-
16 ginning January 1, 1999: *Provided further*, That uniforms
17 may be purchased without regard to the general purchase
18 price limitation for the current fiscal year: *Provided fur-*
19 *ther*, That none of the funds provided in this or any other
20 Act shall be used for the continued operation of the San
21 Clemente and Temecula checkpoints unless the check-
22 points are open and traffic is being checked on a continu-
23 ous 24-hour basis.

1 CITIZENSHIP AND BENEFITS, IMMIGRATION SUPPORT AND
2 PROGRAM DIRECTION

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

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

17 VIOLENT CRIME REDUCTION PROGRAMS

18 In addition, \$866,490,000, for such purposes, to re-
19 main available until expended, to be derived from the Vio-
20 lent Crime Reduction Trust Fund: *Provided*, That the At-
21 torney General may use the transfer authority provided
22 under the heading “Citizenship and Benefits, Immigration
23 Support and Program Direction” to provide funds to any
24 program of the Immigration and Naturalization Service

1 that heretofore has been funded by the Violent Crime Re-
2 duction Trust Fund.

3 CONSTRUCTION

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

10 FEDERAL PRISON SYSTEM

11 SALARIES AND EXPENSES

12 For expenses necessary for the administration, oper-
13 ation, and maintenance of Federal penal and correctional
14 institutions, including purchase (not to exceed 763, of
15 which 599 are for replacement only) and hire of law en-
16 forcement and passenger motor vehicles, and for the provi-
17 sion of technical assistance and advice on corrections re-
18 lated issues to foreign governments; \$2,922,354,000: *Pro-*
19 *vided*, That the Attorney General may transfer to the
20 Health Resources and Services Administration such
21 amounts as may be necessary for direct expenditures by
22 that Administration for medical relief for inmates of Fed-
23 eral penal and correctional institutions: *Provided further*,
24 That the Director of the Federal Prison System (FPS),
25 where necessary, may enter into contracts with a fiscal

1 agent/fiscal intermediary claims processor to determine
2 the amounts payable to persons who, on behalf of the
3 FPS, furnish health services to individuals committed to
4 the custody of the FPS: *Provided further*, That uniforms
5 may be purchased without regard to the general purchase
6 price limitation for the current fiscal year: *Provided fur-*
7 *ther*, That not to exceed \$6,000 shall be available for offi-
8 cial reception and representation expenses: *Provided fur-*
9 *ther*, That not to exceed \$90,000,000 for the activation
10 of new facilities shall remain available until September 30,
11 2000: *Provided further*, That, of the amounts provided for
12 Contract Confinement, not to exceed \$20,000,000 shall re-
13 main available until expended to make payments in ad-
14 vance for grants, contracts and reimbursable agreements,
15 and other expenses authorized by section 501(c) of the
16 Refugee Education Assistance Act of 1980, as amended,
17 for the care and security in the United States of Cuban
18 and Haitian entrants: *Provided further*, That, notwith-
19 standing section 4(d) of the Service Contract Act of 1965
20 (41 U.S.C. 353(d)), FPS may enter into contracts and
21 other agreements with private entities for periods of not
22 to exceed 3 years and 7 additional option years for the
23 confinement of Federal prisoners.

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, to remain available until expended, as au-
15 thorized by section 1001 of title I of the Omnibus Crime
16 Control and Safe Streets Act of 1968, as amended by Pub-
17 lic Law 102-534 (106 Stat. 3524).

18 STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE

19 For grants, contracts, cooperative agreements, and
20 other assistance authorized by part E of title I of the Om-
21 nibus Crime Control and Safe Streets Act of 1968, as
22 amended, for State and Local Narcotics Control and Jus-
23 tice Assistance Improvements, notwithstanding the provi-
24 sions of section 511 of said Act, \$552,750,000, to remain
25 available until expended, as authorized by section 1001 of

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

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

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

1 (A), (B), (D), (F), and (I) of section 101(a)(2) of H.R.
2 728 and for establishing crime prevention programs in-
3 volving cooperation between community residents and law
4 enforcement personnel in order to control, detect, or inves-
5 tigate crime or the prosecution of criminals: *Provided*,
6 That no funds provided under this heading may be used
7 as matching funds for any other Federal grant program:
8 *Provided further*, That \$20,000,000 of this amount shall
9 be for Boys and Girls Clubs in public housing facilities
10 and other areas in cooperation with State and local law
11 enforcement: *Provided further*, That funds may also be
12 used to defray the costs of indemnification insurance for
13 law enforcement officers: *Provided further*, That for the
14 purpose of distribution of grants under the Local Law En-
15 forcement Block Grant Program in the State of Louisiana,
16 or any other State the Attorney General finds as having
17 provisions within its constitution similar to those of Lou-
18 isiana which establish the office of the sheriff in such
19 State as an independent elected official with its own taxing
20 and spending authority, parish sheriffs shall be eligible to
21 receive a direct grant of 50 percent of the funding other-
22 wise provided to the parishes; of which \$45,000,000 shall
23 be for grants to upgrade criminal records, as authorized
24 by section 106(b) of the Brady Handgun Violence Preven-
25 tion Act of 1993, as amended, and section 4(b) of the Na-

1 tional Child Protection Act of 1993; of which
2 \$420,000,000 shall be for the State Criminal Alien Assist-
3 ance Program, as authorized by section 242(j) of the Im-
4 migration and Nationality Act, as amended; of which
5 \$730,500,000 shall be for Violent Offender Incarceration
6 and Truth in Sentencing Incentive Grants pursuant to
7 subtitle A of title II of the 1994 Act, of which
8 \$165,000,000 shall be available for payments to States for
9 incarceration of criminal aliens, of which \$25,000,000
10 shall be available for the Cooperative Agreement Program,
11 and of which \$15,000,000 shall be reserved by the Attor-
12 ney General for fiscal year 1999 under section 20109(a)
13 of subtitle A of title II of the 1994 Act; of which
14 \$7,000,000 shall be for the Court Appointed Special Advo-
15 cate Program, as authorized by section 218 of the 1990
16 Act; of which \$2,000,000 shall be for Child Abuse Train-
17 ing Programs for Judicial Personnel and Practitioners, as
18 authorized by section 224 of the 1990 Act; of which
19 \$200,750,000 shall be for Grants to Combat Violence
20 Against Women, to States, units of local government, and
21 Indian tribal governments, as authorized by section
22 1001(a)(18) of the 1968 Act, including \$23,000,000
23 which shall be used exclusively for the purpose of strength-
24 ening civil legal assistance programs for victims of domes-
25 tic violence: *Provided further*, That, of these funds,

1 \$5,200,000 shall be provided to the National Institute of
2 Justice for research and evaluation of violence against
3 women, and \$1,196,000 shall be provided to the Office
4 of the United States Attorney for the District of Columbia
5 for domestic violence programs in D.C. Superior Court;
6 of which \$39,000,000 shall be for Grants to Encourage
7 Arrest Policies to States, units of local government, and
8 Indian tribal governments, as authorized by section
9 1001(a)(19) of the 1968 Act; of which \$25,000,000 shall
10 be for Rural Domestic Violence and Child Abuse Enforce-
11 ment Assistance Grants, as authorized by section 40295
12 of the 1994 Act; of which \$5,000,000 shall be for training
13 programs to assist probation and parole officers who work
14 with released sex offenders, as authorized by section
15 40152(c) of the 1994 Act; of which \$1,000,000 shall be
16 for grants for televised testimony, as authorized by section
17 1001(a)(7) of the 1968 Act; of which \$63,000,000 shall
18 be for grants for residential substance abuse treatment for
19 State prisoners, as authorized by section 1001(a)(17) of
20 the 1968 Act; of which \$15,000,000 shall be for grants
21 to States and units of local government for projects to im-
22 prove DNA analysis, as authorized by section 1001(a)(22)
23 of the 1968 Act; of which \$900,000 shall be for the Miss-
24 ing Alzheimer's Disease Patient Alert Program, as author-
25 ized by section 240001(c) of the 1994 Act; of which

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

1 WEED AND SEED PROGRAM FUND

2 For necessary expenses, including salaries and relat-
3 ed expenses of the Executive Office for Weed and Seed,
4 to implement “Weed and Seed” program activities,
5 \$33,500,000 to remain available until expended, for inter-
6 governmental agreements, including grants, cooperative
7 agreements, and contracts, with State and local law en-
8 forcement agencies engaged in the investigation and pros-
9 ecution of violent crimes and drug offenses in “Weed and
10 Seed” designated communities, and for either reimburse-
11 ments or transfers to appropriation accounts of the De-
12 partment of Justice and other Federal agencies which
13 shall be specified by the Attorney General to execute the
14 “Weed and Seed” program strategy: *Provided*, That funds
15 designated by Congress through language for other De-
16 partment of Justice appropriation accounts for “Weed and
17 Seed” program activities shall be managed and executed
18 by the Attorney General through the Executive Office for
19 Weed and Seed: *Provided further*, That the Attorney Gen-
20 eral may direct the use of other Department of Justice
21 funds and personnel in support of “Weed and Seed” pro-
22 gram activities only after the Attorney General notifies the
23 Committees on Appropriations of the House of Represent-
24 atives and the Senate in accordance with section 605 of
25 this Act.

1 COMMUNITY ORIENTED POLICING SERVICES
2 VIOLENT CRIME REDUCTION PROGRAMS

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

1 be used for equipment and training for tribal law enforce-
2 ment officers.

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

8 JUVENILE JUSTICE PROGRAMS

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

20 In addition, for grants, contracts, cooperative agree-
21 ments, and other assistance, \$10,000,000 to remain avail-
22 able until expended, for developing, testing, and dem-
23 onstrating programs designed to reduce drug use among
24 juveniles.

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

6 PUBLIC SAFETY OFFICERS BENEFITS

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

15 GENERAL PROVISIONS—DEPARTMENT OF JUSTICE

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

24 SEC. 102. Authorities contained in the Department
25 of Justice Appropriation Authorization Act, Fiscal Year

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

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

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

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

24 SEC. 106. Notwithstanding any other provision of
25 law, not to exceed \$10,000,000 of the funds made avail-

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

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

22 SEC. 108. In fiscal year 1999 and thereafter, the Di-
23 rector of the Bureau of Prisons is authorized to make ex-
24 penditures out of the Federal Prison System's Com-
25 missary Fund, Federal Prisons, for the installation, oper-

1 ation, and maintenance of the inmate telephone system,
2 including, without limitation, the payment of all the equip-
3 ment purchased or leased in connection with the inmate
4 telephone system and the salaries, benefits, and other ex-
5 penses of personnel who install, operate and maintain the
6 inmate telephone system, regardless of whether these ex-
7 penditures are security related.

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

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

14 “Appropriations in this or any other Act hereafter for
15 the Federal Bureau of Investigation, the Drug Enforce-
16 ment Administration, or the Immigration and Naturaliza-
17 tion Service are available, in an amount of not to exceed
18 \$25,000 each per fiscal year, to pay humanitarian ex-
19 penses incurred by or for any employee thereof (or any
20 member of the employee’s immediate family) that results
21 from or is incident to serious illness, serious injury, or
22 death occurring to the employee while on official duty or
23 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 This title may be cited as the “Department of Justice
 11 Appropriations Act, 1999”.

