

Calendar No. 111

105TH CONGRESS
1ST Session

S. 1022

[Report No. 105-48]

A BILL

Making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 1998, and for other purposes.

JULY 16, 1997

Read twice and placed on the calendar

Calendar No. 111105TH CONGRESS
1ST SESSION**S. 1022****[Report No. 105-48]**

Making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 1998, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JULY 16, 1997

Mr. GREGG, from the Committee on Appropriations, reported the following original bill; which was read twice and placed on the calendar

A BILL

Making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 1998, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the following sums are appropriated, out of any
4 money in the Treasury not otherwise appropriated, for the
5 Departments of Commerce, Justice, and State, the Judici-

1 ary, and related agencies programs for the fiscal year end-
 2 ing September 30, 1998, and for other purposes, 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, \$79,373,000; 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 \$7,860,000 shall be expended for the De-
 12 partment Leadership Program exclusive of augmentation
 13 that occurred in these offices in fiscal year 1997: *Provided*
 14 *further*, That not to exceed 41 permanent positions and
 15 48 full-time equivalent workyears and \$4,660,000 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, \$29,450,000 to remain available until ex-
 26 pended, to reimburse any Department of Justice organiza-

1 tion for (1) the costs incurred in reestablishing the oper-
2 ational capability of an office or facility which has been
3 damaged or destroyed as a result of any domestic or inter-
4 national terrorist incident, (2) the costs of providing sup-
5 port to counter, investigate or prosecute domestic or inter-
6 national terrorism, including payment of rewards in con-
7 nection with these activities, and (3) the costs of conduct-
8 ing a terrorism threat assessment of Federal agencies and
9 their facilities: *Provided*, That funds provided under this
10 section shall be available only after the Attorney General
11 notifies the Committees on Appropriations of the House
12 of Representatives and the Senate in accordance with sec-
13 tion 605 of this Act.

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, \$20,007,000.

18 VIOLENT CRIME REDUCTION PROGRAMS, ADMINISTRATIVE
19 REVIEW AND APPEALS

20 For activities authorized by section 130005 of the
21 Violent Crime Control and Law Enforcement Act of 1994
22 (Public Law 103-322), as amended, \$59,251,000, to re-
23 main available until expended, which shall be derived from
24 the Violent Crime Reduction Trust Fund.

1 OFFICE OF INSPECTOR GENERAL

2 For necessary expenses of the Office of Inspector
3 General in carrying out the provisions of the Inspector
4 General Act of 1978, as amended, \$33,211,000; including
5 not to exceed \$10,000 to meet unforeseen emergencies of
6 a confidential character, to be expended under the direc-
7 tion of, and to be accounted for solely under the certificate
8 of, the Attorney General; and for the acquisition, lease,
9 maintenance, and operation of motor vehicles, without re-
10 gard to the general purchase price limitation for the cur-
11 rent fiscal year.

12 UNITED STATES PAROLE COMMISSION

13 SALARIES AND EXPENSES

14 For necessary expenses of the United States Parole
15 Commission as authorized by law, \$5,009,000.

16 LEGAL ACTIVITIES

17 SALARIES AND EXPENSES, GENERAL LEGAL ACTIVITIES

18 For expenses, necessary for the legal activities of the
19 Department of Justice, not otherwise provided for, includ-
20 ing not to exceed \$20,000 for expenses of collecting evi-
21 dence, to be expended under the direction of, and to be
22 accounted for solely under the certificate of, the Attorney
23 General; and rent of private or Government-owned space
24 in the District of Columbia; \$437,178,000; of which not
25 to exceed \$10,000,000 for litigation support contracts

1 shall remain available until expended: *Provided*, That of
2 the funds available in this appropriation, not to exceed
3 \$24,555,000 shall remain available until expended for of-
4 fice automation systems for the legal divisions covered by
5 this appropriation, and for the United States Attorneys,
6 the Antitrust Division, and offices funded through “Sala-
7 ries and Expenses”, General Administration: *Provided fur-*
8 *ther*, That of the total amount appropriated, not to exceed
9 \$1,000 shall be available to the United States National
10 Central Bureau, INTERPOL, for official reception and
11 representation expenses: *Provided further*, That not to ex-
12 ceed 4 permanent positions and 5 full-time equivalent
13 workyears and \$470,000 shall be expended for the Office
14 of Legislative Affairs and Public Affairs: *Provided further*,
15 That the latter two aforementioned offices shall not be
16 augmented by personnel details, temporary transfers of
17 personnel on either a reimbursable or nonreimbursable
18 basis or any other type of formal or informal transfer or
19 reimbursement of personnel or funds on either a tem-
20 porary or long-term basis.

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

1 VIOLENT CRIME REDUCTION PROGRAMS, GENERAL LEGAL
2 ACTIVITIES

3 For the expeditious deportation of denied asylum ap-
4 plicants, as authorized by section 130005 of the Violent
5 Crime Control and Law Enforcement Act of 1994 (Public
6 Law 103-322), as amended, \$7,969,000, to remain avail-
7 able until expended, which shall be derived from the Vio-
8 lent Crime Reduction Trust Fund.

9 SALARIES AND EXPENSES, ANTITRUST DIVISION

10 For expenses necessary for the enforcement of anti-
11 trust and kindred laws, \$82,447,000: *Provided*, That not-
12 withstanding any other provision of law, not to exceed
13 \$70,000,000 of offsetting collections derived from fees col-
14 lected for pre-merger notification filings under the Hart-
15 Scott-Rodino Antitrust Improvements Act of 1976 (15
16 U.S.C. 18(a)) shall be retained and used for necessary ex-
17 penses in this appropriation, and shall remain available
18 until expended: *Provided further*, That the sum herein ap-
19 propriated from the General Fund shall be reduced as
20 such offsetting collections are received during fiscal year
21 1998, so as to result in a final fiscal year 1998 appropria-
22 tion from the General Fund estimated at not more than
23 \$12,447,000: *Provided further*, That any fees received in
24 excess of \$70,000,000 in fiscal year 1998, shall remain
25 available until expended, but shall not be available for obli-
26 gation until October 1, 1998.

1 SALARIES AND EXPENSES, UNITED STATES ATTORNEYS

2 For necessary expenses of the Office of the United
3 States Attorneys, including intergovernmental and cooper-
4 ative agreements, \$986,404,000; of which not to exceed
5 \$2,500,000 shall be available until September 30, 1999,
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 not to exceed \$8,000,000 for the design, development, and
16 implementation of an information systems strategy for
17 D.C. Superior Court shall remain available until expended:
18 *Provided further*, That not to exceed \$2,500,000 for the
19 operation of the National Advocacy Center shall remain
20 available until expended: *Provided further*, That not to ex-
21 ceed \$10,000,000 shall remain available until expended to
22 support Violent Crime Task Forces in United States At-
23 torneys Offices, of which \$5,000,000 shall be available for
24 the expansion of several existing Task Forces into region-
25 ally-diverse demonstration projects, including inter-gov-

1 ernmental, inter-local, cooperative, and task-force agree-
 2 ments, however denominated, and contracts with State
 3 and local prosecutorial and law enforcement agencies en-
 4 gaged in the investigation and prosecution of violent
 5 crimes, including bank robbery and carjacking, and drug
 6 trafficking: *Provided further*, That, in addition to reim-
 7 bursable full-time equivalent workyears available to the
 8 Office of the United States Attorneys, not to exceed 8,652
 9 positions and 8,936 full-time equivalent workyears shall
 10 be supported from the funds appropriated in this Act for
 11 the United States Attorneys.

12 VIOLENT CRIME REDUCTION PROGRAMS, UNITED STATES
 13 ATTORNEYS

14 For activities authorized by sections 40114, 130005,
 15 190001(b), 190001(d) and 250005 of the Violent Crime
 16 Control and Law Enforcement Act of 1994 (Public Law
 17 103–322), as amended, and section 815 of the
 18 Antiterrorism and Effective Death Penalty Act of 1996
 19 (Public Law 104–132), \$46,128,000, to remain available
 20 until expended, which shall be derived from the Violent
 21 Crime Reduction Trust Fund, of which \$11,408,000 shall
 22 be available for Southwest Border Control and \$9,747,000
 23 for expeditious deportation of denied asylum applicants.

24 UNITED STATES TRUSTEE SYSTEM FUND

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

1 \$116,721,000, 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, \$116,721,000 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 1998, so as to result in a final
14 fiscal year 1998 appropriation from the Fund estimated
15 at \$0: *Provided further*, That any such fees collected in
16 excess of \$116,721,000 in fiscal year 1998 shall remain
17 available until expended, but shall not be available for obli-
18 gation until October 1, 1998.

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, \$1,226,000.

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 aircraft, and the pur-
6 chase of passenger motor vehicles for police-type use, with-
7 out regard to the general purchase price limitation for the
8 current fiscal year, \$471,786,000, as authorized by 28
9 U.S.C. 561(i); of which not to exceed \$6,000 shall be
10 available for official reception and representation ex-
11 penses; and of which not to exceed \$4,000,000 for develop-
12 ment, implementation, maintenance and support, and
13 training for an automated prisoner information system,
14 and not to exceed \$2,200,000 to support the Justice Pris-
15 oner and Alien Transportation System, shall remain avail-
16 able until expended: *Provided*, That, for fiscal year 1998
17 and thereafter, the service of maintaining and transport-
18 ing State, local, or territorial prisoners shall be considered
19 a specialized or technical service for purposes of 31 U.S.C.
20 6505, and any prisoners so transported shall be considered
21 persons (transported for other than commercial purposes)
22 whose presence is associated with the performance of a
23 governmental function for purposes of 49 U.S.C. 40102:
24 *Provided further*, That not to exceed 6 permanent posi-
25 tions and 6 full-time equivalent workyears and \$350,000

1 shall be expended for the Offices of Legislative Affairs and
2 Public Affairs: *Provided further*, That the latter two afore-
3 mentioned offices shall not be augmented by personnel de-
4 tails, temporary transfers of personnel on either a reim-
5 bursable or nonreimbursable basis or any other type of
6 formal or informal transfer or reimbursement of personnel
7 or funds on either a temporary or long-term basis.

8 VIOLENT CRIME REDUCTION PROGRAMS, UNITED STATES
9 MARSHALS SERVICE

10 For activities authorized by section 190001(b) of the
11 Violent Crime Control and Law Enforcement Act of 1994
12 (Public Law 103–322), as amended, \$25,553,000, to re-
13 main available until expended, which shall be derived from
14 the Violent Crime Reduction Trust Fund.

15 FEDERAL PRISONER DETENTION

16 For expenses, related to United States prisoners in
17 the custody of the United States Marshals Service as au-
18 thorized in 18 U.S.C. 4013, but not including expenses
19 otherwise provided for in appropriations available to the
20 Attorney General, \$405,262,000, as authorized by 28
21 U.S.C. 561(i), to remain available until expended.

22 FEES AND EXPENSES OF WITNESSES

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

1 ized by law, including advances, \$75,000,000, to remain
2 available until expended; of which not to exceed
3 \$4,750,000 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; 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; and of which not to exceed \$4,000,000
10 may be made available for the purchase, installation and
11 maintenance of a secure, automated information network
12 to store and retrieve the identities and locations of pro-
13 tected witnesses.