12 TITLE II—DEPARTMENT OF COMMERCE AND

13 RELATED AGENCIES

14 TRADE AND INFRASTRUCTURE DEVELOPMENT

15 RELATED AGENCIES

16 OFFICE OF THE UNITED STATES TRADE

17 REPRESENTATIVE

18 SALARIES AND EXPENSES

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

1 INTERNATIONAL TRADE COMMISSION

2 SALARIES AND EXPENSES

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

8 DEPARTMENT OF COMMERCE

9 INTERNATIONAL TRADE ADMINISTRATION

10 OPERATIONS AND ADMINISTRATION

11 For necessary expenses for international trade activi-
12 ties of the Department of Commerce provided for by law,
13 and engaging in trade promotional activities abroad, in-
14 cluding expenses of grants and cooperative agreements for
15 the purpose of promoting exports of United States firms,
16 without regard to 44 U.S.C. 3702 and 3703; full medical
17 coverage for dependent members of immediate families of
18 employees stationed overseas and employees temporarily
19 posted overseas; travel and transportation of employees of
20 the United States and Foreign Commercial Service be-
21 tween two points abroad, without regard to 49 U.S.C.
22 1517; employment of Americans and aliens by contract for
23 services; rental of space abroad for periods not exceeding
24 ten years, and expenses of alteration, repair, or improve-
25 ment; purchase or construction of temporary demountable

1 exhibition structures for use abroad; payment of tort
2 claims, in the manner authorized in the first paragraph
3 of 28 U.S.C. 2672 when such claims arise in foreign coun-
4 tries; not to exceed \$327,000 for official representation
5 expenses abroad; purchase of passenger motor vehicles for
6 official use abroad, not to exceed \$30,000 per vehicle; ob-
7 tain insurance on official motor vehicles; and rent tie lines
8 and teletype equipment; \$284,123,000, to remain avail-
9 able until expended, of which \$1,600,000 is to be derived
10 from fees to be retained and used by the International
11 Trade Administration, notwithstanding 31 U.S.C. 3302:
12 *Provided, That*, of the \$296,616,000 provided for in direct
13 obligations (of which \$282,523,000 is appropriated from
14 the General Fund, \$1,600,000 is derived from fee collec-
15 tions, and \$12,493,000 is derived from unobligated bal-
16 ances and deobligations from prior years), \$49,225,000
17 shall be for Trade Development, \$17,779,000 shall be for
18 Market Access and Compliance, \$31,047,000 shall be for
19 the Import Administration, \$186,650,000 shall be for the
20 United States and Foreign Commercial Service, and
21 \$11,915,000 shall be for Executive Direction and Admin-
22 istration: *Provided further*, That the provisions of the first
23 sentence of section 105(f) and all of section 108(c) of the
24 Mutual Educational and Cultural Exchange Act of 1961
25 (22 U.S.C. 2455(f) and 2458(c)) shall apply in carrying

1 out these activities without regard to section 5412 of the
2 Omnibus Trade and Competitiveness Act of 1988 (15
3 U.S.C. 4912); and that for the purpose of this Act, con-
4 tributions under the provisions of the Mutual Educational
5 and Cultural Exchange Act shall include payment for as-
6 sessments for services provided as part of these activities.

7 EXPORT ADMINISTRATION

8 OPERATIONS AND ADMINISTRATION

9 For necessary expenses for export administration and
10 national security activities of the Department of Com-
11 merce, including costs associated with the performance of
12 export administration field activities both domestically and
13 abroad; full medical coverage for dependent members of
14 immediate families of employees stationed overseas; em-
15 ployment of Americans and aliens by contract for services
16 abroad; rental of space abroad for periods not exceeding
17 ten years, and expenses of alteration, repair, or improve-
18 ment; payment of tort claims, in the manner authorized
19 in the first paragraph of 28 U.S.C. 2672 when such claims
20 arise in foreign countries; not to exceed \$15,000 for offi-
21 cial representation expenses abroad; awards of compensa-
22 tion to informers under the Export Administration Act of
23 1979, and as authorized by 22 U.S.C. 401(b); purchase
24 of passenger motor vehicles for official use and motor vehi-
25 cles for law enforcement use with special requirement vehi-

1 cles eligible for purchase without regard to any price limi-
2 tation otherwise established by law; \$47,777,000, to re-
3 main available until expended, of which \$3,877,000 shall
4 be for inspections and other activities related to national
5 security: *Provided*, That the provisions of the first sen-
6 tence of section 105(f) and all of section 108(c) of the
7 Mutual Educational and Cultural Exchange Act of 1961
8 (22 U.S.C. 2455(f) and 2458(c)) shall apply in carrying
9 out these activities: *Provided further*, That payments and
10 contributions collected and accepted for materials or serv-
11 ices provided as part of such activities may be retained
12 for use in covering the cost of such activities, and for pro-
13 viding information to the public with respect to the export
14 administration and national security activities of the De-
15 partment of Commerce and other export control programs
16 of the United States and other governments: *Provided fur-*
17 *ther*, That no funds may be obligated or expended for proc-
18 essing licenses for the export of satellites of United States
19 origin (including commercial satellites and satellite compo-
20 nents) to the People's Republic of China, unless, at least
21 15 days in advance, the Committees on Appropriations of
22 the House and the Senate and other appropriate Commit-
23 tees of the Congress are notified of such proposed action.

1 ECONOMIC DEVELOPMENT ADMINISTRATION

2 ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

3 For grants for economic development assistance as
4 provided by the Public Works and Economic Development
5 Act of 1965, as amended, Public Law 91–304, and such
6 laws that were in effect immediately before September 30,
7 1982, and for trade adjustment assistance, \$368,379,000:
8 *Provided*, That none of the funds appropriated or other-
9 wise made available under this heading may be used di-
10 rectly or indirectly for attorneys’ or consultants’ fees in
11 connection with securing grants and contracts made by
12 the Economic Development Administration: *Provided fur-*
13 *ther*, That, notwithstanding any other provision of law, the
14 Secretary of Commerce may provide financial assistance
15 for projects to be located on military installations closed
16 or scheduled for closure or realignment to grantees eligible
17 for assistance under the Public Works and Economic De-
18 velopment Act of 1965, as amended, without it being re-
19 quired that the grantee have title or ability to obtain a
20 lease for the property, for the useful life of the project,
21 when in the opinion of the Secretary of Commerce, such
22 financial assistance is necessary for the economic develop-
23 ment of the area: *Provided further*, That the Secretary of
24 Commerce may, as the Secretary considers appropriate,
25 consult with the Secretary of Defense regarding the title

1 to land on military installations closed or scheduled for
2 closure or realignment.

3 SALARIES AND EXPENSES

4 For necessary expenses of administering the eco-
5 nomic development assistance programs as provided for by
6 law, \$25,000,000: *Provided*, That these funds may be used
7 to monitor projects approved pursuant to title I of the
8 Public Works Employment Act of 1976, as amended, title
9 II of the Trade Act of 1974, as amended, and the Commu-
10 nity Emergency Drought Relief Act of 1977.

11 MINORITY BUSINESS DEVELOPMENT AGENCY

12 MINORITY BUSINESS DEVELOPMENT

13 For necessary expenses of the Department of Com-
14 merce in fostering, promoting, and developing minority
15 business enterprise, including expenses of grants, con-
16 tracts, and other agreements with public or private organi-
17 zations, \$25,276,000.

18 ECONOMIC AND INFORMATION INFRASTRUCTURE

19 ECONOMIC AND STATISTICAL ANALYSIS

20 SALARIES AND EXPENSES

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

1 BUREAU OF THE CENSUS
2 SALARIES AND EXPENSES

3 For expenses necessary for collecting, compiling, ana-
4 lyzing, preparing, and publishing statistics, provided for
5 by law, \$140,147,000.

6 PERIODIC CENSUSES AND PROGRAMS

7 For expenses necessary to conduct the decennial cen-
8 sus, \$951,936,000 to remain available until expended:
9 *Provided*, That, of this amount, \$475,968,000 shall not
10 be available for obligation or expenditure until after March
11 31, 1999, and until the following shall have occurred: (1)
12 not later than March 15, 1999, the President has submit-
13 ted a request to release the funds, and such request shall
14 include the President's estimate of the expenditures re-
15 quired for the completion of the decennial census; and (2)
16 the Congress has enacted legislation making available the
17 unobligated and unexpended funds: *Provided further*, That
18 the Congress is required to take legislative action on such
19 legislation not later than March 31, 1999.

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

1 In addition, for expenses to collect and publish statis-
2 ties for other periodic censuses and programs provided for
3 by law, \$155,951,000, to remain available until expended.

4 NATIONAL TELECOMMUNICATIONS AND INFORMATION
5 ADMINISTRATION
6 SALARIES AND EXPENSES

7 For necessary expenses, as provided for by law, of
8 the National Telecommunications and Information Ad-
9 ministration (NTIA), \$10,940,000, to remain available
10 until expended: *Provided*, That, notwithstanding 31
11 U.S.C. 1535(d), the Secretary of Commerce shall charge
12 Federal agencies for costs incurred in spectrum manage-
13 ment, analysis, and operations, and related services and
14 such fees shall be retained and used as offsetting collec-
15 tions for costs of such spectrum services, to remain avail-
16 able until expended: *Provided further*, That hereafter, not-
17 withstanding any other provision of law, NTIA shall not
18 authorize spectrum use or provide any spectrum functions
19 pursuant to the NTIA Organization Act, 47 U.S.C. 902-
20 903, to any Federal entity without reimbursement as re-
21 quired by NTIA for such spectrum management costs, and
22 Federal entities withholding payment of such cost shall
23 not use spectrum: *Provided further*, That the Secretary of
24 Commerce is authorized to retain and use as offsetting
25 collections all funds transferred, or previously transferred,

1 from other Government agencies for all costs incurred in
2 telecommunications research, engineering, and related ac-
3 tivities by the Institute for Telecommunication Sciences
4 of the NTIA, in furtherance of its assigned functions
5 under this paragraph, and such funds received from other
6 Government agencies shall remain available until ex-
7 pended.

8 PUBLIC TELECOMMUNICATIONS FACILITIES, PLANNING
9 AND CONSTRUCTION

10 For grants authorized by section 392 of the Commu-
11 nications Act of 1934, as amended, \$21,000,000, to re-
12 main available until expended as authorized by section 391
13 of the Act, as amended: *Provided*, That not to exceed
14 \$1,800,000, shall be available for program administration
15 as authorized by section 391 of the Act: *Provided further*,
16 That notwithstanding the provisions of section 391 of the
17 Act, the prior year unobligated balances may be made
18 available for grants for projects for which applications
19 have been submitted and approved during any fiscal year.