14 SALARIES AND EXPENSES, COMMUNITY RELATIONS

15 SERVICE

16 For necessary expenses of the Community Relations
17 Service, established by title X of the Civil Rights Act of
18 1964, \$5,319,000: *Provided*, That notwithstanding any
19 other provision of law, upon a determination by the Attor-
20 ney General that emergent circumstances require addi-
21 tional funding for conflict prevention and resolution activi-
22 ties of the Community Relations Service, the Attorney
23 General may transfer such amounts to the Community Re-
24 lations Service, from available appropriations for the cur-
25 rent fiscal year for the Department of Justice, as may be
26 necessary to respond to such circumstances: *Provided fur-*

1 *ther*, That any transfer pursuant to this paragraph shall
 2 be treated as a reprogramming under section 605 of this
 3 Act and shall not be available for obligation or expenditure
 4 except 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 PAYMENT TO RADIATION EXPOSURE COMPENSATION

17 TRUST FUND

18 For payments to the Radiation Exposure Compensa-
 19 tion Trust Fund, \$4,381,000.

20 INTERAGENCY LAW ENFORCEMENT

21 INTERAGENCY CRIME AND DRUG ENFORCEMENT

22 For necessary expenses for the detection, investiga-
 23 tion, and prosecution of individuals involved in organized
 24 crime drug trafficking not otherwise provided for, to in-
 25 clude intergovernmental agreements with State and local
 26 law enforcement agencies engaged in the investigation and

1 prosecution of individuals involved in organized crime drug
2 trafficking, \$294,967,000, to remain available until ex-
3 pended: *Provided*, That any amounts obligated from ap-
4 propriations under this heading may be used under au-
5 thorities available to the organizations reimbursed from
6 this appropriation: *Provided further*, That any unobligated
7 balances remaining available at the end of the fiscal year
8 shall revert to the Attorney General for reallocation among
9 participating organizations in succeeding fiscal years, sub-
10 ject to the reprogramming procedures described in section
11 605 of this Act.

12 FEDERAL BUREAU OF INVESTIGATION

13 SALARIES AND EXPENSES

14 For necessary expenses of the Federal Bureau of In-
15 vestigation for detection, investigation, and prosecution of
16 crimes against the United States; including purchase for
17 police-type use of not to exceed 3,094 passenger motor ve-
18 hicles, of which 2,270 will be for replacement only, without
19 regard to the general purchase price limitation for the cur-
20 rent fiscal year, and hire of passenger motor vehicles; ac-
21 quisition, lease, maintenance, and operation of aircraft;
22 and not to exceed \$70,000 to meet unforeseen emergencies
23 of a confidential character, to be expended under the di-
24 rection of, and to be accounted for solely under the certifi-
25 cate of, the Attorney General; \$2,837,268,000, of which

1 not to exceed \$50,000,000 for automated data processing
2 and telecommunications and technical investigative equip-
3 ment and not to exceed \$1,000,000 for undercover oper-
4 ations shall remain available until September 30, 1999;
5 of which not less than \$257,601,000 shall be for
6 counterterrorism investigations, foreign counterintel-
7 ligence, and other activities related to our national secu-
8 rity; of which not to exceed \$84,400,000 for the automa-
9 tion of fingerprint identification services and related costs
10 and not to exceed \$14,000,000 for research and develop-
11 ment related to investigative activities shall remain avail-
12 able until expended; and of which not to exceed
13 \$10,000,000 is authorized to be made available for making
14 advances for expenses arising out of contractual or reim-
15 bursable agreements with State and local law enforcement
16 agencies while engaged in cooperative activities related to
17 violent crime, terrorism, organized crime, and drug inves-
18 tigation; and of which \$1,500,000 shall be available to
19 maintain an independent program office dedicated solely
20 to the relocation of the Criminal Justice Information Serv-
21 ices Division and the automation of fingerprint identifica-
22 tion services: *Provided*, That not to exceed \$60,000 shall
23 be available for official reception and representation ex-
24 penses: *Provided further*, That not to exceed 59 permanent
25 positions and 59 full-time equivalent workyears and

1 \$5,470,000 shall be expended for the Office of Legislative
2 Affairs and Public Affairs: *Provided further*, That the lat-
3 ter two aforementioned offices shall not be augmented by
4 personnel details, temporary transfers of personnel on ei-
5 ther a reimbursable or nonreimbursable basis or any other
6 type of formal or informal transfer or reimbursement of
7 personnel or funds on either a temporary or long-term
8 basis.

9 VIOLENT CRIME REDUCTION PROGRAMS

10 For activities authorized by the Violent Crime Con-
11 trol and Law Enforcement Act of 1994 (Public Law 103-
12 322) as amended (“the 1994 Act”), and the Antiterrorism
13 and Effective Death Penalty Act of 1996 (“the
14 Antiterrorism Act”), \$179,121,000, to remain available
15 until expended, which shall be derived from the Violent
16 Crime Reduction Trust Fund; of which \$102,127,000
17 shall be for activities authorized by section 190001(c) of
18 the 1994 Act and section 811 of the Antiterrorism Act;
19 \$57,994,000 shall be for activities authorized by section
20 190001(b) of the 1994 Act; \$4,000,000 shall be for train-
21 ing and investigative assistance authorized by section
22 210501 of the 1994 Act; \$9,500,000 shall be for grants
23 to States, as authorized by section 811(b) of the
24 Antiterrorism Act; and \$5,500,000 shall be for establish-
25 ing DNA quality-assurance and proficiency-testing stand-
26 ards, establishing an index to facilitate law enforcement

1 exchange of DNA identification information, and related
2 activities authorized by section 210501 of the 1994 Act:
3 *Provided*, That notwithstanding any other law relating to
4 employee classification, pay, and performance, the Direc-
5 tor, Federal Bureau of Investigation may, with the ap-
6 proval of the Attorney General, design and implement a
7 system of personnel management providing for the classi-
8 fication, pay, and performance of non-Senior Executive
9 Service employees of the Federal Bureau of Investigation.
10 Except as otherwise provided by law, no employee com-
11 pensated under this system may be paid in excess of the
12 rate of basic pay payable for Level IV of the Executive
13 Schedule. Payments to employees under this system shall
14 be subject to the limitation on payments to General Sched-
15 ule employees set forth in section 5307 of title 5, United
16 States Code.

17 CONSTRUCTION

18 For necessary expenses to construct or acquire build-
19 ings and sites by purchase, or as otherwise authorized by
20 law (including equipment for such buildings); conversion
21 and extension of federally-owned buildings; and prelimi-
22 nary planning and design of projects; \$59,006,000, to re-
23 main available until expended.

1 DRUG ENFORCEMENT ADMINISTRATION
2 SALARIES AND EXPENSES

3 For necessary expenses of the Drug Enforcement Ad-
4 ministration, including not to exceed \$70,000 to meet un-
5 foreseen emergencies of a confidential character, to be ex-
6 pended under the direction of, and to be accounted for
7 solely under the certificate of, the Attorney General; ex-
8 penses for conducting drug education and training pro-
9 grams, including travel and related expenses for partici-
10 pants in such programs and the distribution of items of
11 token value that promote the goals of such programs; pur-
12 chase of not to exceed 1,602 passenger motor vehicles, of
13 which 1,410 will be for replacement only, for police-type
14 use without regard to the general purchase price limitation
15 for the current fiscal year; and acquisition, lease, mainte-
16 nance, and operation of aircraft; \$639,265,000, of which
17 not to exceed \$1,800,000 for research and \$15,000,000
18 for transfer to the Drug Diversion Control Fee Account
19 for operating expenses shall remain available until ex-
20 pended, and of which not to exceed \$4,000,000 for pur-
21 chase of evidence and payments for information, not to
22 exceed \$10,000,000 for contracting for automated data
23 processing and telecommunications equipment, and not to
24 exceed \$2,000,000 for laboratory equipment, \$4,000,000
25 for technical equipment, and \$2,000,000 for aircraft re-

1 placement, retrofit and parts, shall remain available until
2 September 30, 1999; and of which not to exceed \$50,000
3 shall be available for official reception and representation
4 expenses: *Provided*, That not to exceed 29 permanent posi-
5 tions and 29 full-time equivalent workyears and
6 \$2,134,000 shall be expended for the Office of Legislative
7 Affairs and Public Affairs: *Provided further*, That the lat-
8 ter two aforementioned offices shall not be augmented by
9 personnel details, temporary transfers of personnel on ei-
10 ther a reimbursable or nonreimbursable basis or any other
11 type of formal or informal transfer or reimbursement of
12 personnel or funds on either a temporary or long-term
13 basis.

14 VIOLENT CRIME REDUCTION PROGRAMS

15 For activities authorized by sections 180104 and
16 190001(b) of the Violent Crime Control and Law Enforce-
17 ment Act of 1994 (Public Law 103-322), as amended,
18 and section 814 of the Antiterrorism and Effective Death
19 Penalty Act of 1996 (Public Law 104-132), and for the
20 purchase of not to exceed 1,602 passenger motor vehicles,
21 of which 1,410 will be for replacement only, for police-
22 type use without regard to the general purchase price limi-
23 tation for the current fiscal year, \$441,117,000, to remain
24 available until expended, which shall be derived from the
25 Violent Crime Reduction Trust Fund.

1 CONSTRUCTION

2 For necessary expenses to construct or acquire build-
3 ings and sites by purchase, or as otherwise authorized by
4 law (including equipment for such buildings); conversion
5 and extension of federally-owned buildings; and prelimi-
6 nary planning and design of projects; \$10,500,000, to re-
7 main available until expended.

8 IMMIGRATION AND NATURALIZATION SERVICE

9 SALARIES AND EXPENSES

10 (INCLUDING TRANSFER OF FUNDS)

11 For expenses, not otherwise provided for, necessary
12 for the administration and enforcement of the laws relat-
13 ing to immigration, naturalization, and alien registration,
14 including not to exceed \$50,000 to meet unforeseen emer-
15 gencies of a confidential character, to be expended under
16 the direction of, and to be accounted for solely under the
17 certificate of, the Attorney General; purchase for police
18 type use (not to exceed 2,574, of which 1,711 are for re-
19 placement only), without regard to the general purchase
20 price limitation for the current fiscal year, and hire of pas-
21 senger motor vehicles; acquisition, lease, maintenance and
22 operation of aircraft; research related to immigration en-
23 forcement; and for the care and housing of Federal detain-
24 ees held in the joint INS and United States Marshals
25 Service's Buffalo Detention Facility; \$1,430,199,000, of
26 which not to exceed \$400,000 for research shall remain

1 available until expended; of which not to exceed
2 \$5,000,000 is for payments or advances arising out of con-
3 tractual or reimbursable agreements with State and local
4 law enforcement agencies while engaged in cooperative ac-
5 tivities related to immigration; and of which not to exceed
6 \$5,000,000 is to fund or reimburse other Federal agencies
7 for the costs associated with the care, maintenance, and
8 repatriation of smuggled illegal aliens: *Provided*, That the
9 Attorney General may reallocate to the INS training pro-
10 gram from other INS programs such amounts as may be
11 necessary for direct expenditure for immigration officer
12 basic training: *Provided further*, That during fiscal year
13 1998 and each fiscal year thereafter, none of the funds
14 appropriated or otherwise made available to the Immigra-
15 tion and Naturalization Service may be used to accept,
16 process, or forward to the Federal Bureau of Investiga-
17 tion, any FD-258 fingerprint card for the purpose of con-
18 ducting criminal background checks for any benefit under
19 the Immigration and Nationality Act, which has been pre-
20 pared by, or received from, any individual or entity other
21 than an office of the Immigration and Naturalization
22 Service: *Provided further*, That none of the funds available
23 to the INS shall be available to pay any employee overtime
24 pay in an amount in excess of \$25,000 during the calendar
25 year beginning January 1, 1998, except in such instances

1 when the commissioner determines that enforcing this
2 overtime provision would harm enforcement activities:
3 *Provided further*, That uniforms may be purchased with-
4 out regard to the general purchase price limitation for the
5 current fiscal year: *Provided further*, That not to exceed
6 \$5,000 shall be available for official reception and rep-
7 resentation expenses: *Provided further*, That the Land
8 Border Fee Pilot Project scheduled to end September 30,
9 1996, is extended hereafter, for projects on both the
10 northern and southern borders of the United States, ex-
11 cept that no pilot program may implement a universal
12 land border crossing toll: *Provided further*, That not to ex-
13 ceed 20 permanent positions, of which not less than 11
14 permanent positions are caseworkers, and 20 full-time
15 equivalent workyears and \$1,737,000 shall be expended
16 for the Office of Legislative Affairs and Public Affairs:
17 *Provided further*, That the latter two aforementioned of-
18 fices shall not be augmented by personnel details, tem-
19 porary transfers of personnel on either a reimbursable or
20 nonreimbursable basis or any other type of formal or in-
21 formal transfer or reimbursement of personnel or funds
22 on either a temporary or long-term basis.

23 VIOLENT CRIME REDUCTION PROGRAMS

24 For activities authorized by sections 130002,
25 130005, 130006, 130007, and 190001(b) of the Violent
26 Crime Control and Law Enforcement Act of 1994 (Public

1 Law 103–322), as amended, and section 813 of the
2 Antiterrorism and Effective Death Penalty Act of 1996
3 (Public Law 104–132), \$719,898,000, to remain available
4 until expended, which will be derived from the Violent
5 Crime Reduction Trust Fund.

6 CONSTRUCTION

7 For planning, construction, renovation, equipping,
8 and maintenance of buildings and facilities necessary for
9 the administration and enforcement of the laws relating
10 to immigration, naturalization, and alien registration, not
11 otherwise provided for, \$73,559,000, to remain available
12 until expended.

13 FEDERAL PRISON SYSTEM

14 SALARIES AND EXPENSES

15 For expenses necessary for the administration, oper-
16 ation, and maintenance of Federal penal and correctional
17 institutions, including purchase (not to exceed 834, of
18 which 599 are for replacement only) and hire of law en-
19 forcement and passenger motor vehicles, and for the provi-
20 sion of technical assistance and advice on corrections re-
21 lated issues to foreign governments; \$2,933,900,000: *Pro-*
22 *vided*, That the Attorney General may transfer to the
23 Health Resources and Services Administration such
24 amounts as may be necessary for direct expenditures by
25 that Administration for medical relief for inmates of Fed-
26 eral penal and correctional institutions: *Provided further*,

1 That the Director of the Federal Prison System (FPS),
2 where necessary, may enter into contracts with a fiscal
3 agent/fiscal intermediary claims processor to determine
4 the amounts payable to persons who, on behalf of the
5 FPS, furnish health services to individuals committed to
6 the custody of the FPS: *Provided further*, That uniforms
7 may be purchased without regard to the general purchase
8 price limitation for the current fiscal year: *Provided fur-*
9 *ther*, That not to exceed \$6,000 shall be available for offi-
10 cial reception and representation expenses: *Provided fur-*
11 *ther*, That not to exceed \$90,000,000 for the activation
12 of new facilities shall remain available until September 30,
13 1999: *Provided further*, That of the amounts provided for
14 Contract Confinement, not to exceed \$20,000,000 shall re-
15 main available until expended to make payments in ad-
16 vance for grants, contracts and reimbursable agreements,
17 and other expenses authorized by section 501(c) of the
18 Refugee Education Assistance Act of 1980, as amended,
19 for the care and security in the United States of Cuban
20 and Haitian entrants: *Provided further*, That notwith-
21 standing section 4(d) of the Service Contract Act of 1965
22 (41 U.S.C. 353(d)), FPS may enter into contracts and
23 other agreements with private entities for periods of not
24 to exceed 3 years and 7 additional option years for the
25 confinement of Federal prisoners.

1 VIOLENT CRIME REDUCTION PROGRAMS

2 For substance abuse treatment in Federal prisons as
3 authorized by section 32001(e) of the Violent Crime Con-
4 trol and Law Enforcement Act of 1994 (Public Law 103-
5 322), as amended, \$6,135,000, to remain available until
6 expended, which shall be derived from the Violent Crime
7 Reduction Trust Fund.

8 BUILDINGS AND FACILITIES

9 For planning, acquisition of sites and construction of
10 new facilities; leasing the Oklahoma City Airport Trust
11 Facility; purchase and acquisition of facilities and remodel-
12 eling, and equipping of such facilities for penal and correc-
13 tional use, including all necessary expenses incident there-
14 to, by contract or force account; and constructing, remodel-
15 eling, and equipping necessary buildings and facilities at
16 existing penal and correctional institutions, including all
17 necessary expenses incident thereto, by contract or force
18 account; \$267,833,000, to remain available until ex-
19 pended, of which not to exceed \$14,074,000 shall be avail-
20 able to construct areas for inmate work programs: *Pro-*
21 *vided*, That labor of United States prisoners may be used
22 for work performed under this appropriation: *Provided*
23 *further*, That not to exceed 10 percent of the funds appro-
24 priated to “Buildings and Facilities” in this Act or any
25 other Act may be transferred to “Salaries and Expenses”,
26 Federal Prison System, upon notification by the Attorney

1 General to the Committees on Appropriations of the
2 House of Representatives and the Senate in compliance
3 with provisions set forth in section 605 of this Act: *Pro-*
4 *vided further*, That of the total amount appropriated, not
5 to exceed \$2,300,000 shall be available for the renovation
6 and construction of United States Marshals Service pris-
7 oner-holding facilities.

8 FEDERAL PRISON INDUSTRIES, INCORPORATED

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

19 LIMITATION ON ADMINISTRATIVE EXPENSES, FEDERAL
20 PRISON INDUSTRIES, INCORPORATED

21 Not to exceed \$3,042,000 of the funds of the corpora-
22 tion shall be available for its administrative expenses, and
23 for services as authorized by 5 U.S.C. 3109, to be com-
24 puted on an accrual basis to be determined in accordance
25 with the corporation's current prescribed accounting sys-
26 tem, and such amounts shall be exclusive of depreciation,

1 payment of claims, and expenditures which the said ac-
2 counting system requires to be capitalized or charged to
3 cost of commodities acquired or produced, including sell-
4 ing and shipping expenses, and expenses in connection
5 with acquisition, construction, operation, maintenance, im-
6 provement, protection, or disposition of facilities and other
7 property belonging to the corporation or in which it has
8 an interest.

9 OFFICE OF JUSTICE PROGRAMS

10 JUSTICE ASSISTANCE

11 For grants, contracts, cooperative agreements, and
12 other assistance authorized by title I of the Omnibus
13 Crime Control and Safe Streets Act of 1968, as amended,
14 and the Missing Children's Assistance Act, as amended,
15 including salaries and expenses in connection therewith,
16 and with the Victims of Crime Act of 1984, as amended,
17 \$160,165,000, to remain available until expended, as au-
18 thorized by section 1001 of title I of the Omnibus Crime
19 Control and Safe Streets Act, as amended by Public Law
20 102-534 (106 Stat. 3524); of which, \$25,000,000 is for
21 the National Sexual Offender Registry.

22 For an additional amount, \$23,000,000, to remain
23 available until expended; of which \$5,000,000 shall be for
24 Local Firefighter and Emergency Services Training
25 Grants as authorized by section 819 of the Antiterrorism

1 and Effective Death Penalty Act of 1996 (“the
2 Antiterrorism Act”); of which \$14,000,000 shall be for de-
3 velopment of counterterrorism technologies to help State
4 and local law enforcement combat terrorism, as authorized
5 by section 821 of the Antiterrorism Act; and of which
6 \$4,000,000 shall be for specialized multi-agency response
7 training.

8 STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE

9 For grants, contracts, cooperative agreements, and
10 other assistance authorized by part E of title I of the Om-
11 nibus Crime Control and Safe Streets Act of 1968, as
12 amended, for State and Local Narcotics Control and Jus-
13 tice Assistance Improvements, notwithstanding the provi-
14 sions of section 511 of said Act, \$451,500,000, to remain
15 available until expended, as authorized by section 1001 of
16 title I of said Act, as amended by Public Law 102–534
17 (106 Stat. 3524), of which \$75,000,000 shall be available
18 to carry out the provisions of chapter A of subpart 2 of
19 part E of title I of said Act, for discretionary grants under
20 the Edward Byrne Memorial State and Local Law En-
21 forcement Assistance Programs, of which \$6,200,000 shall
22 be for the National Center for Missing and Exploited Chil-
23 dren, of which \$2,000,000 shall be for National Neighbor-
24 hood Crime and Drug Abuse Prevention Programs, of
25 which \$2,097,000 shall be available to the Executive Of-
26 fice of United States Attorneys to support the National

1 District Attorneys Association's participation in legal edu-
2 cation training at the National Advocacy Center.

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

5 For assistance (including amounts for administrative
6 costs for management and administration, which amounts
7 shall be transferred to and merged with the "Justice As-
8 sistance" account) authorized by the Violent Crime Con-
9 trol and Law Enforcement Act of 1994 (Public Law 103-
10 322), as amended ("the 1994 Act"); the Omnibus Crime
11 Control and Safe Streets Act of 1968, as amended ("the
12 1968 Act"); and the Victims of Child Abuse Act of 1990,
13 as amended ("the 1990 Act"); \$2,154,650,000, to remain
14 available until expended, which shall be derived from the
15 Violent Crime Reduction Trust Fund; of which
16 \$503,000,000 shall be for Local Law Enforcement Block
17 Grants, pursuant to H.R. 728 as passed by the House of
18 Representatives on February 14, 1995: *Provided*, That for
19 the purpose of eligibility for the Local Law Enforcement
20 Block Grant Program in the State of Louisiana, parish
21 sheriffs and district attorneys are to be considered the unit
22 of local government under section 108 of H.R. 728: *Pro-*
23 *vided further*, That no funds provided under this heading
24 may be used as matching funds for any other Federal
25 grant program: *Provided further*, That \$2,400,000 of this
26 amount shall be for discretionary grants for State and