20 INFORMATION INFRASTRUCTURE GRANTS

21 For grants authorized by section 392 of the Commu-
22 nications Act of 1934, as amended, \$16,000,000, to re-
23 main available until expended as authorized by section 391
24 of the Act, as amended: *Provided*, That not to exceed
25 \$3,000,000 shall be available for program administration
26 and other support activities as authorized by section 391:

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

11 PATENT AND TRADEMARK OFFICE

12 SALARIES AND EXPENSES

13 For necessary expenses of the Patent and Trademark
14 Office provided for by law, including defense of suits insti-
15 tuted against the Commissioner of Patents and Trade-
16 marks, \$653,526,000, to remain available until expended:
17 *Provided*, That, of this amount, \$653,526,000 shall be de-
18 rived from offsetting collections assessed and collected
19 pursuant to 15 U.S.C. 1113 and 35 U.S.C. 41 and 376
20 and shall be retained and used for necessary expenses in
21 this appropriation: *Provided further*, That the sum herein
22 appropriated from the General Fund shall be reduced as
23 such offsetting collections are received during fiscal year
24 1999, so as to result in final fiscal year 1999 appropria-
25 tion from the General Fund estimated at \$0: *Provided fur-*

1 *ther*, That, during fiscal year 1999, should the total
2 amount of offsetting fee collections be less than
3 \$653,526,000, the total amounts available to the Patent
4 and Trademark Office shall be reduced accordingly: *Pro-*
5 *vided further*, That any amount received in excess of
6 \$653,526,000 in fiscal year 1999 shall remain available
7 until expended, but shall not be available for obligation
8 until October 1, 1999.

9 In addition, upon enactment of legislation to increase
10 fees collected pursuant to 35 U.S.C. 41, such fees shall
11 be collected and credited to this account as offsetting col-
12 lections and shall remain available until expended: *Pro-*
13 *vided*, That not to exceed \$102,000,000 of such amounts
14 collected shall be available for obligation in fiscal year
15 1999 for purposes as authorized by law: *Provided further*,
16 That any amount received in excess of \$102,000,000 in
17 fiscal year 1999 shall remain available until expended, but
18 shall not be available for obligation until October 1, 1999.

19 SCIENCE AND TECHNOLOGY

20 TECHNOLOGY ADMINISTRATION

21 UNDER SECRETARY FOR TECHNOLOGY/OFFICE OF

22 TECHNOLOGY POLICY

23 SALARIES AND EXPENSES

24 For necessary expenses for the Under Secretary for
25 Technology/Office of Technology Policy, \$9,000,000, of

1 which not to exceed \$1,000,000 shall remain available
2 until September 30, 2000.

3 NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY
4 SCIENTIFIC AND TECHNICAL RESEARCH AND SERVICES

5 For necessary expenses of the National Institute of
6 Standards and Technology, \$280,470,000, to remain
7 available until expended, of which not to exceed
8 \$1,800,000 may be transferred to the “Working Capital
9 Fund”.

10 INDUSTRIAL TECHNOLOGY SERVICES

11 For necessary expenses of the Manufacturing Exten-
12 sion Partnership of the National Institute of Standards
13 and Technology, \$106,800,000, to remain available until
14 expended: *Provided*, That, notwithstanding the time limi-
15 tations imposed by 15 U.S.C. 278k(c) (1) and (5) on the
16 duration of Federal financial assistance that may be
17 awarded by the Secretary of Commerce to Regional Cen-
18 ters for the Transfer of Manufacturing Technology (“Cen-
19 ters”), such Federal financial assistance for a Center may
20 continue beyond 6 years and may be renewed for addi-
21 tional periods, not to exceed 1 year, at a rate not to exceed
22 one-third of the Center’s total annual costs or the level
23 of funding in the sixth year, whichever is less, subject be-
24 fore any such renewal to a positive evaluation of the Cen-
25 ter and to a finding by the Secretary of Commerce that

1 continuation of Federal funding to the Center is in the
2 best interest of the Regional Centers for the Transfer of
3 Manufacturing Technology Program: *Provided further*,
4 That the Center's most recent performance evaluation is
5 positive, and the Center has submitted a reapplication
6 which has successfully passed merit review.

7 In addition, for necessary expenses of the Advanced
8 Technology Program of the National Institute of Stand-
9 ards and Technology, \$180,200,000, to remain available
10 until expended, of which not to exceed \$43,000,000 shall
11 be available for the award of new grants, and of which
12 not to exceed \$500,000 may be transferred to the "Work-
13 ing Capital Fund".

14 CONSTRUCTION OF RESEARCH FACILITIES

15 For construction of new research facilities, including
16 architectural and engineering design, and for renovation
17 of existing facilities, not otherwise provided for the Na-
18 tional Institute of Standards and Technology, as author-
19 ized by 15 U.S.C. 278c-278e, \$56,714,000, to remain
20 available until expended: *Provided*, That of the amounts
21 provided under this heading, \$40,000,000 shall be avail-
22 able for obligation and expenditure only after submission
23 of a plan for the expenditure of these funds, in accordance
24 with section 605 of this Act.

1 NATIONAL OCEANIC AND ATMOSPHERIC
2 ADMINISTRATION
3 OPERATIONS, RESEARCH, AND FACILITIES
4 (INCLUDING TRANSFER OF FUNDS)

5 For necessary expenses of activities authorized by law
6 for the National Oceanic and Atmospheric Administration,
7 including maintenance, operation, and hire of aircraft; not
8 to exceed 240 commissioned officers on the active list as
9 of September 30, 1999; grants, contracts, or other pay-
10 ments to nonprofit organizations for the purposes of con-
11 ducting activities pursuant to cooperative agreements; and
12 relocation of facilities as authorized by 33 U.S.C. 883i;
13 \$1,470,042,000, to remain available until expended: *Pro-*
14 *vided*, That fees and donations received by the National
15 Ocean Service for the management of the national marine
16 sanctuaries may be retained and used for the salaries and
17 expenses associated with those activities, notwithstanding
18 31 U.S.C. 3302: *Provided further*, That, in addition,
19 \$62,381,000 shall be derived by transfer from the fund
20 entitled “Promote and Develop Fishery Products and Re-
21 search Pertaining to American Fisheries”: *Provided fur-*
22 *ther*, That grants to States pursuant to sections 306 and
23 306A of the Coastal Zone Management Act of 1972, as
24 amended, shall not exceed \$2,000,000: *Provided further*,
25 That, of the \$1,578,933,000 provided for in direct obliga-

1 tions under this heading (of which \$1,470,042,000 is ap-
2 propriated from the general fund, \$74,895,000 is provided
3 by transfer, and \$33,996,000 is derived from unobligated
4 balances and deobligations from prior years),
5 \$244,933,000 shall be for the National Ocean Service,
6 \$339,732,000 shall be for the National Marine Fisheries
7 Service, \$254,830,000 shall be for Oceanic and Atmos-
8 pheric Research, \$551,747,000 shall be for the National
9 Weather Service, \$104,232,000 shall be for the National
10 Environmental Satellite, Data, and Information Service,
11 \$63,894,000 shall be for Program Support, \$6,300,000
12 shall be for Fleet Maintenance, and \$13,265,000 shall be
13 for Facilities Maintenance: *Provided further*, That, not to
14 exceed \$31,069,000 shall be expended for Executive Direc-
15 tion and Administration, which consists of the Offices of
16 the Under Secretary, the Executive Secretariat, Policy and
17 Strategic Planning, International Affairs, Legislative Af-
18 fairs, Public Affairs, Sustainable Development, the Chief
19 Scientist, and the General Counsel: *Provided further*, That
20 the aforementioned offices shall not be augmented by per-
21 sonnel details, temporary transfers of personnel on either
22 a reimbursable or nonreimbursable basis or any other type
23 of formal or informal transfer or reimbursement of person-
24 nel or funds on either a temporary or long-term basis: *Pro-*
25 *vided further*, That not to exceed \$77,843,000 shall be ex-

1 pended for central administrative support and common
2 services not otherwise provided for under “Program Sup-
3 port” except in accordance with the procedures set forth
4 in section 605 of this Act: *Provided further*, That, except
5 as provided for in the previous proviso, no additional ad-
6 ministrative charge or other assessment shall be applied
7 against any program, project, or activity for which funds
8 are provided under this heading unless explicitly provided
9 for in this Act: *Provided further*, That any use of
10 deobligated balances of funds provided under this heading
11 in previous years shall be subject to the procedures set
12 forth in section 605 of this Act.

13 PROCUREMENT, ACQUISITION AND CONSTRUCTION

14 (INCLUDING TRANSFER OF FUNDS)

15 For procurement, acquisition and construction of
16 capital assets, including alteration and modification costs,
17 of the National Oceanic and Atmospheric Administration,
18 \$538,439,000, to remain available until expended: *Pro-*
19 *vided*, That not to exceed \$67,667,000 is available for the
20 advanced weather interactive processing system, and may
21 be available for obligation and expenditure only pursuant
22 to a certification by the Secretary of Commerce that the
23 total cost to complete the acquisition and deployment of
24 the advanced weather interactive processing system
25 through Build 4.2 and NOAA Port system, including pro-

1 gram management, operations, and maintenance costs
2 through deployment, will not exceed \$71,790,000: *Pro-*
3 *vided further*, That unexpended balances of amounts pre-
4 viously made available in the “Operations, Research, and
5 Facilities” account for activities funded under this head-
6 ing may be transferred to and merged with this account,
7 to remain available until expended for the purposes for
8 which the funds were originally appropriated.

9 COASTAL ZONE MANAGEMENT FUND

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

15 FISHERMEN’S CONTINGENCY FUND

16 For carrying out the provisions of title IV of Public
17 Law 95–372, not to exceed \$953,000, to be derived from
18 receipts collected pursuant to that Act, to remain available
19 until expended.

20 FOREIGN FISHING OBSERVER FUND

21 For expenses necessary to carry out the provisions
22 of the Atlantic Tunas Convention Act of 1975, as amend-
23 ed (Public Law 96–339), and the Magnuson-Stevens Fish-
24 ery Conservation and Management Act of 1976, as
25 amended (Public Law 100–627), to be derived from the

1 fees imposed under the foreign fishery observer program
2 authorized by these Acts, not to exceed \$189,000, to re-
3 main available until expended.

4 FISHERIES FINANCE PROGRAM ACCOUNT

5 For the cost of direct loans, \$238,000, as authorized
6 by the Merchant Marine Act of 1936, as amended: *Pro-*
7 *vided*, That such costs, including the cost of modifying
8 such loans, shall be as defined in section 502 of the Con-
9 gressional Budget Act of 1974: *Provided further*, That
10 none of the funds made available under this heading may
11 be used for direct loans for any new fishing vessel that
12 will increase the harvesting capacity in any United States
13 fishery.

14 GENERAL ADMINISTRATION

15 SALARIES AND EXPENSES

16 For expenses necessary for the general administra-
17 tion of the Department of Commerce provided for by law,
18 including not to exceed \$3,000 for official entertainment,
19 \$28,900,000.

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 \$21,400,000.

1 PATENT AND TRADEMARK OFFICE

2 SALARIES AND EXPENSES

3 (RESCISSION)

4 Of the unobligated balances available under this
5 heading from prior year appropriations, fees collected in
6 this fiscal year, and balances of prior year fees,
7 \$41,000,000 are rescinded.