1 local law enforcement to form specialized cyber units to
2 investigate and prevent child sexual exploitation: *Provided*
3 *further*, That \$20,000,000 of this amount shall be for
4 Boys and Girls Clubs in public housing facilities and other
5 areas in cooperation with State and local law enforcement:
6 *Provided further*, That funds may also be used to defray
7 the costs of indemnification insurance for law enforcement
8 officers; of which \$45,000,000 shall be for grants to up-
9 grade criminal records, as authorized by section 106(b)
10 of the Brady Handgun Violence Prevention Act of 1993,
11 as amended, and section 4(b) of the National Child Pro-
12 tection Act of 1993; of which \$128,500,000 shall be avail-
13 able as authorized by section 1001 of title I of the 1968
14 Act to carry out the provisions of subpart 1, part E of
15 title I of the 1968 Act notwithstanding section 511 of said
16 Act for the Edward Byrne Memorial State and Local Law
17 Enforcement Assistance Programs; of which
18 \$350,000,000 shall be for the State Criminal Alien Assist-
19 ance Program, as authorized by section 242(j) of the Im-
20 migration and Nationality Act, as amended; of which
21 \$740,500,000 shall be for Violent Offender Incarceration
22 and Truth in Sentencing Incentive Grants pursuant to
23 subtitle A of title II of the 1994 Act, of which
24 \$150,000,000 shall be available for payments to States for
25 incarceration of criminal aliens, of which \$35,000,000

1 shall be available for the Cooperative Agreement Program,
2 and of which \$5,000,000 shall be reserved by the Attorney
3 General for fiscal year 1998 under section 20109(a) of
4 subtitle A of title II of the 1994 Act; of which \$7,000,000
5 shall be for the Court Appointed Special Advocate Pro-
6 gram, as authorized by section 218 of the 1990 Act; of
7 which \$2,000,000 shall be for Child Abuse Training Pro-
8 grams for Judicial Personnel and Practitioners, as author-
9 ized by section 224 of the 1990 Act; of which
10 \$160,000,000 shall be for Grants to Combat Violence
11 Against Women, to States, units of local government, and
12 Indian tribal governments, as authorized by section
13 1001(a)(18) of the 1968 Act; of which \$59,000,000 shall
14 be for Grants to Encourage Arrest Policies to States, units
15 of local government, and Indian tribal governments, as au-
16 thorized by section 1001(a)(19) of the 1968 Act; of which
17 \$25,000,000 shall be for Rural Domestic Violence and
18 Child Abuse Enforcement Assistance Grants, as author-
19 ized by section 40295 of the 1994 Act; of which
20 \$7,000,000 shall be for training programs to assist proba-
21 tion and parole officers who work with released sex offend-
22 ers, as authorized by section 40152(c) of the 1994 Act;
23 of which \$1,000,000 shall be for grants for televised testi-
24 mony, as authorized by section 1001(a)(7) of the 1968
25 Act; of which \$2,750,000 shall be for national stalker and

1 domestic violence reduction, as authorized by section
2 40603 of the 1994 Act; of which \$61,200,000 shall be for
3 grants for residential substance abuse treatment for State
4 prisoners as authorized by section 1001(a)(17) of the
5 1968 Act; of which \$15,000,000 shall be for grants to
6 States and units of local government for projects to im-
7 prove DNA analysis, as authorized by section 1001(a)(22)
8 of the 1968 Act; of which \$900,000 shall be for the Miss-
9 ing Alzheimer's Disease Patient Alert Program, as author-
10 ized by section 240001(c) of the 1994 Act; of which
11 \$3,800,000 shall be for Motor Vehicle Theft Prevention
12 Programs, as authorized by section 220002(h) of the 1994
13 Act; of which \$40,000,000 shall be for Drug Courts, as
14 authorized by title V of the 1994 Act; of which \$1,000,000
15 shall be for Law Enforcement Family Support Programs,
16 as authorized by section 1001(a)(21) of the 1968 Act; and
17 of which \$2,000,000 shall be for public awareness pro-
18 grams addressing marketing scams aimed at senior citi-
19 zens as authorized by section 250005(3) of the 1994 Act:
20 *Provided further*, That funds made available in fiscal year
21 1998 under subpart 1 of part E of title I of the 1968
22 Act may be obligated for programs to assist States in the
23 litigation processing of death penalty Federal habeas cor-
24 pus petitions: *Provided further*, That section 20105(c) of
25 subtitle A of title II of the 1994 Act (42 U.S.C. 13705(e))

1 is amended to read as follows “Notwithstanding any other
2 provision of this subtitle, States may use grant funds to
3 build or expand State or local juvenile correctional facili-
4 ties and boot camps, for violent and non-violent juvenile
5 offenders.

6 WEED AND SEED PROGRAM FUND

7 For necessary expenses, including salaries and relat-
8 ed expenses of the Executive Office for Weed and Seed,
9 to implement “Weed and Seed” program activities,
10 \$33,500,000, which shall be derived from discretionary
11 grants provided under the Edward Byrne Memorial State
12 and Local Law Enforcement Assistance Programs, to re-
13 main available until expended for intergovernmental
14 agreements, including grants, cooperative agreements, and
15 contracts, with State and local law enforcement agencies
16 engaged in the investigation and prosecution of violent
17 crimes and drug offenses in “Weed and Seed” designated
18 communities, and for either reimbursements or transfers
19 to appropriation accounts of the Department of Justice
20 and other Federal agencies which shall be specified by the
21 Attorney General to execute the “Weed and Seed” pro-
22 gram strategy: *Provided*, That funds designated by Con-
23 gress through language for other Department of Justice
24 appropriation accounts for “Weed and Seed” program ac-
25 tivities shall be managed and executed by the Attorney
26 General through the Executive Office for Weed and Seed:

1 *Provided further*, That the Attorney General may direct
2 the use of other Department of Justice funds and person-
3 nel in support of “Weed and Seed” program activities only
4 after the Attorney General notifies the Committees on Ap-
5 propriations of the House of Representatives and the Sen-
6 ate in accordance with section 605 of this Act.

7 COMMUNITY ORIENTED POLICING SERVICES

8 VIOLENT CRIME REDUCTION PROGRAMS

9 For activities authorized by the Violent Crime Con-
10 trol and Law Enforcement Act of 1994, Public Law 103-
11 322 (“the 1994 Act”) (including administrative costs),
12 \$1,400,000,000, to remain available until expended, which
13 shall be derived from the Violent Crime Reduction Trust
14 Fund, for Public Safety and Community Policing Grants
15 pursuant to title I of the 1994 Act: *Provided*, That not
16 to exceed 270 permanent positions and 228 full-time
17 equivalent workyears and \$24,669,000 shall be expended
18 for program management and administration.

19 In addition, for activities authorized by the 1994 Act,
20 \$40,000,000 for the Police Corps program to remain
21 available until expended, which shall be derived from the
22 Violent Crime Reduction Trust Fund.

23 JUVENILE JUSTICE PROGRAMS

24 For grants, contracts, cooperative agreements, and
25 other assistance authorized by the Juvenile Justice and
26 Delinquency Prevention Act of 1974, as amended, includ-

1 ing salaries and expenses in connection therewith to be
2 transferred to and merged with the appropriations for
3 Justice Assistance, \$230,922,000, to remain available
4 until expended, as authorized by section 299 of part I of
5 title II, as amended by Public Law 102-586, of which (1)
6 notwithstanding any other provision of law, \$5,922,000
7 shall be available for expenses authorized by part A of title
8 II of the Act, \$86,500,000 shall be available for expenses
9 authorized by part B of title II of the Act, and
10 \$29,500,000 shall be available for expenses authorized by
11 part C of title II of the Act; (2) \$12,000,000 shall be avail-
12 able for expenses authorized by sections 281 and 282 of
13 part D of title II of the Act for prevention and treatment
14 programs relating to juvenile gangs; (3) \$10,000,000 shall
15 be available for expenses authorized by section 285 of part
16 E of title II of the Act; (4) \$12,000,000 shall be available
17 for expenses authorized by part G of title II of the Act
18 for juvenile mentoring programs; and (5) \$75,000,000
19 shall be available for the Anti-Truancy, School Violence
20 and Crime Intervention Program.

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

1 JUVENILE BLOCK GRANTS

2 VIOLENT CRIME REDUCTION PROGRAMS

3 For activities of the Juvenile Justice Block Grant
4 Program, \$145,000,000, to remain available until ex-
5 pended, which shall be derived from the Violent Crime Re-
6 duction Trust Fund: *Provided*, That none of the funds ap-
7 propriated or otherwise made available by this Act for
8 “Juvenile Block Grants” may be obligated or expended
9 unless such obligation or expenditure is expressly author-
10 ized by the enactment of a subsequent Act.

11 PUBLIC SAFETY OFFICERS BENEFITS

12 To remain available until expended, for payments au-
13 thorized by part L of title I of the Omnibus Crime Control
14 and Safe Streets Act of 1968 (42 U.S.C. 3796), as amend-
15 ed, such sums as are necessary, as authorized by section
16 6093 of Public Law 100–690 (102 Stat. 4339–4340); and
17 \$2,000,000 for the Federal Law Enforcement Education
18 Assistance Program, as authorized by section 1212 of said
19 Act.

20 GENERAL PROVISIONS—DEPARTMENT OF JUSTICE

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

1 distributions, procedures, and regulations established by
2 the Attorney General.

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

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

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

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

1 osophical beliefs of individual employees of the Bureau of
2 Prisons.

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

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

1 SEC. 108. Section 524(c)(8)(E) of title 28, United
2 States Code, is amended by striking the year in the date
3 therein contained and replacing the same with “1997 and
4 thereafter”.

5 SEC. 109. The Director, Federal Bureau of Investiga-
6 tion, is authorized to carry out a 2-year demonstration
7 project showing the viability for the defensive arming of
8 select non-agent personnel: *Provided*, That the Director,
9 Federal Bureau of Investigation, may authorize to carry
10 firearms not more than 50 non-agent investigative special-
11 ists assigned to special surveillance groups supporting in-
12 vestigations, counterintelligence and counterterrorism ac-
13 tivities: *Provided further*, That personnel designated under
14 this authority shall meet selection criteria established by
15 the Director, Federal Bureau of Investigation, and suc-
16 cessfully complete training for firearms proficiency, defen-
17 sive tactics, and deadly force policy: *Provided further*, That
18 personnel designated under this authority shall not be
19 deemed law enforcement officers under Title 5, United
20 States Code, for pay, retirement, position classification, or
21 other purposes: *Provided further*, That the Director, Fed-
22 eral Bureau of Investigation, shall submit to the Commit-
23 tees on the Judiciary of both the House and the Senate,
24 by March 31, 1999, a report on the viability of the defen-
25 sive arming demonstration project along with rec-

1 ommendations for permanent authority for non-agent per-
2 sonnel or discontinuance of the demonstraton project.