8 NATIONAL OCEANIC AND ATMOSPHERIC

9 ADMINISTRATION

10 PROCUREMENT, ACQUISITION AND CONSTRUCTION

11 (RESCISSION)

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

14 GENERAL PROVISIONS—DEPARTMENT OF COMMERCE

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

25 SEC. 202. During the current fiscal year, appropria-
26 tions made available to the Department of Commerce by

1 this Act for salaries and expenses shall be available for
2 hire of passenger motor vehicles as authorized by 31
3 U.S.C. 1343 and 1344; services as authorized by 5 U.S.C.
4 3109; and uniforms or allowances therefore, as authorized
5 by law (5 U.S.C. 5901–5902).

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

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

21 SEC. 205. Not to exceed 5 percent of any appropria-
22 tion made available for the current fiscal year for the De-
23 partment of Commerce in this Act may be transferred be-
24 tween such appropriations, but no such appropriation shall
25 be increased by more than 10 percent by any such trans-

1 fers: *Provided*, That any transfer pursuant to this section
2 shall be treated as a reprogramming of funds under sec-
3 tion 605 of this Act and shall not be available for obliga-
4 tion or expenditure except in compliance with the proce-
5 dures set forth in that section.

6 SEC. 206. (a) Should legislation be enacted to dis-
7 mantle or reorganize the Department of Commerce, or any
8 portion thereof, the Secretary of Commerce, no later than
9 90 days thereafter, shall submit to the Committees on Ap-
10 propriations of the House and the Senate a plan for trans-
11 ferring funds provided in this Act to the appropriate suc-
12 cessor organizations: *Provided*, That the plan shall include
13 a proposal for transferring or rescinding funds appro-
14 priated herein for agencies or programs terminated under
15 such legislation: *Provided further*, That such plan shall be
16 transmitted in accordance with section 605 of this Act.

17 (b) The Secretary of Commerce or the appropriate
18 head of any successor organization may use any available
19 funds to carry out legislation dismantling or reorganizing
20 the Department of Commerce, or any portion thereof, to
21 cover the costs of actions relating to the abolishment, reor-
22 ganization, or transfer of functions and any related per-
23 sonnel action, including voluntary separation incentives if
24 authorized by such legislation: *Provided*, That the author-
25 ity to transfer funds between appropriations accounts that

1 may be necessary to carry out this section is provided in
2 addition to authorities included under section 205 of this
3 Act: *Provided further*, That use of funds to carry out this
4 section shall be treated as a reprogramming of funds
5 under section 605 of this Act and shall not be available
6 for obligation or expenditure except in compliance with the
7 procedures set forth in that section.

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

23 SEC. 208. The Secretary of Commerce may award
24 contracts for hydrographic, geodetic, and photogrammet-
25 ric surveying and mapping services in accordance with title

1 IX of the Federal Property and Administrative Services
2 Act of 1949 (40 U.S.C. 541 et seq.).

3 SEC. 209. The Secretary of Commerce may use the
4 Commerce franchise fund for expenses and equipment nec-
5 essary for the maintenance and operation of such adminis-
6 trative services as the Secretary determines may be per-
7 formed more advantageously as central services, pursuant
8 to section 403 of Public Law 103–356: *Provided*, That any
9 inventories, equipment, and other assets pertaining to the
10 services to be provided by such fund, either on hand or
11 on order, less the related liabilities or unpaid obligations,
12 and any appropriations made for the purpose of providing
13 capital shall be used to capitalize such fund: *Provided fur-*
14 *ther*, That such fund shall be paid in advance from funds
15 available to the Department and other Federal agencies
16 for which such centralized services are performed, at rates
17 which will return in full all expenses of operation, includ-
18 ing accrued leave, depreciation of fund plant and equip-
19 ment, amortization of automated data processing (ADP)
20 software and systems (either acquired or donated), and
21 an amount necessary to maintain a reasonable operating
22 reserve, as determined by the Secretary: *Provided further*,
23 That such fund shall provide services on a competitive
24 basis: *Provided further*, That an amount not to exceed 4
25 percent of the total annual income to such fund may be

1 retained in the fund for fiscal year 1999 and each fiscal
2 year thereafter, to remain available until expended, to be
3 used for the acquisition of capital equipment, and for the
4 improvement and implementation of Department financial
5 management, ADP, and other support systems: *Provided*
6 *further*, That such amounts retained in the fund for fiscal
7 year 1999 and each fiscal year thereafter shall be available
8 for obligation and expenditure only in accordance with sec-
9 tion 605 of this Act: *Provided further*, That no later than
10 30 days after the end of each fiscal year, amounts in ex-
11 cess of this reserve limitation shall be deposited as mis-
12 cellaneous receipts in the Treasury: *Provided further*, That
13 such franchise fund pilot program shall terminate pursu-
14 ant to section 403(f) of Public Law 103–356.

15 SEC. 210. Section 101 of the Magnuson-Stevens
16 Fishery Conservation and Management Act (16 U.S.C.
17 1811) is amended—

18 (1) in subsection (a), by inserting “subsection
19 (c) of this section and” after “Except as provided
20 in”; and

21 (2) by adding at the end the following:

22 “(c) EXCLUSIVE STATE FISHERY MANAGEMENT AU-
23 THORITY IN GULF OF MEXICO.—Each of the States of
24 Alabama, Louisiana, and Mississippi has exclusive fishery

1 management authority over all fish in the Gulf of Mexico
2 within 9 miles of the coast of that State.”.

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

5 TITLE III—THE JUDICIARY

6 SUPREME COURT OF THE UNITED STATES

7 SALARIES AND EXPENSES

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

18 CARE OF THE BUILDING AND GROUNDS

19 For such expenditures as may be necessary to enable
20 the Architect of the Capitol to carry out the duties im-
21 posed upon the Architect by the Act approved May 7,
22 1934 (40 U.S.C. 13a–13b), \$5,400,000, of which
23 \$2,364,000 shall remain available until expended.

1 UNITED STATES COURT OF APPEALS FOR THE FEDERAL
2 CIRCUIT

3 SALARIES AND EXPENSES

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

7 UNITED STATES COURT OF INTERNATIONAL TRADE

8 SALARIES AND EXPENSES

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

13 COURTS OF APPEALS, DISTRICT COURTS, AND OTHER
14 JUDICIAL SERVICES

15 SALARIES AND EXPENSES

16 For the salaries of circuit and district judges (includ-
17 ing judges of the territorial courts of the United States),
18 justices and judges retired from office or from regular ac-
19 tive service, judges of the United States Court of Federal
20 Claims, bankruptcy judges, magistrate judges, and all
21 other officers and employees of the Federal Judiciary not
22 otherwise specifically provided for, and necessary expenses
23 of the courts, as authorized by law, \$2,848,329,000 (in-
24 cluding the purchase of firearms and ammunition); of
25 which not to exceed \$13,454,000 shall remain available

1 until expended for space alteration projects; and of which
2 not to exceed \$10,000,000 shall remain available until ex-
3 pended for furniture and furnishings related to new space
4 alteration and construction projects.

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

10 VIOLENT CRIME REDUCTION PROGRAMS

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

17 DEFENDER SERVICES

18 For the operation of Federal Public Defender and
19 Community Defender organizations; the compensation and
20 reimbursement of expenses of attorneys appointed to rep-
21 resent persons under the Criminal Justice Act of 1964,
22 as amended; the compensation and reimbursement of ex-
23 penses of persons furnishing investigative, expert and
24 other services under the Criminal Justice Act (18 U.S.C.
25 3006A(e)); the compensation (in accordance with Criminal

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

14 FEES OF JURORS AND COMMISSIONERS

15 For fees and expenses of jurors as authorized by 28
16 U.S.C. 1871 and 1876; compensation of jury commis-
17 sioners as authorized by 28 U.S.C. 1863; and compensa-
18 tion of commissioners appointed in condemnation cases
19 pursuant to rule 71A(h) of the Federal Rules of Civil Pro-
20 cedure (28 U.S.C. Appendix Rule 71A(h)); \$67,000,000,
21 to remain available until expended: *Provided*, That the
22 compensation of land commissioners shall not exceed the
23 daily equivalent of the highest rate payable under section
24 5332 of title 5, United States Code.

1 COURT SECURITY

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

18 ADMINISTRATIVE OFFICE OF THE UNITED STATES

19 COURTS

20 SALARIES AND EXPENSES

21 For necessary expenses of the Administrative Office
22 of the United States Courts as authorized by law, includ-
23 ing travel as authorized by 31 U.S.C. 1345, hire of a pas-
24 senger motor vehicle as authorized by 31 U.S.C. 1343(b),
25 advertising and rent in the District of Columbia and else-

1 where, \$54,500,000, of which not to exceed \$7,500 is au-
2 thorized for official reception and representation expenses.

3 FEDERAL JUDICIAL CENTER

4 SALARIES AND EXPENSES

5 For necessary expenses of the Federal Judicial Cen-
6 ter, as authorized by Public Law 90–219, \$18,000,000;
7 of which \$1,800,000 shall remain available through Sep-
8 tember 30, 2000, to provide education and training to
9 Federal court personnel; and of which not to exceed
10 \$1,000 is authorized for official reception and representa-
11 tion expenses.

12 JUDICIAL RETIREMENT FUNDS

13 PAYMENT TO JUDICIARY TRUST FUNDS

14 For payment to the Judicial Officers' Retirement
15 Fund, as authorized by 28 U.S.C. 377(o), \$27,500,000;
16 to the Judicial Survivors' Annuities Fund, as authorized
17 by 28 U.S.C. 376(c), \$7,800,000; and to the United
18 States Court of Federal Claims Judges' Retirement Fund,
19 as authorized by 28 U.S.C. 178(l), \$2,000,000.

20 UNITED STATES SENTENCING COMMISSION

21 SALARIES AND EXPENSES

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

1 GENERAL PROVISIONS—THE JUDICIARY

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

5 SEC. 302. Not to exceed 5 percent of any appropria-
6 tion made available for the current fiscal year for the Judi-
7 ciary in this Act may be transferred between such appro-
8 priations, but no such appropriation, except “Courts of
9 Appeals, District Courts, and Other Judicial Services, De-
10 fender Services” and “Courts of Appeals, District Courts,
11 and Other Judicial Services, Fees of Jurors and Commis-
12 sioners”, shall be increased by more than 10 percent by
13 any such transfers: *Provided*, That any transfer pursuant
14 to this section shall be treated as a reprogramming of
15 funds under section 605 of this Act and shall not be avail-
16 able for obligation or expenditure except in compliance
17 with the procedures set forth in that section.

18 SEC. 303. Notwithstanding any other provision of
19 law, the salaries and expenses appropriation for district
20 courts, courts of appeals, and other judicial services shall
21 be available for official reception and representation ex-
22 penses of the Judicial Conference of the United States:
23 *Provided*, That such available funds shall not exceed
24 \$10,000 and shall be administered by the Director of the

1 Administrative Office of the United States Courts in the
2 capacity as Secretary of the Judicial Conference.

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

5 TITLE IV—DEPARTMENT OF STATE AND
6 RELATED AGENCIES

7 DEPARTMENT OF STATE

8 ADMINISTRATION OF FOREIGN AFFAIRS

9 DIPLOMATIC AND CONSULAR PROGRAMS

10 For necessary expenses of the Department of State
11 and the Foreign Service not otherwise provided for, includ-
12 ing expenses authorized by the State Department Basic
13 Authorities Act of 1956, as amended; representation to
14 certain international organizations in which the United
15 States participates pursuant to treaties, ratified pursuant
16 to the advice and consent of the Senate, or specific Acts
17 of Congress; acquisition by exchange or purchase of pas-
18 senger motor vehicles as authorized by 31 U.S.C. 1343,
19 40 U.S.C. 481(c), and 22 U.S.C. 2674; and for expenses
20 of general administration; \$1,641,000,000: *Provided,*
21 That, of the amount made available under this heading,
22 not to exceed \$4,000,000 may be transferred to, and
23 merged with, funds in the “Emergencies in the Diplomatic
24 and Consular Service” appropriations account, to be avail-
25 able only for emergency evacuations and terrorism re-

1 wards: *Provided further*, That notwithstanding any other
2 provision of law, not to exceed \$250,000,000 of offsetting
3 collections derived from fees collected under the authority
4 of section 140(a)(1) of the Foreign Relations Authoriza-
5 tion Act, Fiscal Years 1994 and 1995 (Public Law 103-
6 236) during fiscal year 1999 shall be retained and used
7 for authorized expenses in this appropriation and shall re-
8 main available until expended: *Provided further*, That any
9 fees received in excess of \$250,000,000 in fiscal year 1999
10 shall remain available until expended, but shall not be
11 available for obligation until October 1, 1999.

12 In addition, not to exceed \$700,000 in registration
13 fees collected pursuant to section 38 of the Arms Export
14 Control Act, as amended, may be used in accordance with
15 section 45 of the State Department Basic Authorities Act
16 of 1956 (22 U.S.C. 2717); in addition, not to exceed
17 \$1,252,000 shall be derived from fees collected from other
18 executive agencies for lease or use of facilities located at
19 the International Center in accordance with section 4 of
20 the International Center Act (Public Law 90-553), as
21 amended; in addition, as authorized by section 5 of such
22 Act, \$490,000, to be derived from the reserve authorized
23 by that section, to be used for the purposes set out in
24 that section; and, in addition, not to exceed \$15,000,
25 which shall be derived from reimbursements, surcharges,

1 and fees for use of Blair House facilities in accordance
2 with section 46 of the State Department Basic Authorities
3 Act of 1956 (22 U.S.C. 2718(a)).

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

15 In addition, for counterterrorism requirements over-
16 seas, including security guards and equipment,
17 \$25,700,000, to remain available until expended.

18 SALARIES AND EXPENSES

19 For expenses necessary for the general administra-
20 tion of the Department of State and the Foreign Service,
21 provided for by law, including expenses authorized by sec-
22 tion 9 of the Act of August 31, 1964, as amended (31
23 U.S.C. 3721), and the State Department Basic Authori-
24 ties Act of 1956, as amended, \$365,235,000: *Provided*,
25 That, of this amount, \$813,333 shall be transferred to the

1 Presidential Advisory Commission on Holocaust Assets in
2 the United States.

3 CAPITAL INVESTMENT FUND

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

9 OFFICE OF INSPECTOR GENERAL

10 For necessary expenses of the Office of Inspector
11 General in carrying out the provisions of the Inspector
12 General Act of 1978, as amended (5 U.S.C. App.),
13 \$28,000,000, notwithstanding section 209(a)(1) of the
14 Foreign Service Act of 1980, as amended (Public Law 96–
15 465), as it relates to post inspections.

16 REPRESENTATION ALLOWANCES

17 For representation allowances as authorized by sec-
18 tion 905 of the Foreign Service Act of 1980, as amended
19 (22 U.S.C. 4085), \$4,200,000.

20 PROTECTION OF FOREIGN MISSIONS AND OFFICIALS

21 For expenses, not otherwise provided, to enable the
22 Secretary of State to provide for extraordinary protective
23 services in accordance with the provisions of section 214
24 of the State Department Basic Authorities Act of 1956

1 (22 U.S.C. 4314) and 3 U.S.C. 208, \$8,100,000, to re-
2 main available until September 30, 2000.

3 SECURITY AND MAINTENANCE OF UNITED STATES

4 MISSIONS

5 For necessary expenses for carrying out the Foreign
6 Service Buildings Act of 1926, as amended (22 U.S.C.
7 292–300), preserving, maintaining, repairing, and plan-
8 ning for, buildings that are owned or directly leased by
9 the Department of State, and carrying out the Diplomatic
10 Security Construction Program as authorized by title IV
11 of the Omnibus Diplomatic Security and Antiterrorism
12 Act of 1986 (22 U.S.C. 4851), \$396,000,000, to remain
13 available until expended as authorized by section 24(c) of
14 the State Department Basic Authorities Act of 1956 (22
15 U.S.C. 2696(c)): *Provided*, That none of the funds appro-
16 priated in this paragraph shall be available for acquisition
17 of furniture and furnishings and generators for other de-
18 partments and agencies.

19 EMERGENCIES IN THE DIPLOMATIC AND CONSULAR

20 SERVICE

21 For expenses necessary to enable the Secretary of
22 State to meet unforeseen emergencies arising in the Diplo-
23 matic and Consular Service pursuant to the requirement
24 of 31 U.S.C. 3526(e), \$5,500,000 to remain available until
25 expended as authorized by section 24(c) of the State De-

1 partment Basic Authorities Act of 1956 (22 U.S.C.
2 2696(c)), of which not to exceed \$1,000,000 may be trans-
3 ferred to and merged with the Repatriation Loans Pro-
4 gram Account, subject to the same terms and conditions.

5 REPATRIATION LOANS PROGRAM ACCOUNT

6 For the cost of direct loans, \$593,000, as authorized
7 by section 4 of the State Department Basic Authorities
8 Act of 1956 (22 U.S.C. 2671): *Provided*, That such costs,
9 including the cost of modifying such loans, shall be as de-
10 fined in section 502 of the Congressional Budget Act of
11 1974. In addition, for administrative expenses necessary
12 to carry out the direct loan program, \$607,000, which may
13 be transferred to and merged with the Salaries and Ex-
14 penses account under Administration of Foreign Affairs.

15 PAYMENT TO THE AMERICAN INSTITUTE IN TAIWAN

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

18 PAYMENT TO THE FOREIGN SERVICE RETIREMENT AND

19 DISABILITY FUND

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

22 INTERNATIONAL ORGANIZATIONS AND CONFERENCES

23 CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

24 For expenses, not otherwise provided for, necessary
25 to meet annual obligations of membership in international

1 multilateral organizations, pursuant to treaties ratified
2 pursuant to the advice and consent of the Senate, conven-
3 tions or specific Acts of Congress, \$915,000,000: *Pro-*
4 *vided*, That any payment of arrearages shall be directed
5 toward special activities that are mutually agreed upon by
6 the United States and the respective international organi-
7 zation: *Provided further*, That none of the funds appro-
8 priated in this paragraph shall be available for a United
9 States contribution to an international organization for
10 the United States share of interest costs made known to
11 the United States Government by such organization for
12 loans incurred on or after October 1, 1984, through exter-
13 nal borrowings: *Provided further*, That, of the funds ap-
14 propriated in this paragraph, \$100,000,000 may be made
15 available only on a semi-annual basis pursuant to a certifi-
16 cation by the Secretary of State on a semi-annual basis,
17 that the United Nations has taken no action during the
18 preceding 6 months to increase funding for any United
19 Nations program without identifying an offsetting de-
20 crease during that 6-month period elsewhere in the United
21 Nations budget and cause the United Nations to exceed
22 the expected reform budget for the biennium 1998–1999
23 of \$2,533,000,000: *Provided further*, That not to exceed
24 \$15,000,000 shall be transferred from funds made avail-
25 able under this heading to the “International Conferences

1 and Contingencies” account for United States contribu-
2 tions to the Comprehensive Nuclear Test Ban Treaty Pre-
3 paratory Commission, except that such transferred funds
4 may be obligated or expended only for Commission meet-
5 ings and sessions, provisional technical secretariat salaries
6 and expenses, other Commission administrative and train-
7 ing activities, including purchase of training equipment,
8 and upgrades to existing internationally based monitoring
9 systems involved in cooperative data sharing agreements
10 with the United States as of the date of enactment of this
11 Act, until the United States Senate ratifies the Com-
12 prehensive Nuclear Test Ban Treaty.

13 CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING
14 ACTIVITIES

15 For necessary expenses to pay assessed and other ex-
16 penses of international peacekeeping activities directed to
17 the maintenance or restoration of international peace and
18 security, \$220,000,000: *Provided*, That none of the funds
19 made available under this Act shall be obligated or ex-
20 pended for any new or expanded United Nations peace-
21 keeping mission unless, at least 15 days in advance of vot-
22 ing for the new or expanded mission in the United Nations
23 Security Council (or in an emergency, as far in advance
24 as is practicable), (1) the Committees on Appropriations
25 of the House of Representatives and the Senate and other

1 appropriate committees of the Congress are notified of the
2 estimated cost and length of the mission, the vital national
3 interest that will be served, and the planned exit strategy;
4 and (2) a reprogramming of funds pursuant to section 605
5 of this Act is submitted, and the procedures therein fol-
6 lowed, setting forth the source of funds that will be used
7 to pay for the cost of the new or expanded mission: *Pro-*
8 *vided further*, That funds shall be available for peacekeep-
9 ing expenses only upon a certification by the Secretary of
10 State to the appropriate committees of the Congress that
11 American manufacturers and suppliers are being given op-
12 portunities to provide equipment, services, and material
13 for United Nations peacekeeping activities equal to those
14 being given to foreign manufacturers and suppliers.

15 ARREARAGE PAYMENTS

16 For an additional amount for payment of arrearages
17 to meet obligations of membership in the United Nations,
18 and to pay assessed expenses of international peacekeep-
19 ing activities, \$475,000,000, to remain available until ex-
20 pended: *Provided*, That none of the funds appropriated or
21 otherwise made available by this Act for payment of ar-
22 rearages may be obligated or expended unless such obliga-
23 tion or expenditure is expressly authorized by law: *Pro-*
24 *vided further*, That none of the funds appropriated or oth-
25 erwise made available by this Act for payment of arrear-
26 ages may be obligated or expended until such time as the

1 share of the total of all assessed contributions for the reg-
2 ular budget of the United Nations does not exceed 22 per-
3 cent for any single United Nations member, and the share
4 of the budget for each assessed United Nations peacekeep-
5 ing operation does not exceed 25 percent for any single
6 United Nations member.