3 SEC. 110. The Immigration and Nationality Act of
4 1952, as amended, is further amended—

5 (a) by striking entirely section 286(s);

6 (b) in section 286(r) by—

7 (1) adding “, and amount described in sec-
8 tion 245(i)(3)(b)” after “recovered by the De-
9 partment of Justice” in subsection (2);

10 (2) replacing “Immigration and Natu-
11 ralization Service” with “Attorney General” in
12 subsection (3); and

13 (3) striking subsection (4), and replacing it
14 with, “The amounts required to be refunded
15 from the Fund for fiscal year 1998 and there-
16 after shall be refunded in accordance with esti-
17 mates made in the budget request of the Presi-
18 dent for those fiscal years. Any proposed
19 changes in the amounts designated in such
20 budget requests shall only be made after Con-
21 gressional reprogramming notification in ac-
22 cordance with the reprogramming guidelines for
23 the applicable fiscal year.”; and

24 (c) in section 245(i)(3)(B), by replacing “Immi-
25 gration Detention Account established under section

1 286(s)” with “Breached Bond/Detention Fund es-
2 tablished under section 286(r)”.

3 SEC. 111. Section 506(c) of the Departments of Com-
4 merce, Justice, and State, the Judiciary, and Related
5 Agencies Appropriations Act, 1995 (8 U.S.C. 1182 note,
6 1255 note) is amended by deleting everything after
7 “1994”.

8 SEC. 112. (a) SHORT TITLE.—This section may be
9 cited as the “Philippine Army, Scouts, and Guerilla Veter-
10 ans of World War II Naturalization Act of 1997”.

11 (b) IN GENERAL.—Section 405 of the Immigration
12 and Nationality Act of 1990 (8 U.S.C. 1440 note) is
13 amended—

14 (1) by striking subparagraph (B) of subsection
15 (a)(1) and inserting the following:

16 “(B) who—

17 “(i) is listed on the final roster pre-
18 pared by the Recovered Personnel Division
19 of the United States Army of those who
20 served honorably in an active duty status
21 within the Philippine Army during the
22 World War II occupation and liberation of
23 the Philippines,

24 “(ii) is listed on the final roster pre-
25 pared by the Guerilla Affairs Division of

1 the United States Army of those who re-
2 ceived recognition as having served honor-
3 ably in an active duty status within a rec-
4 ognized guerilla unit during the World
5 War II occupation and liberation of the
6 Philippines, or

7 “(iii) served honorably in an active
8 duty status within the Philippine Scouts or
9 within any other component of the United
10 States Armed Forces in the Far East
11 (other than a component described in
12 clause (i) or (ii)) at any time during the
13 period beginning September 1, 1939, and
14 ending December 31, 1946:”;

15 (2) by adding at the end of subsection (a) the
16 following new paragraph:

17 “(3)(A) For purposes of the second sentence of
18 section 329(a) and section 329(b)(3) of the Immi-
19 gration and Nationality Act, the executive depart-
20 ment under which a person served shall be—

21 “(i) in the case of an applicant claiming to
22 have served in the Philippine Army, the United
23 States Department of the Army;

24 “(ii) in the case of an applicant claiming to
25 have served in a recognized guerilla unit, the

1 United States Department of the Army or, in
2 the event the Department of the Army has no
3 record of military service of such applicant, the
4 General Headquarters of the Armed Forces of
5 the Philippines; or

6 “(iii) in the case of an applicant claiming
7 to have served in the Philippine Scouts or any
8 other component of the United States Armed
9 Forces in the Far East (other than a compo-
10 nent described in clause (i) or (ii)) at any time
11 during the period beginning September 1, 1939,
12 and ending December 31, 1946, the United
13 States executive department (or successor
14 thereto) that exercised supervision over such
15 component.

16 “(B) An executive department specified in sub-
17 paragraph (A) may not make a determination under
18 the second sentence of section 329(a) with respect to
19 the service or separation from service of a person de-
20 scribed in paragraph (1) except pursuant to a re-
21 quest from the Service.”; and

22 (3) by adding at the end the following new sub-
23 section:

1 “(d) IMPLEMENTATION.—(1) Notwithstanding any
2 other provision of law, for purposes of the naturalization
3 of natives of the Philippines under this section—

4 “(A) the processing of applications for natu-
5 ralization, filed in accordance with the provisions of
6 this section, including necessary interviews, shall be
7 conducted in the Philippines by employees of the
8 Service designated pursuant to section 335(b) of the
9 Immigration and Nationality Act; and

10 “(B) oaths of allegiance for applications for
11 naturalization under this section shall be adminis-
12 tered in the Philippines by employees of the Service
13 designated pursuant to section 335(b) of that Act.

14 “(2) Notwithstanding paragraph (1), applications for
15 naturalization, including necessary interviews, may con-
16 tinue to be processed, and oaths of allegiance may con-
17 tinue to be taken in the United States.”.

18 (c) REPEAL.—Section 113 of the Departments of
19 Commerce, Justice, and State, the Judiciary, and Related
20 Agencies Appropriations Act, 1993 (8 U.S.C. 1440 note),
21 is repealed.

22 (d) EFFECTIVE DATE; TERMINATION DATE.—

23 (1) APPLICATION TO PENDING APPLICA-
24 TIONS.—The amendments made by subsection (b)

1 shall apply to applications filed before February 3,
2 1995.

3 (2) TERMINATION DATE.—The authority pro-
4 vided by the amendments made by subsection (b)
5 shall expire February 3, 2001.

6 SEC. 113. (a) Section 101(a)(27)(J) of the Immigra-
7 tion and Nationality Act (8 U.S.C. 1101(a)(27)(J)) is
8 amended to read as follows:

9 “(J) an immigrant—

10 “(i) who is present in the United
11 States without having been admitted or pa-
12 roled, or who has been paroled into the
13 United States by the Attorney General spe-
14 cifically for the purpose of obtaining spe-
15 cial immigrant status pursuant to this sub-
16 paragraph;

17 “(ii)(I) who has been declared depend-
18 ent on a juvenile court located in the Unit-
19 ed States if the dependency order is issued
20 pursuant to a request made on behalf of
21 the alien, the court notifies the Attorney
22 General of the request for the order, and
23 the Attorney General expressly consents to
24 the court hearing the request; or

1 “(II) whom the juvenile court has le-
2 gally committed to, or placed under the
3 custody of, an agency or department of a
4 State and who has been deemed eligible by
5 that court for long-term foster care, except
6 that while the alien is in the actual or con-
7 structive custody of the Attorney General,
8 the court shall have jurisdiction to deter-
9 mine the custody status of the alien only if
10 the Attorney General expressly consents to
11 that jurisdiction; and

12 “(iii) for whom it has been determined
13 in administrative or judicial proceedings
14 that it would not be in the alien’s best in-
15 terest to be returned to the alien’s or par-
16 ent’s previous country of nationality or
17 country of last habitual residence; except
18 that no natural parent or prior adoptive
19 parent of any alien provided special immi-
20 grant status under this subparagraph shall
21 thereafter, by virtue of such parentage, be
22 accorded any right, privilege, or status
23 under this Act.”.

24 (b) ADJUSTMENT OF STATUS.—Section 245(h) of the
25 Immigration and Nationality Act (8 U.S.C. 1255(h)) is

1 amended by striking the period at the end and inserting
2 the following: “, unless the alien was paroled into the
3 United States by the Attorney General specifically in order
4 to apply for such special immigrant status. Nothing in this
5 subsection or section 101(a)(27)(J) shall be construed to
6 require the Attorney General to parole into the United
7 States any alien specifically for this purpose.”.

8 SEC. 114. (a) Section 1402 of the Victims of Crime
9 Act of 1984, (42 U.S.C. 10601), is amended in subsection
10 (d) by—

11 (1) replacing “judicial branch administrative
12 costs; grant program percentages” in the heading
13 with “grant programs”;

14 (2) striking paragraph (1);

15 (3) replacing “the next” in paragraph (2) with
16 “The first”; and

17 (4) redesignating paragraphs (2) through (4) as
18 paragraphs (1) through (3), respectively.

19 (b) Any unobligated sums hitherto available to the
20 judicial branch pursuant to the paragraph repealed by sec-
21 tion (a) shall be deemed to be deposits into the Crime Vic-
22 tims Fund as of the effective date hereof and may be used
23 by the Director of the Office for Victims of Crime to im-
24 prove services for the benefit of crime victims, including
25 the processing and tracking of criminal monetary penalties

1 and related litigation activities, in the federal criminal jus-
2 tice system.

3 SEC. 115. Not to exceed \$200,000 of funds appro-
4 priated under section 1304 of title 31, United States Code,
5 shall be available for payment pursuant to the Hearing
6 Officer's Report in United States Court of Federal Claims
7 No. 93-645X (June 3, 1996) (see 35 Fed. Cl. 99 (March
8 7, 1996)).

9 SEC. 116. (a) IN GENERAL.—Section 170101(a) of
10 the Violent Crime Control and Law Enforcement Act of
11 1994 (42 U.S.C. 14071(a)) is amended—

12 (1) in paragraph (1)—

13 (A) in subparagraph (A), by striking “with
14 a designated State law enforcement agency”;
15 and

16 (B) in subparagraph (B), by striking “with
17 a designated State law enforcement agency”;
18 and

19 (2) by striking paragraph (2), and inserting the
20 following:

21 “(2) DETERMINATION BY STATE BOARDS.—

22 “(A) IN GENERAL.—A determination that
23 a person is a sexually violent predator or a de-
24 termination that a person is no longer a sexu-
25 ally violent predator for purposes of this section

1 shall be made by the sentencing court, after
2 considering—

3 “(i) the recommendations of the ap-
4 propriate State board or boards under sub-
5 paragraph (B)(iii); or

6 “(ii) with respect to a State described
7 in subparagraph (C), the recommendations
8 of the State, which shall be made in ac-
9 cordance with the procedures described in
10 that subparagraph.

11 “(B) STATE BOARDS.—

12 “(i) IN GENERAL.—Except as pro-
13 vided in subparagraph (C), not later than
14 2 years after the date of enactment of the
15 Jacob Wetterling Crimes Against Children
16 and Sexually Violent Offenders Registra-
17 tion Improvements Act of 1997, each State
18 shall establish 1 or more State boards in
19 accordance with this subparagraph.

20 “(ii) MEMBERSHIP.—Each State
21 board established under this subparagraph
22 shall be composed of—

23 “(I) experts in the behavior and
24 treatment of sex offenders;

1 “(II) victims’ rights advocates;

2 and

3 “(III) representatives of law en-
4 forcement agencies.

5 “(iii) RECOMMENDATIONS.—Upon the
6 request of a sentencing court, a State
7 board established under this subparagraph
8 shall make a recommendation to the sen-
9 tencing court regarding whether a person
10 is a sexually violent predator or whether a
11 person is no longer a sexually violent pred-
12 ator for purposes of this section.

13 “(C) WAIVER.—The Attorney General of
14 the United States may waive the requirement
15 that a State establish 1 or more boards in ac-
16 cordance with subparagraph (B), if the State
17 demonstrates to the satisfaction of the Attorney
18 General that the State—

19 “(i) has established alternative proce-
20 dures for making recommendations to a
21 sentencing court for purposes of subpara-
22 graph (A); and

23 “(ii) will make a recommendation de-
24 scribed in clause (i) with respect to any

1 person, upon the request of the sentencing
2 court.”.