7 INTERNATIONAL COMMISSIONS

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

11 INTERNATIONAL BOUNDARY AND WATER COMMISSION,
12 UNITED STATES AND MEXICO

13 For necessary expenses for the United States Section
14 of the International Boundary and Water Commission,
15 United States and Mexico, and to comply with laws appli-
16 cable to the United States Section, including not to exceed
17 \$6,000 for representation; as follows:

18 SALARIES AND EXPENSES

19 For salaries and expenses, not otherwise provided for,
20 \$18,490,000.

21 CONSTRUCTION

22 For detailed plan preparation and construction of au-
23 thorized projects, \$7,000,000, to remain available until ex-
24 pended, as authorized by section 24(c) of the State De-
25 partment Basic Authorities Act of 1956 (22 U.S.C.
26 2696(c)).

1 AMERICAN SECTIONS, INTERNATIONAL COMMISSIONS

2 For necessary expenses, not otherwise provided for
3 the International Joint Commission and the International
4 Boundary Commission, United States and Canada, as au-
5 thorized by treaties between the United States and Can-
6 ada or Great Britain, and for the Border Environment
7 Cooperation Commission as authorized by Public Law
8 103–182; \$5,490,000, of which not to exceed \$9,000 shall
9 be available for representation expenses incurred by the
10 International Joint Commission.

11 INTERNATIONAL FISHERIES COMMISSIONS

12 For necessary expenses for international fisheries
13 commissions, not otherwise provided for, as authorized by
14 law, \$14,490,000: *Provided*, That the United States' share
15 of such expenses may be advanced to the respective com-
16 missions, pursuant to 31 U.S.C. 3324.

17 OTHER

18 PAYMENT TO THE ASIA FOUNDATION

19 For a grant to the Asia Foundation, as authorized
20 by section 501 of Public Law 101–246, \$8,250,000, to
21 remain available until expended, as authorized by section
22 24(c) of the State Department Basic Authorities Act of
23 1956 (22 U.S.C. 2696(c)).

1 RELATED AGENCIES

2 ARMS CONTROL AND DISARMAMENT AGENCY

3 ARMS CONTROL AND DISARMAMENT ACTIVITIES

4 For necessary expenses not otherwise provided, for
5 arms control, nonproliferation, and disarmament activi-
6 ties, \$41,500,000, of which not to exceed \$50,000 shall
7 be for official reception and representation expenses as au-
8 thorized by the Act of September 26, 1961, as amended
9 (22 U.S.C. 2551 et seq.).

10 UNITED STATES INFORMATION AGENCY

11 INTERNATIONAL INFORMATION PROGRAMS

12 For expenses, not otherwise provided for, necessary
13 to enable the United States Information Agency, as au-
14 thorized by the Mutual Educational and Cultural Ex-
15 change Act of 1961, as amended (22 U.S.C. 2451 et seq.),
16 the United States Information and Educational Exchange
17 Act of 1948, as amended (22 U.S.C. 1431 et seq.), and
18 Reorganization Plan No. 2 of 1977 (91 Stat. 1636), to
19 carry out international communication, educational and
20 cultural activities; and to carry out related activities au-
21 thorized by law, including employment, without regard to
22 civil service and classification laws, of persons on a tem-
23 porary basis (not to exceed \$700,000 of this appropria-
24 tion), as authorized by section 801 of such Act of 1948
25 (22 U.S.C. 1471), and entertainment, including official re-

1 ceptions, within the United States, not to exceed \$25,000
2 as authorized by section 804(3) of such Act of 1948 (22
3 U.S.C. 1474(3)); \$457,146,000: *Provided*, That not to ex-
4 ceed \$1,400,000 may be used for representation abroad
5 as authorized by section 302 of such Act of 1948 (22
6 U.S.C. 1452) and section 905 of the Foreign Service Act
7 of 1980 (22 U.S.C. 4085): *Provided further*, That not to
8 exceed \$6,000,000, to remain available until expended,
9 may be credited to this appropriation from fees or other
10 payments received from or in connection with English
11 teaching, library, motion pictures, and publication pro-
12 grams as authorized by section 810 of such Act of 1948
13 (22 U.S.C. 1475e) and, notwithstanding any other law,
14 fees from educational advising and counseling, and ex-
15 change visitor program services: *Provided further*, That
16 not to exceed \$920,000, to remain available until ex-
17 pended, may be used to carry out projects involving secu-
18 rity construction and related improvements for agency fa-
19 cilities not physically located together with Department of
20 State facilities abroad.

21 EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS

22 For expenses of educational and cultural exchange
23 programs, as authorized by the Mutual Educational and
24 Cultural Exchange Act of 1961, as amended (22 U.S.C.
25 2451 et seq.), and Reorganization Plan No. 2 of 1977 (91

1 Stat. 1636), \$200,000,000, to remain available until ex-
2 pended as authorized by section 105 of such Act of 1961
3 (22 U.S.C. 2455): *Provided*, That not to exceed \$800,000,
4 to remain available until expended, may be credited to this
5 appropriation from fees or other payments received from
6 or in connection with English teaching and publication
7 programs as authorized by section 810 of the United
8 States Information and Educational Exchange Act of
9 1948 (22 U.S.C. 1475e) and, notwithstanding any other
10 provision of law, fees from educational advising and coun-
11 seling.

12 EISENHOWER EXCHANGE FELLOWSHIP PROGRAM TRUST
13 FUND

14 For necessary expenses of Eisenhower Exchange Fel-
15 lowships, Incorporated, as authorized by sections 4 and
16 5 of the Eisenhower Exchange Fellowship Act of 1990 (20
17 U.S.C. 5204–5205), all interest and earnings accruing to
18 the Eisenhower Exchange Fellowship Program Trust
19 Fund on or before September 30, 1999, to remain avail-
20 able until expended: *Provided*, That none of the funds ap-
21 propriated herein shall be used to pay any salary or other
22 compensation, or to enter into any contract providing for
23 the payment thereof, in excess of the rate authorized by
24 5 U.S.C. 5376; or for purposes which are not in accord-
25 ance with OMB Circulars A–110 (Uniform Administrative
26 Requirements) and A–122 (Cost Principles for Non-Profit

1 Organizations), including the restrictions on compensation
2 for personal services.

3 ISRAELI ARAB SCHOLARSHIP PROGRAM

4 For necessary expenses of the Israeli Arab Scholar-
5 ship Program as authorized by section 214 of the Foreign
6 Relations Authorization Act, Fiscal Years 1992 and 1993
7 (22 U.S.C. 2452), all interest and earnings accruing to
8 the Israeli Arab Scholarship Fund on or before September
9 30, 1999, to remain available until expended.

10 INTERNATIONAL BROADCASTING OPERATIONS

11 For expenses necessary to enable the United States
12 Information Agency, as authorized by the United States
13 Information and Educational Exchange Act of 1948, as
14 amended, the Radio Broadcasting to Cuba Act, as amend-
15 ed, the Television Broadcasting to Cuba Act, the United
16 States International Broadcasting Act of 1994, as amend-
17 ed, and Reorganization Plan No. 2 of 1977, to carry out
18 international communication activities, including the pur-
19 chase, installation, rent, construction, and improvement of
20 facilities for radio and television transmission and recep-
21 tion to Cuba; \$383,957,000, of which not to exceed
22 \$16,000 may be used for official receptions within the
23 United States as authorized by section 804(3) of such Act
24 of 1948 (22 U.S.C. 1747(3)), not to exceed \$35,000 may
25 be used for representation abroad as authorized by section
26 302 of such Act of 1948 (22 U.S.C. 1452) and section

1 905 of the Foreign Service Act of 1980 (22 U.S.C. 4085),
2 and not to exceed \$39,000 may be used for official recep-
3 tion and representation expenses of Radio Free Europe/
4 Radio Liberty; and, in addition, notwithstanding any other
5 provision of law, not to exceed \$2,000,000 in receipts from
6 advertising and revenue from business ventures, not to ex-
7 ceed \$500,000 in receipts from cooperating international
8 organizations, and not to exceed \$1,000,000 in receipts
9 from privatization efforts of the Voice of America and the
10 International Broadcasting Bureau, to remain available
11 until expended for carrying out authorized purposes.

12 RADIO CONSTRUCTION

13 For the purchase, rent, construction, and improve-
14 ment of facilities for radio transmission and reception, and
15 purchase and installation of necessary equipment for radio
16 and television transmission and reception as authorized by
17 section 801 of the United States Information and Edu-
18 cational Exchange Act of 1948 (22 U.S.C. 1471),
19 \$25,308,000, to remain available until expended, as au-
20 thorized by section 704(a) of such Act of 1948 (22 U.S.C.
21 1477b(a)).

22 NATIONAL ENDOWMENT FOR DEMOCRACY

23 For grants made by the United States Information
24 Agency to the National Endowment for Democracy as au-

1 thORIZED by the National Endowment for Democracy Act,
2 \$31,000,000, to remain available until expended.

3 GENERAL PROVISIONS—DEPARTMENT OF STATE AND
4 RELATED AGENCIES

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

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

1 except in compliance with the procedures set forth in that
2 section.

3 SEC. 403. (a) An employee who regularly commutes
4 from his or her place of residence in the continental
5 United States to an official duty station in Canada or
6 Mexico shall receive a border equalization adjustment
7 equal to the amount of comparability payments under sec-
8 tion 5304 of title 5, United States Code, that he or she
9 would receive if assigned to an official duty station within
10 the United States locality pay area closest to the employ-
11 ee's official duty station.

12 (b) For purposes of this section, the term "employee"
13 shall mean a person who—

14 (1) is an "employee" as defined under section
15 2105 of title 5, United States Code; and

16 (2) is employed by the United States Depart-
17 ment of State, the United States Information Agen-
18 cy, the United States Agency for International De-
19 velopment, or the International Joint Commission,
20 except that the term shall not include members of
21 the Foreign Service as defined by section 103 of the
22 Foreign Service Act of 1980 (Public Law 96-465),
23 section 3903 of title 22, United States Code.

24 (c) An equalization adjustment payable under this
25 section shall be considered basic pay for the same purposes

1 as are comparability payments under section 5304 of title
2 5, United States Code, and its implementing regulations.

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

6 SEC. 404. (a)(1) Section 6(4) of the Japan-United
7 States Friendship Act (22 U.S.C. 2905(4)) is amended by
8 striking “needed, except” and all that follows through
9 “United States” and inserting “needed”.

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

18 (b)(1) Effective on the date of enactment of this Act,
19 the Japan-United States Friendship Commission shall be
20 redesignated as the “United States-Japan Commission”.
21 Any reference in any provision of law, Executive order,
22 regulation, delegation of authority, or other document to
23 the Japan-United States Friendship Commission shall be
24 considered to be a reference to the United States-Japan
25 Commission.

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

4 “UNITED STATES-JAPAN COMMISSION”.

5 (3) The Japan-United States Friendship Act is
6 amended by striking “Japan-United States Friendship
7 Commission” each place such term appears and inserting
8 “United States-Japan Commission”.

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

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

21 SEC. 405. The Director of the United States Infor-
22 mation Agency is authorized to administer summer travel
23 and work programs without regard to preplacement re-
24 quirements.

25 SEC. 406. Section 12 of the International Organiza-
26 tions Immunities Act (22 U.S.C. 288f-2) is amended by

1 inserting “and the United Nations Industrial Development
2 Organization” after “International Labor Organization”.

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

5 “(k)(1) For purposes of this section, the term ‘crimi-
6 nal investigator’ includes a special agent occupying a posi-
7 tion under title II of Public Law 99–399 if such special
8 agent—

9 “(A) meets the definition of such terms under
10 paragraph (2) of subsection (a) (applied disregard-
11 ing the parenthetical matter before subparagraph
12 (A) thereof); and

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

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

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

21 “(B) paragraph (2)(A) of such subsection shall
22 be considered to include (in addition to the provi-
23 sions of law specified therein) sections 609(b)(1),
24 805, 806, and 856 of the Foreign Service Act of
25 1980; and

1 “(C) paragraph (2)(B) of such subsection shall
2 be applied by substituting for ‘Office of Personnel
3 Management’ the following: ‘Office of Personnel
4 Management or the Secretary of State (to the extent
5 that matters exclusively within the jurisdiction of the
6 Secretary are concerned)’.”.

7 (b) Not later than the date on which the amendments
8 made by this section take effect, each special agent of the
9 Diplomatic Security Service who satisfies the requirements
10 of subsection (k)(1) of section 5545a of title 5, United
11 States Code, as amended by this section, and the appro-
12 priate supervisory officer, to be designated by the Sec-
13 retary of State, shall make an initial certification to the
14 Secretary of State that the special agent is expected to
15 meet the requirements of subsection (d) of such section
16 5545a. The Secretary of State may prescribe procedures
17 necessary to administer this subsection.

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

22 (2) Section 5542(e) of such title is amended by strik-
23 ing “title 18, United States Code,” and inserting “title
24 18 or section 37(a)(3) of the State Department Basic Au-
25 thorities Act of 1956,”.

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

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

5 (2) on which date all regulations necessary to
6 carry out such amendments are (in the judgment of
7 the Director of the Office of Personnel Management
8 and the Secretary of State) in effect.

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

11 TITLE V—RELATED AGENCIES

12 DEPARTMENT OF TRANSPORTATION

13 MARITIME ADMINISTRATION

14 MARITIME SECURITY PROGRAM

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

19 OPERATIONS AND TRAINING

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

22 MARITIME GUARANTEED LOAN (TITLE XI) PROGRAM

23 ACCOUNT

24 For the cost of guaranteed loans, as authorized by
25 the Merchant Marine Act, 1936, \$16,000,000, to remain

1 available until expended: *Provided*, That such costs, in-
2 cluding the cost of modifying such loans, shall be as de-
3 fined in section 502 of the Congressional Budget Act of
4 1974, as amended: *Provided further*, That these funds are
5 available to subsidize total loan principal, any part of
6 which is to be guaranteed, not to exceed \$1,000,000,000.

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

11 ADMINISTRATIVE PROVISIONS—MARITIME

12 ADMINISTRATION

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

24 No obligations shall be incurred during the current
25 fiscal year from the construction fund established by the

1 Merchant Marine Act, 1936, or otherwise, in excess of the
2 appropriations and limitations contained in this Act or in
3 any prior appropriation Act, and all receipts which other-
4 wise would be deposited to the credit of said fund shall
5 be covered into the Treasury as miscellaneous receipts.

6 COMMISSION FOR THE PRESERVATION OF AMERICA'S
7 HERITAGE ABROAD

8 SALARIES AND EXPENSES

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

12 COMMISSION ON CIVIL RIGHTS

13 SALARIES AND EXPENSES

14 For necessary expenses of the Commission on Civil
15 Rights, including hire of passenger motor vehicles,
16 \$8,740,000: *Provided*, That not to exceed \$50,000 may
17 be used to employ consultants: *Provided further*, That
18 none of the funds appropriated in this paragraph shall be
19 used to employ in excess of 4 full-time individuals under
20 Schedule C of the Excepted Service exclusive of 1 special
21 assistant for each Commissioner: *Provided further*, That
22 none of the funds appropriated in this paragraph shall be
23 used to reimburse Commissioners for more than 75
24 billable days, with the exception of the chairperson who
25 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-mone-
17 tary 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 App. U.S.C.
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, of which
9 \$134,575,000 is for basic field programs and required
10 independent audits; \$1,125,000 is for the Office of Inspec-
11 tor General, of which such amounts as may be necessary
12 may be used to conduct additional audits of recipients; and
13 \$5,300,000 is for management and administration.

14 ADMINISTRATIVE PROVISION—LEGAL SERVICES

15 CORPORATION

16 SEC. 501. None of the funds appropriated in this Act
17 to the Legal Services Corporation shall be expended for
18 any purpose prohibited or limited by, or contrary to any
19 of the provisions of, sections 501, 502, 503, 504, 505, and
20 506 of Public Law 105–119, and all funds appropriated
21 in this Act to the Legal Services Corporation shall be sub-
22 ject to the same terms and conditions set forth in such
23 sections, except that all references in sections 502 and 503
24 to 1997 and 1998 shall be deemed to refer instead to 1998
25 and 1999, respectively.

1 MARINE MAMMAL COMMISSION

2 SALARIES AND EXPENSES

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

6 SECURITIES AND EXCHANGE COMMISSION

7 SALARIES AND EXPENSES

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

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

14 SMALL BUSINESS ADMINISTRATION

15 SALARIES AND EXPENSES

16 For necessary expenses, not otherwise provided for,
17 of the Small Business Administration as authorized by
18 Public Law 103–403, including hire of passenger motor
19 vehicles as authorized by 31 U.S.C. 1343 and 1344, and
20 not to exceed \$3,500 for official reception and representa-
21 tion expenses, \$246,750,000: *Provided*, That the Adminis-
22 trator is authorized to charge fees to cover the cost of pub-
23 lications developed by the Small Business Administration,
24 and certain loan servicing activities: *Provided further*,
25 That, notwithstanding 31 U.S.C. 3302, revenues received

1 from all such activities shall be credited to this account,
2 to be available for carrying out these purposes without fur-
3 ther appropriations: *Provided further*, That \$78,800,000
4 shall be available to fund grants for performance in fiscal
5 year 1999 or fiscal year 2000 as authorized by section
6 21 of the Small Business Act, as amended.

7 OFFICE OF INSPECTOR GENERAL

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

12 BUSINESS LOANS PROGRAM ACCOUNT

13 For the cost of direct loans, \$2,000,000, to be avail-
14 able until expended; and for the cost of guaranteed loans,
15 \$132,540,000, as authorized by 15 U.S.C. 631 note, of
16 which \$45,000,000 shall remain available until September
17 30, 2000: *Provided*, That such costs, including the cost
18 of modifying such loans, shall be as defined in section 502
19 of the Congressional Budget Act of 1974: *Provided fur-*
20 *ther*, That, during fiscal year 1999, commitments to guar-
21 antee loans under section 503 of the Small Business In-
22 vestment Act of 1958, as amended, shall not exceed the
23 amount of financing authorized under section
24 20(d)(1)(B)ii of the Small Business Act, as amended: *Pro-*
25 *vided further*, That, during fiscal year 1999, commitments

1 for general business loans authorized under section 7(a)
2 of the Small Business Act, as amended, shall not exceed
3 \$10,000,000,000 without prior notification of the Com-
4 mittees on Appropriations of the House of Representatives
5 and Senate in accordance with section 605 of this Act.

6 In addition, for administrative expenses to carry out
7 the direct and guaranteed loan programs, \$94,000,000,
8 which may be transferred to and merged with the appro-
9 priations for Salaries and Expenses.

10 DISASTER LOANS PROGRAM ACCOUNT

11 For the cost of direct loans authorized by section 7(b)
12 of the Small Business Act, as amended, \$100,000,000, to
13 remain available until expended: *Provided*, That such
14 costs, including the cost of modifying such loans, shall be
15 as defined in section 502 of the Congressional Budget Act
16 of 1974.

17 In addition, for administrative expenses to carry out
18 the direct loan program, \$116,000,000, which may be
19 transferred to and merged with appropriations for Salaries
20 and Expenses.

21 SURETY BOND GUARANTEES REVOLVING FUND

22 For additional capital for the “Surety Bond Guarant-
23 tees Revolving Fund”, authorized by the Small Business
24 Investment Act, as amended, \$3,300,000, to remain avail-

1 able without fiscal year limitation as authorized by 15
2 U.S.C. 631 note.

3 ADMINISTRATIVE PROVISION—SMALL BUSINESS

4 ADMINISTRATION

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

15 STATE JUSTICE INSTITUTE

16 SALARIES AND EXPENSES

17 For necessary expenses of the State Justice Institute,
18 as authorized by the State Justice Institute Authorization
19 Act of 1992 (Public Law 102–572 (106 Stat. 4515–
20 4516)), \$6,850,000, to remain available until expended:
21 *Provided*, That not to exceed \$2,500 shall be available for
22 official reception and representation expenses.

1 TITLE VI—GENERAL PROVISIONS

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

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

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

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

21 SEC. 605. (a) None of the funds provided under this
22 Act, or provided under previous appropriations Acts to the
23 agencies funded by this Act that remain available for obli-
24 gation or expenditure in fiscal year 1999, or provided from
25 any accounts in the Treasury of the United States derived

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

13 (b) None of the funds provided under this Act, or
14 provided under previous appropriations Acts to the agen-
15 cies funded by this Act that remain available for obligation
16 or expenditure in fiscal year 1999, or provided from any
17 accounts in the Treasury of the United States derived by
18 the collection of fees available to the agencies funded by
19 this Act, shall be available for obligation or expenditure
20 for activities, programs, or projects through a reprogram-
21 ming of funds in excess of \$500,000 or 10 percent, which-
22 ever is less, that: (1) augments existing programs,
23 projects, or activities; (2) reduces by 10 percent funding
24 for any existing program, project, or activity, or numbers
25 of personnel by 10 percent as approved by Congress; or

1 (3) results from any general savings from a reduction in
2 personnel which would result in a change in existing pro-
3 grams, activities, or projects as approved by Congress; un-
4 less the Appropriations Committees of both Houses of
5 Congress are notified fifteen days in advance of such re-
6 programming of funds.

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

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

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

24 (c) PROHIBITION OF CONTRACTS WITH PERSONS
25 FALSELY LABELING PRODUCTS AS MADE IN AMERICA.—

1 If it has been finally determined by a court or Federal
2 agency that any person intentionally affixed a label bear-
3 ing a “Made in America” inscription, or any inscription
4 with the same meaning, to any product sold in or shipped
5 to the United States that is not made in the United
6 States, the person shall be ineligible to receive any con-
7 tract or subcontract made with funds made available in
8 this Act, pursuant to the debarment, suspension, and ineli-
9 gibility procedures described in sections 9.400 through
10 9.409 of title 48, Code of Federal Regulations.

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

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

1 diplomatic or consular post in the Socialist Republic of
2 Vietnam that was operating on July 11, 1995; or (3) in-
3 creasing the total number of personnel assigned to United
4 States diplomatic or consular posts in the Socialist Repub-
5 lic of Vietnam above the levels existing on July 11, 1995;
6 unless the President certifies within 60 days the following:

7 (A) Based upon all information available to the
8 United States Government, the Government of the
9 Socialist Republic of Vietnam is fully cooperating in
10 good faith with the United States in the following:

11 (i) Resolving discrepancy cases, live
12 sightings, and field activities.