3 (b) REQUIREMENTS UPON RELEASE, PAROLE, SU-
4 PERVISED RELEASE, OR PROBATION.—Section 170101(b)
5 of the Violent Crime Control and Law Enforcement Act
6 of 1994 (42 U.S.C. 14071(b)) is amended—

7 (1) in paragraph (1)—

8 (A) by striking the paragraph designation
9 and heading and inserting the following:

10 “(1) DUTIES OF RESPONSIBLE OFFICIALS.—”;

11 (B) in subparagraph (A)—

12 (i) in the matter preceding clause (i),
13 by striking “or in the case of probation,
14 the court” and inserting “a designated
15 State agency, the court, or other respon-
16 sible official”;

17 (ii) in clause (ii), by striking “give”
18 and all that follows before the semicolon
19 and inserting “report the change of ad-
20 dress as provided by State law”; and

21 (iii) in clause (iii), by striking “shall
22 register” and all that follows before the
23 semicolon and inserting “shall report the
24 change of address as provided by State law

1 and comply with any registration require-
2 ment in the new State of residence”; and
3 (C) in subparagraph (B), by striking “or
4 the court” and inserting “, the designated State
5 agency, the court, or other responsible official”;
6 (2) by striking paragraph (2) and inserting the
7 following:

8 “(2) TRANSFER OF INFORMATION TO FEDERAL
9 BUREAU OF INVESTIGATION AND TO STATE.—

10 “(A) IN GENERAL.—A designated State
11 agency, the court, or other responsible official,
12 shall forward the registration information to the
13 agency responsible for registration under State
14 law, in accordance with State procedures that
15 meet the requirements of subparagraph (B).

16 “(B) STATE PROCEDURES.—State proce-
17 dures shall ensure that, as promptly as prac-
18 ticable—

19 “(i) the registration information is
20 provided and made available to a law en-
21 forcement agency having jurisdiction where
22 the person expects to reside;

23 “(ii) the registration information is
24 entered into the appropriate State records
25 or data system; and

1 “(iii) conviction data and fingerprints
2 for registered persons are transmitted to
3 the Federal Bureau of Investigation.”;

4 (3) in paragraph (3)(A)—

5 (A) in the matter preceding clause (i), by
6 inserting after “(a)(1)” the following: “with re-
7 spect to any person required to register under
8 subsection (a)(1)(A), State procedures shall
9 provide for verification of address not less than
10 annually. Such verification may be effected by
11 providing that,”;

12 (B) in clause (i), by striking “The des-
13 ignated State law enforcement” and inserting
14 “A designated”;

15 (C) in clause (ii), by striking “State law
16 enforcement”;

17 (D) in clause (iii), by striking “to the des-
18 ignated State law enforcement agency”; and

19 (E) in clause (iv), by striking “State law
20 enforcement”;

21 (4) in paragraph (4), by striking “section re-
22 ported” and all that follows before the period at the
23 end and inserting “section shall be reported by the
24 person in the manner provided by State law. State
25 procedures shall ensure that the updated address in-

1 formation is provided promptly to a law enforcement
2 agency having jurisdiction over the location at which
3 the person will reside and that the information is en-
4 tered into the appropriate State records or data sys-
5 tem”;

6 (5) in paragraph (5), by striking “shall reg-
7 ister” and all that follows before the period at the
8 end and inserting “and who moves to another State,
9 shall report the change of address to the responsible
10 agency in the State the person is leaving, and shall
11 comply with any registration requirement in the new
12 State of residence. The procedures of the State the
13 person is leaving shall ensure that notice is provided
14 promptly to an agency responsible for registration in
15 the new State, if that State requires registration”;
16 and

17 (6) by adding at the end the following:

18 “(7) OFFENDERS CROSSING STATE BORDERS.—

19 “(A) IN GENERAL.—

20 “(i) REGISTRATION UNDER LAWS OF
21 CERTAIN STATES.—Any person who is re-
22 quired to register in that person’s State of
23 residence under this section shall also reg-
24 ister in accordance with the law that gov-
25 erns the registration, verification, and noti-

1 fication of sex offenders of each State in
2 which that person is—

3 “(I) employed or carries on a vo-
4 cation; or

5 “(II) enrolled as a student.

6 “(ii) DEFINITIONS.—In this subpara-
7 graph—

8 “(I) the term ‘employed or car-
9 ries on a vocation’ includes employ-
10 ment that is full-time or part-time, for
11 a period of time exceeding 14 days or
12 for an aggregate period of time ex-
13 ceeding 30 days during any calendar
14 year, whether financially compensated,
15 volunteered, or for the purpose of gov-
16 ernment or educational benefit; and

17 “(II) the term ‘student’ includes
18 any person who is enrolled on a full-
19 or part-time basis, in any public or
20 private educational institution, includ-
21 ing any secondary school, trade or
22 professional institution, or institution
23 of higher education.

24 “(B) NOTIFICATION REQUIREMENTS.—The
25 State authority responsible for the registration

1 of sex offenders in each State shall ensure that
2 each person who is required to register under
3 this paragraph is notified of the requirements
4 of this paragraph and the potential con-
5 sequences of a failure to comply with those re-
6 quirements.

7 “(8) RELOCATING STATE PROBATIONERS AND
8 PAROLEES.—

9 “(A) IN GENERAL.—Notwithstanding any
10 conflicting terms of a probation, parole, or
11 transfer agreement, any person who is serving
12 a sentence of probation, parole, or other super-
13 vised release for conviction of an offense that
14 requires registration under this section, and
15 who is residing in any State other than the
16 State in which that person was sentenced for
17 that offense, shall register in accordance with
18 the law of the State of residence of the offender
19 that governs the registration and notification of
20 sex offenders, regardless of any registration or
21 notification obligation under the law of the
22 State in which that person was sentenced for
23 the offense.

24 “(B) EFFECT OF FAILURE TO COMPLY.—
25 A person required to register under subpara-

1 graph (A) who knowingly fails to comply with
2 this paragraph, not later than 10 days after the
3 date on which the person establishes residence
4 in a State other than the State in which the
5 person was sentenced as described in subpara-
6 graph (A)—

7 “(i) shall be subject to punishment by
8 a State with respect to which the person is
9 registered under subparagraph (A); and

10 “(ii) shall be guilty of an extraditable
11 offense, for which a Federal warrant for
12 unlawful flight to avoid prosecution is
13 available.

14 “(C) NOTIFICATION REQUIREMENTS.—

15 Each State authority responsible for the reg-
16 istration of sex offenders who reside in that
17 State—

18 “(i) shall ensure, during the course of
19 verification of registration information,
20 that each person who is required to reg-
21 ister under this paragraph is notified of
22 the requirements of this paragraph and the
23 potential consequences of a failure to com-
24 ply with those requirements; and

1 “(ii) whether the relocation of a sex
2 offender described in this paragraph occurs
3 under courtesy supervision or otherwise,
4 shall—

5 “(I) notify the authority respon-
6 sible for sex offender registration and
7 notification in the State of relocation
8 of the pending arrival of the offender
9 in that State of relocation; and

10 “(II) provide the authority re-
11 sponsible for sex offender registration
12 and notification in the State of reloca-
13 tion with information relating to the
14 sex offender, including—

15 “(aa) the social security
16 number, physical description,
17 criminal record, terms of super-
18 vision, and any alias of the sex
19 offender; and

20 “(bb) the address, telephone
21 number, and any place of em-
22 ployment of the sex offender in
23 the State of relocation.

24 “(9) REPORTING REQUIREMENT.—Not later
25 than July 1, 1999, a State shall submit a report to

1 the Attorney General that sets forth existing or pro-
2 posed laws, including penalty provisions, regarding
3 stalking crimes against individuals 16 years of age
4 or younger.”.

5 (c) RELEASE OF INFORMATION.—Section
6 170101(d)(3) of the Violent Crime Control and Law En-
7 forcement Act of 1994 (42 U.S.C. 14071(d)(3)) is amend-
8 ed—

9 (1) by striking “the designated” and all that
10 follows through “State agency” and inserting “the
11 State or any agency authorized by the State”;

12 (2) by inserting “to be disclosed only for crimi-
13 nal justice purposes” after “private data”; and

14 (3) by adding at the end the following: “The
15 sale or exchange of such information for profit or re-
16 munerated is prohibited and shall be subject to
17 prosecution under State law.”.

18 (d) IMMUNITY FOR GOOD FAITH CONDUCT.—Section
19 170101(e) of the Violent Crime Control and Law Enforce-
20 ment Act of 1994 (42 U.S.C. 14071(e)) is amended by
21 striking “and State officials” and inserting “independent
22 contractors acting at the direction of those agencies, and
23 State officials”.

24 (e) FEDERAL OFFENDERS AND MILITARY PERSON-
25 NEL.—Section 170102(g)(3) of the Violent Crime Control

1 and Law Enforcement Act of 1994 (42 U.S.C.
2 14072(g)(3)) is amended—

3 (1) by redesignating subparagraphs (A) and
4 (B) as clauses (i) and (ii) and indenting each clause
5 2 ems to the right;

6 (2) by striking “A person” and inserting the
7 following:

8 “(A) IN GENERAL.—A person”; and

9 (3) by adding at the end the following:

10 “(B) FEDERAL OFFENDERS.—

11 “(i) IN GENERAL.—A person who is
12 released from prison, or placed on parole,
13 supervised release, or probation—

14 “(I) who is convicted under Fed-
15 eral law of—

16 “(aa) a criminal offense
17 against a victim who is a minor;
18 or

19 “(bb) a sexually violent of-
20 fense; or

21 “(II) who has been determined to
22 be a sexually violent predator,
23 shall, in addition to complying with the
24 registration requirement in paragraph (2),

1 register in accordance with the law of the
2 State of residence of that person.

3 “(ii) NOTIFICATION REQUIRE-
4 MENTS.—The Director of the Bureau of
5 Prisons shall ensure that each person who
6 is required to register under this subpara-
7 graph is notified of the requirements of
8 this subparagraph and the potential con-
9 sequences of a failure to comply with those
10 requirements.

11 “(C) MILITARY PERSONNEL.—

12 “(i) IN GENERAL.—

13 “(I) REGISTRATION UNDER LAWS
14 OF STATE OF RESIDENCE.—A member
15 of the Armed Forces of the United
16 States who has—

17 “(aa) been convicted of a
18 criminal offense against a victim
19 who is a minor;

20 “(bb) been convicted of a
21 sexually violent offense; or

22 “(cc) been determined to be
23 a sexually violent predator,
24 by a court of the United States, a
25 court of a State, or a court-martial

1 under the Uniform Code of Military
2 Justice, shall register with the entities
3 referred to in subclause (II).

4 “(II) ENTITIES.—The entities re-
5 ferred to in this subclause are—

6 “(aa) the FBI; and

7 “(bb) the State of residence
8 of the member, and if different
9 from the State of residence, the
10 State in which the member is
11 permanently assigned.

12 “(III) DETERMINATION OF
13 STATE OF RESIDENCE.—For purposes
14 of subclause (II)(bb), the State of res-
15 idence of a member of the Armed
16 Forces of the United States is—

17 “(aa) in the case of a mem-
18 ber whose permanent duty sta-
19 tion is in a State (including such
20 a member who resides on a mili-
21 tary installation or is serving
22 aboard a vessel at sea), the State
23 where the member resides when-
24 ever the member is present at
25 that permanent duty station; and

1 “(bb) in the case of a mem-
2 ber whose permanent duty sta-
3 tion is outside the United States,
4 the State of the member’s home
5 of record (as determined under
6 regulations prescribed by the
7 Secretary of the military depart-
8 ment concerned).

9 “(ii) EFFECT OF FAILURE TO COM-
10 PLY.—A person who is required to register
11 under this subparagraph and who know-
12 ingly fails to comply with this section may
13 be punished—

14 “(I) under section 170102(i)(1);

15 “(II) under the Uniform Code of
16 Military Justice; or

17 “(III) in accordance with the ap-
18 plicable laws of the State with respect
19 to which that person is registered.

20 “(iii) NOTIFICATION REQUIRE-
21 MENTS.—The Secretary of Defense shall
22 ensure that each member of the Armed
23 Forces of the United States who is re-
24 quired to register under this paragraph is
25 notified of the requirements of this para-

1 graph and the potential consequences of a
2 failure to comply with those require-
3 ments.”.

4 (f) SENSE OF SENATE.—It is the sense of the Senate
5 that each State should have in effect a law that makes
6 it a crime to stalk an individual under the age of 16 with-
7 out requiring that such individual be physically harmed
8 before a stalker is restrained or punished.

9 SEC. 117. (a) IN GENERAL.—Section 610(b) of the
10 Departments of Commerce, Justice, and State, the Judici-
11 ary, and Related Agencies Appropriations Act, 1993 (8
12 U.S.C. 1153; Public Law 102–395) is amended—

13 (1) by striking “300” and inserting “3,000”;
14 and

15 (2) by striking “five years” and inserting
16 “seven years”.

17 (b) EFFECTIVE DATE.—The amendment made by
18 subsection (a)(2) shall be deemed to have become effective
19 on October 6, 1992.

20 SEC. 118. The Director of the United States Mar-
21 shals Service shall provide a magnetometer and not less
22 than one qualified guard at each entrance to the real prop-
23 erty (including offices, buildings, and related grounds and
24 facilities) that is leased to the United States as a place

1 of employment for Federal employees at 625 Silver, S.W.,
 2 in Albuquerque, New Mexico.

3 SEC. 119. Section 203(p)(1) of the Federal Property
 4 and Administrative Services Act of 1949 (40 U.S.C.
 5 484(p)(1)) is amended in the first sentence by striking out
 6 “required” and all that follows through “as approved by
 7 the Attorney General” and inserting in lieu thereof “need-
 8 ed for use by the transferee or grantee for a law enforce-
 9 ment or fire and rescue purpose”.

10 This title may be cited as the “Department of Justice
 11 Appropriations Act, 1998”.

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, \$22,092,000,
 23 of which \$2,500,000 shall remain available until expended:
 24 *Provided*, That not to exceed \$98,000 shall be available
 25 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, \$41,000,000 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; \$280,736,000, to remain avail-
9 able until expended: *Provided*, That the provisions of the
10 first sentence of section 105(f) and all of section 108(c)
11 of the Mutual Educational and Cultural Exchange Act of
12 1961 (22 U.S.C. 2455(f) and 2458(c)) shall apply in car-
13 rying out these activities without regard to section 5412
14 of the Omnibus Trade and Competitiveness Act of 1988
15 (15 U.S.C. 4912); and that for the purpose of this Act,
16 contributions under the provisions of the Mutual Edu-
17 cational and Cultural Exchange Act shall include payment
18 for assessments for services provided as part of these ac-
19 tivities.

20 EXPORT ADMINISTRATION

21 OPERATIONS AND ADMINISTRATION

22 For necessary expenses for export administration and
23 national security activities of the Department of Com-
24 merce, including costs associated with the performance of
25 export administration field activities both domestically and

1 abroad; full medical coverage for dependent members of
2 immediate families of employees stationed overseas; em-
3 ployment of Americans and aliens by contract for services
4 abroad; rental of space abroad for periods not exceeding
5 ten years, and expenses of alteration, repair, or improve-
6 ment; payment of tort claims, in the manner authorized
7 in the first paragraph of 28 U.S.C. 2672 when such claims
8 arise in foreign countries; not to exceed \$15,000 for offi-
9 cial representation expenses abroad; awards of compensa-
10 tion to informers under the Export Administration Act of
11 1979, and as authorized by 22 U.S.C. 401(b); purchase
12 of passenger motor vehicles for official use and motor vehi-
13 cles for law enforcement use with special requirement vehi-
14 cles eligible for purchase without regard to any price limi-
15 tation otherwise established by law; \$43,126,000, to re-
16 main available until expended: *Provided*, That the provi-
17 sions of the first sentence of section 105(f) and all of sec-
18 tion 108(c) of the Mutual Educational and Cultural Ex-
19 change Act of 1961 (22 U.S.C. 2455(f) and 2458(c)) shall
20 apply in carrying out these activities: *Provided further*,
21 That payments and contributions collected and accepted
22 for materials or services provided as part of such activities
23 may be retained for use in covering the cost of such activi-
24 ties, and for providing information to the public with re-
25 spect to the export administration and national security

1 activities of the Department of Commerce and other ex-
2 port control programs of the United States and other gov-
3 ernments.

4 ECONOMIC DEVELOPMENT ADMINISTRATION

5 ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

6 For grants for economic development assistance as
7 provided by the Public Works and Economic Development
8 Act of 1965, as amended, Public Law 91-304, and such
9 laws that were in effect immediately before September 30,
10 1982, and for trade adjustment assistance, \$250,000,000:
11 *Provided*, That none of the funds appropriated or other-
12 wise made available under this heading may be used di-
13 rectly or indirectly for attorneys' or consultants' fees in
14 connection with securing grants and contracts made by
15 the Economic Development Administration: *Provided fur-*
16 *ther*, That, notwithstanding any other provision of law, the
17 Secretary of Commerce may provide financial assistance
18 for projects to be located on military installations closed
19 or scheduled for closure or realignment to grantees eligible
20 for assistance under the Public Works and Economic De-
21 velopment Act of 1965, as amended, without it being re-
22 quired that the grantee have title or ability to obtain a
23 lease for the property, for the useful life of the project,
24 when in the opinion of the Secretary of Commerce, such
25 financial assistance is necessary for the economic develop-

1 ment of the area: *Provided further*, That the Secretary of
 2 Commerce may, as the Secretary considers appropriate,
 3 consult with the Secretary of Defense regarding the title
 4 to land on military installations closed or scheduled for
 5 closure or realignment.

6 SALARIES AND EXPENSES

7 For necessary expenses of administering the eco-
 8 nomic development assistance programs as provided for by
 9 law, \$22,028,000: *Provided*, That these funds may be used
 10 to monitor projects approved pursuant to title I of the
 11 Public Works Employment Act of 1976, as amended, title
 12 II of the Trade Act of 1974, as amended, and the Commu-
 13 nity Emergency Drought Relief Act of 1977.

14 MINORITY BUSINESS DEVELOPMENT AGENCY

15 MINORITY BUSINESS DEVELOPMENT

16 For necessary expenses of the Department of Com-
 17 merce in fostering, promoting, and developing minority
 18 business enterprise, including expenses of grants, con-
 19 tracts, and other agreements with public or private organi-
 20 zations, \$27,811,000.

21 ECONOMIC AND INFORMATION INFRASTRUCTURE

22 ECONOMIC AND STATISTICAL ANALYSIS

23 SALARIES AND EXPENSES

24 For necessary expenses, as authorized by law, of eco-
 25 nomic and statistical analysis programs of the Department

1 of Commerce, \$47,917,000, to remain available until Sep-
2 tember 30, 1999.

3 ECONOMICS AND STATISTICS ADMINISTRATION

4 REVOLVING FUND

5 The Secretary of Commerce is authorized to dissemi-
6 nate economic and statistical data products as authorized
7 by sections 1, 2, and 4 of Public Law 91-412 (15 U.S.C.
8 1525-1527) and, notwithstanding section 5412 of the
9 Omnibus Trade and Competitiveness Act of 1988 (15
10 U.S.C. 4912), charge fees necessary to recover the full
11 costs incurred in their production. Notwithstanding 31
12 U.S.C. 3302, receipts received from these data dissemina-
13 tion activities shall be credited to this account, to be avail-
14 able for carrying out these purposes without further ap-
15 propriation.

16 BUREAU OF THE CENSUS

17 SALARIES AND EXPENSES

18 For expenses necessary for collecting, compiling, ana-
19 lyzing, preparing, and publishing statistics, provided for
20 by law, \$138,056,000.

21 PERIODIC CENSUSES AND PROGRAMS

22 For expenses necessary to collect and publish statis-
23 tics for periodic censuses and programs provided for by
24 law, \$520,726,000, to remain available until expended.

1 NATIONAL TELECOMMUNICATIONS AND INFORMATION

2 ADMINISTRATION

3 SALARIES AND EXPENSES

4 For necessary expenses, as provided for by law, of
5 the National Telecommunications and Information Ad-
6 ministration (NTIA), \$16,574,000, to remain available
7 until expended: *Provided*, That notwithstanding 31 U.S.C.
8 1535(d), the Secretary of Commerce shall charge Federal
9 agencies for costs incurred in spectrum management,
10 analysis, and operations, and related services and such
11 fees shall be retained and used as offsetting collections for
12 costs of such spectrum services, to remain available until
13 expended: *Provided further*, That hereafter, notwithstand-
14 ing any other provision of law, NTIA shall not authorize
15 spectrum use or provide any spectrum functions pursuant
16 to the NTIA Organization Act, 47 U.S.C. §§ 902–903,
17 to any Federal entity without reimbursement as required
18 by NTIA for such spectrum management costs, and Fed-
19 eral entities withholding payment of such cost shall not
20 use spectrum: *Provided further*, That the Secretary of
21 Commerce is authorized to retain and use as offsetting
22 collections all funds transferred, or previously transferred,
23 from other Government agencies for all costs incurred in
24 telecommunications research, engineering, and related ac-
25 tivities by the Institute for Telecommunication Sciences

1 of the NTIA, in furtherance of its assigned functions
2 under this paragraph, and such funds received from other
3 Government agencies shall remain available until ex-
4 pended.

5 PUBLIC BROADCASTING FACILITIES, PLANNING AND
6 CONSTRUCTION

7 For grants authorized by section 392 of the Commu-
8 nications Act of 1934, as amended, \$25,000,000, to re-
9 main available until expended as authorized by section 391
10 of the Act, as amended: *Provided*, That not to exceed
11 \$1,500,000 shall be available for program administration
12 as authorized by section 391 of the Act: *Provided further*,
13 That notwithstanding the provisions of section 391 of the
14 Act, the prior year unobligated balances may be made
15 available for grants for projects for which applications
16 have been submitted and approved during any fiscal year:
17 *Provided further*, That, notwithstanding any other provi-
18 sion of law, the Pan-Pacific Education and Communica-
19 tion Experiments by Satellite (PEACESAT) Program is
20 eligible to compete for Public Broadcasting Facilities,
21 Planning and Construction funds.