13 (ii) Recovering and repatriating American
14 remains.

15 (iii) Accelerating efforts to provide docu-
16 ments that will help lead to fullest possible ac-
17 counting of prisoners of war and missing in ac-
18 tion.

19 (iv) Providing further assistance in imple-
20 menting trilateral investigations with Laos.

21 (B) The remains, artifacts, eyewitness accounts,
22 archival material, and other evidence associated with
23 prisoners of war and missing in action recovered
24 from crash sites, military actions, and other loca-
25 tions in Southeast Asia are being thoroughly ana-

1 lyzed by the appropriate laboratories with the intent
2 of providing surviving relatives with scientifically de-
3 fensible, legal determinations of death or other ac-
4 countability that are fully documented and available
5 in unclassified and unredacted form to immediate
6 family members.

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

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

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

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

3 (3) any instruction (live or through broadcasts)
4 or training equipment for boxing, wrestling, judo,
5 karate, or other martial art, or any bodybuilding or
6 weightlifting equipment of any sort;

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

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

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

17 SEC. 613. Any costs incurred by a department or
18 agency funded under this Act resulting from personnel ac-
19 tions taken in response to funding reductions included in
20 this Act shall be absorbed within the total budgetary re-
21 sources available to such department or agency: *Provided*,
22 That the authority to transfer funds between appropria-
23 tions accounts as may be necessary to carry out this sec-
24 tion is provided in addition to authorities included else-
25 where in this Act: *Provided further*, That use of funds to

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

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

12 SEC. 615. Of the funds appropriated in this Act
13 under the heading “Office of Justice Programs—State
14 and Local Law Enforcement Assistance”, not more than
15 90 percent of the amount to be awarded to an entity under
16 the Local Law Enforcement Block Grant shall be made
17 available to such an entity when it is made known to the
18 Federal official having authority to obligate or expend
19 such funds that the entity that employs a public safety
20 officer (as such term is defined in section 1204 of title
21 I of the Omnibus Crime Control and Safe Streets Act of
22 1968) does not provide such a public safety officer who
23 retires or is separated from service due to injury suffered
24 as the direct and proximate result of a personal injury
25 sustained in the line of duty while responding to an emer-

1 gency situation or a hot pursuit (as such terms are defined
2 by State law) with the same or better level of health insur-
3 ance benefits at the time of retirement or separation as
4 they received while on duty.

5 SEC. 616. (a) None of the funds made available in
6 this Act may be used to issue or renew a fishing permit
7 or authorization for any fishing vessel of the United States
8 greater than 165 feet in registered length or of more than
9 750 gross registered tons, and that has an engine or en-
10 gines capable of producing a total of more than 3,000
11 shaft horsepower—

12 (1) as specified in the permit application re-
13 quired under part 648.4(a)(5) of title 50, Code of
14 Federal Regulations, part 648.12 of title 50, Code of
15 Federal Regulations, and the authorization required
16 under part 648.80(d)(2) of title 50, Code of Federal
17 Regulations, to engage in fishing for Atlantic mack-
18 erel or herring (or both) under the Magnuson-Ste-
19 vens Fishery Conservation and Management Act (16
20 U.S.C. 1801 et seq.); or

21 (2) that would allow such a vessel to engage in
22 the catching, taking, or harvesting of fish in any
23 other fishery within the exclusive economic zone of
24 the United States (except territories), unless a cer-
25 tificate of documentation had been issued for the

1 vessel and endorsed with a fishery endorsement that
2 was effective on September 25, 1997, and such fish-
3 ery endorsement was not surrendered at any time
4 thereafter.

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

17 SEC. 617. None of the funds provided by this Act
18 shall be available to promote the sale or export of tobacco
19 or tobacco products, or to seek the reduction or removal
20 by any foreign country of restrictions on the marketing
21 of tobacco or tobacco products, except for restrictions
22 which are not applied equally to all tobacco or tobacco
23 products of the same type.

24 SEC. 618. None of the funds made available in this
25 Act may be used to pay the expenses of an election officer

1 appointed by a court to oversee an election of any officer
2 or trustee for the International Brotherhood of Teamsters.

3 SEC. 619. The Federal Communications Commission
4 shall reinstate the license of radio station WXEE, 1340
5 AM, of Welch, West Virginia, notwithstanding the expira-
6 tion of such license on February 1, 1998, pursuant to sec-
7 tion 312(g) of the Communications Act of 1934 (47
8 U.S.C. 312(g)).

9 TITLE VII—RESCISSIONS

10 DEPARTMENT OF JUSTICE

11 GENERAL ADMINISTRATION

12 WORKING CAPITAL FUND

13 (RESCISSION)

14 Of the unobligated balances available under this
15 heading on September 30, 1998, \$45,326,000 are re-
16 scinded.

17 LEGAL ACTIVITIES

18 UNITED STATES TRUSTEE SYSTEM FUND

19 (RESCISSION)

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

23 TITLE VIII—CITIZENS PROTECTION

24 SHORT TITLE

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

1 INTERPRETATION

2 SEC. 802. As used in this title and the amendments
3 made by this title, the term “employee” includes an attor-
4 ney, investigator, or other employee of the Department of
5 Justice as well as an attorney, investigator, or accountant,
6 acting under the authority of the Department of Justice.

7 SUBTITLE A—ETHICAL STANDARDS FOR FEDERAL
8 PROSECUTORS

9 ETHICAL STANDARDS FOR FEDERAL PROSECUTORS

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

13 “ETHICAL STANDARDS FOR ATTORNEYS FOR THE
14 GOVERNMENT

15 “SEC. 530B. (a) An attorney for the Government
16 shall be subject to State laws and rules, and local Federal
17 court rules, governing attorneys in each State where such
18 attorney engages in that attorney’s duties, to the same
19 extent and in the same manner as other attorneys in that
20 State.

21 “(b) The Attorney General shall make and amend
22 rules of the Department of Justice to assure compliance
23 with this section.

24 “(c) As used in this section, the term ‘attorney for
25 the Government’ includes any attorney described in sec-

1 tion 77.2(a) of part 77 of title 28 of the Code of Federal
2 Regulations.”.

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

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

6 SUBTITLE B—PUNISHABLE CONDUCT

7 PUNISHABLE CONDUCT

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

11 (1) in the absence of probable cause seek the
12 indictment of any person;

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

15 (3) intentionally mislead a court as to the guilt
16 of any person;

17 (4) intentionally or knowingly misstate evi-
18 dence;

19 (5) intentionally or knowingly alter evidence;

20 (6) attempt to influence or color a witness’ tes-
21 timony;

22 (7) act to frustrate or impede a defendant’s
23 right to discovery;

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

1 legations contained in such written statement warrant fur-
2 ther investigation.

3 (c) INVESTIGATION AND PENALTY.—If the Attorney
4 General determines after conducting a preliminary inves-
5 tigation under subsection (a) that further investigation is
6 warranted, the Attorney General shall within 90 days fur-
7 ther investigate the allegations and, if the Attorney Gen-
8 eral determines that a preponderance of the evidence sup-
9 ports the allegations, impose an appropriate penalty.

10 MISCONDUCT REVIEW BOARD

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

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

16 (1) three voting members appointed by the
17 President, one of whom the President shall designate
18 as Chairperson;

19 (2) two non-voting members appointed by the
20 Speaker of the House of Representatives, one of
21 whom shall be a Republican and one of whom shall
22 be a Democrat; and

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

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

5 (d) SUBMISSION OF WRITTEN STATEMENT TO
6 BOARD.—If the Attorney General makes no determination
7 pursuant to section 822(b) or imposes no penalty under
8 section 822(c), a person who submitted a written state-
9 ment under section 822(a) may submit such written state-
10 ment to the Board.

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

14 (f) BOARD INVESTIGATION.—In reviewing a deter-
15 mination with respect to a written statement under sub-
16 section (e), or a written statement submitted under sub-
17 section (d), the Board may investigate the allegations
18 made in the written statement as the Board considers ap-
19 propriate.

20 (g) SUBPOENA POWER.—

21 (1) IN GENERAL.—The Board may issue sub-
22 poenas requiring the attendance and testimony of
23 witnesses and the production of any evidence relat-
24 ing to any matter under investigation by the Board.

25 The attendance of witnesses and the production of

1 evidence may be required from any place within the
2 United States.

3 (2) FAILURE TO OBEY A SUBPOENA.—If a per-
4 son refuses to obey a subpoena issued under para-
5 graph (1), the Board may apply to a United States
6 district court for an order requiring that person to
7 appear before the Board to give testimony, produce
8 evidence, or both, relating to the matter under inves-
9 tigation. The application may be made within the ju-
10 dicial district where the hearing is conducted or
11 where that person is found, resides, or transacts
12 business. Any failure to obey the order of the court
13 may be punished by the court as civil contempt.

14 (3) SERVICE OF SUBPOENAS.—The subpoenas
15 of the Board shall be served in the manner provided
16 for subpoenas issued by a United States district
17 court under the Federal Rules of Civil Procedure for
18 the United States district courts.

19 (4) SERVICE OF PROCESS.—All process of any
20 court to which application is made under paragraph
21 (2) may be served in the judicial district in which
22 the person required to be served resides or may be
23 found.

24 (h) MEETINGS.—The Board shall meet at the call of
25 the Chairperson or a majority of its voting members. All

1 meetings shall be open to the public. The Board is author-
2 ized to sit where the Board considers most convenient
3 given the facts of a particular complaint, but shall give
4 due consideration to conducting its activities in the judi-
5 cial district where the complainant resides.

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

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

14 (k) COMPENSATION.—

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

21 (2) TRAVEL EXPENSES.—Each member shall
22 receive travel expenses, including per diem in lieu of
23 subsistence, in accordance with sections 5702 and
24 5703 of title 5, United States Code.

1 (l) EXPERTS AND CONSULTANTS.—The Board may
2 procure temporary and intermittent services under section
3 3109(b) of title 5, United States Code, but at rates for
4 individuals not to exceed \$200 per day.

5 (m) STAFF OF FEDERAL AGENCIES.—Upon request
6 of the Chairperson, the head of any Federal department
7 or agency may detail, on a reimbursable basis, any of the
8 personnel of that department or agency to the Board to
9 assist it in carrying out its duties under this title.

10 (n) OBTAINING OFFICIAL DATA.—The Board may
11 secure directly from any department or agency of the
12 United States information necessary to enable it to carry
13 out this title. Upon request of the Chairperson of the
14 Board, the head of that department or agency shall fur-
15 nish that information to the Board.

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

19 (p) ADMINISTRATIVE SUPPORT SERVICES.—Upon
20 the request of the Board, the Administrator of General
21 Services shall provide to the Board, on a reimbursable
22 basis, the administrative support services necessary for the
23 Board to carry out its responsibilities under this title.

24 (q) CONTRACT AUTHORITY.—The Board may con-
25 tract with and compensate government and private agen-

1 cies or persons for services, without regard to section 3709
2 of the Revised Statutes (41 U.S.C. 5).

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