22 INFORMATION INFRASTRUCTURE GRANTS

23 For grants authorized by section 392 of the Commu-
24 nications Act of 1934, as amended, \$11,000,000, to re-
25 main available until expended as authorized by section 391
26 of the Act, as amended: *Provided*, That not to exceed

1 \$3,000,000 shall be available for program administration
2 and other support activities as authorized by section 391:
3 *Provided further*, That of the funds appropriated herein,
4 not to exceed 5 percent may be available for telecommuni-
5 cations research activities for projects related directly to
6 the development of a national information infrastructure:
7 *Provided further*, That notwithstanding the requirements
8 of section 392(a) and 392(c) of the Act, these funds may
9 be used for the planning and construction of telecommuni-
10 cations networks for the provision of educational, cultural,
11 health care, public information, public safety, or other so-
12 cial services.

13 PATENT AND TRADEMARK OFFICE

14 SALARIES AND EXPENSES

15 For necessary expenses of the Patent and Trademark
16 Office or any successor organization, \$656,320,000, to re-
17 main available until expended: *Provided*, That
18 \$629,320,000 of offsetting collections shall be assessed
19 and collected pursuant to 15 U.S.C. 1113 and 35 U.S.C.
20 41 and 376 and shall be retained and used for necessary
21 expenses in this appropriation: *Provided further*, That the
22 sum herein appropriated from the General Fund shall be
23 reduced as such offsetting collections are received during
24 fiscal year 1998, so as to result in a final fiscal year 1998
25 appropriation from the General Fund estimated at

1 \$27,000,000: *Provided further*, That should legislation es-
 2 tablishing an Office of the Under Secretary of Commerce
 3 for Intellectual Property Policy be enacted, \$20,000,000,
 4 of the sum appropriated in this paragraph shall be avail-
 5 able for the staffing, operation and support of said office
 6 once a plan for this office has been submitted to the House
 7 and Senate Committees on Appropriations pursuant to
 8 section 605 of this Act.

9 SCIENCE AND TECHNOLOGY

10 TECHNOLOGY ADMINISTRATION

11 UNDER SECRETARY FOR TECHNOLOGY/OFFICE OF

12 TECHNOLOGY POLICY

13 SALARIES AND EXPENSES

14 For necessary expenses for the Under Secretary for
 15 Technology/Office of Technology Policy, \$8,800,000.

16 NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY
 17 SCIENTIFIC AND TECHNICAL RESEARCH AND SERVICES

18 For necessary expenses of the National Institute of
 19 Standards and Technology, \$276,852,000, to remain
 20 available until expended, of which not to exceed \$500,000
 21 may be transferred to the “Working Capital Fund”.

22 INDUSTRIAL TECHNOLOGY SERVICES

23 For necessary expenses of the Manufacturing Exten-
 24 sion Partnership of the National Institute of Standards
 25 and Technology, \$111,040,000, to remain available until
 26 expended, of which not to exceed \$300,000 may be trans-

1 ferred to the “Working Capital Fund”: *Provided*, That
2 notwithstanding the time limitations imposed by 15
3 U.S.C. 278k(c) (1) and (5) on the duration of Federal
4 financial assistance that may be awarded by the Secretary
5 of Commerce to Regional Centers for the transfer of Man-
6 ufacturing Technology (“Centers”), such Federal financial
7 assistance for a Center may continue beyond six years and
8 may be renewed for additional periods, not to exceed one
9 year, at a rate not to exceed one-third of the Center’s total
10 annual costs, subject before any such renewal to a positive
11 evaluation of the Center and to a finding by the Secretary
12 of Commerce that continuation of Federal funding to the
13 Center is in the best interest of the Regional Centers for
14 the transfer of Manufacturing Technology Program: *Pro-*
15 *vided further*, That the Center’s most recent performance
16 evaluation is positive, and the Center has submitted a re-
17 application which has successfully passed merit review.

18 In addition, for necessary expenses of the Advanced
19 Technology Program of the National Institute of Stand-
20 ards and Technology, \$200,000,000, to remain available
21 until expended, of which not to exceed \$500,000 may be
22 transferred to the “Working Capital Fund.”

23 CONSTRUCTION OF RESEARCH FACILITIES

24 For renovation of existing facilities of the National
25 Institute of Standards and Technology, as authorized by

1 15 U.S.C. 278c-278e, \$16,000,000, to remain available
2 until expended.

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

7 For necessary expenses of activities authorized by law
8 for the National Oceanic and Atmospheric Administration,
9 including acquisition, maintenance, operation, and hire of
10 aircraft; not to exceed 299 commissioned officers on the
11 active list as of September 30, 1998; grants, contracts,
12 or other payments to nonprofit organizations for the pur-
13 poses of conducting activities pursuant to cooperative
14 agreements; and alteration, modernization, and relocation
15 of facilities as authorized by 33 U.S.C. 883i;
16 \$1,995,252,000, to remain available until expended: *Pro-*
17 *vided*, That notwithstanding 31 U.S.C. 3302 but consist-
18 ent with other existing law, fees shall be assessed, col-
19 lected, and credited to this appropriation as offsetting col-
20 lections to be available until expended, to recover the costs
21 of administering aeronautical charting programs: *Provided*
22 *further*, That the sum herein appropriated from the gen-
23 eral fund shall be reduced as such additional fees are re-
24 ceived during fiscal year 1998, so as to result in a final
25 general fund appropriation estimated at not more than
26 \$1,992,252,000: *Provided further*, That any such addi-

1 tional fees received in excess of \$3,000,000 in fiscal year
 2 1998 shall not be available for obligation until October
 3 1, 1998: *Provided further*, That fees and donations re-
 4 ceived by the National Ocean Service for the management
 5 of the national marine sanctuaries may be retained and
 6 used for the salaries and expenses associated with those
 7 activities, notwithstanding 31 U.S.C. 3302: *Provided fur-*
 8 *ther*, That in addition, \$62,381,000 shall be derived by
 9 transfer from the fund entitled “Promote and Develop
 10 Fishery Products and Research Pertaining to American
 11 Fisheries”: *Provided further*, That grants to States pursu-
 12 ant to sections 306 and 306A of the Coastal Zone Man-
 13 agement Act of 1972, as amended, shall not exceed
 14 \$2,000,000.

15 COASTAL ZONE MANAGEMENT FUND

16 Of amounts collected pursuant to section 308 of the
 17 Coastal Zone Management Act of 1972 (16 U.S.C.
 18 1456a), not to exceed \$7,800,000, for purposes set forth
 19 in sections 308(b)(2)(A), 308(b)(2)(B)(v), and 315(e) of
 20 such Act.

21 CONSTRUCTION

22 For repair and modification of, and additions to, ex-
 23 isting facilities and construction of new facilities, and for
 24 facility planning and design and land acquisition not oth-
 25 erwise provided for the National Oceanic and Atmospheric

1 Administration, \$88,000,000, to remain available until ex-
2 pended.

3 FLEET MAINTENANCE AND PLANNING

4 For expenses necessary for the repair, acquisition,
5 leasing, or conversion of vessels, including related equip-
6 ment to maintain and modernize the existing fleet and to
7 continue planning the modernization of the fleet, for the
8 National Oceanic and Atmospheric Administration,
9 \$15,823,000, to remain available until expended.

10 FISHING VESSEL AND GEAR DAMAGE COMPENSATION

11 FUND

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

17 FISHERMEN'S CONTINGENCY FUND

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

22 FOREIGN FISHING OBSERVER FUND

23 For expenses necessary to carry out the provisions
24 of the Atlantic Tunas Convention Act of 1975, as amend-
25 ed (Public Law 96-339), the Magnuson-Stevens Fishery
26 Conservation and Management Act of 1976, as amended

1 (Public Law 100–627), and the American Fisheries Pro-
2 motion Act (Public Law 96–561), to be derived from the
3 fees imposed under the foreign fishery observer program
4 authorized by these Acts, not to exceed \$189,000, to re-
5 main available until expended.

6 FISHING VESSEL OBLIGATIONS GUARANTEES

7 For the cost of guaranteed loans, \$338,000, as au-
8 thorized by the Merchant Marine Act of 1936, as amend-
9 ed: *Provided*, That such costs, including the cost of modi-
10 fying such loans, shall be as defined in section 502 of the
11 Congressional Budget Act of 1974: *Provided further*, That
12 none of the funds made available under this heading may
13 be used to guarantee loans for any new fishing vessel that
14 will increase the harvesting capacity in any United States
15 fishery.

16 GENERAL ADMINISTRATION

17 SALARIES AND EXPENSES

18 For expenses necessary for the general administra-
19 tion of the Department of Commerce provided for by law,
20 including not to exceed \$3,000 for official entertainment,
21 \$28,490,000.

22 OFFICE OF INSPECTOR GENERAL

23 For necessary expenses of the Office of Inspector
24 General in carrying out the provisions of the Inspector
25 General Act of 1978, as amended (5 U.S.C. App. 1–11
26 as amended by Public Law 100–504), \$20,140,000.

1 GENERAL PROVISIONS—DEPARTMENT OF COMMERCE

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

11 SEC. 202. During the current fiscal year, appropria-
12 tions made available to the Department of Commerce by
13 this Act for salaries and expenses shall be available for
14 hire of passenger motor vehicles as authorized by 31
15 U.S.C. 1343 and 1344; services as authorized by 5 U.S.C.
16 3109; and uniforms or allowances therefor, as authorized
17 by law (5 U.S.C. 5901–5902).

18 SEC. 203. None of the funds made available by this
19 Act may be used to support the hurricane reconnaissance
20 aircraft and activities that are under the control of the
21 United States Air Force or the United States Air Force
22 Reserve.

23 SEC. 204. None of the funds provided in this or any
24 previous Act, or hereinafter made available to the Depart-
25 ment of Commerce, shall be available to reimburse the Un-

1 employment Trust Fund or any other fund or account of
2 the Treasury to pay for any expenses paid before October
3 1, 1992, as authorized by section 8501 of title 5, United
4 States Code, for services performed after April 20, 1990,
5 by individuals appointed to temporary positions within the
6 Bureau of the Census for purposes relating to the 1990
7 decennial census of population.

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

18 SEC. 206. Any costs incurred by a Department or
19 agency funded under this title resulting from personnel
20 actions taken in response to funding reductions included
21 in this title shall be absorbed within the total budgetary
22 resources available to such Department or agency: *Pro-*
23 *vided*, That the authority to transfer funds between appro-
24 priations accounts as may be necessary to carry out this
25 section is provided in addition to authorities included else-

1 where in this Act: *Provided further*, That use of funds to
2 carry out this section shall be treated as a reprogramming
3 of funds under section 605 of this Act and shall not be
4 available for obligation or expenditure except in compli-
5 ance with the procedure set forth in that section.

6 SEC. 207. The Secretary may award contracts for hy-
7 drographic, geodetic, and photogrammetric surveying and
8 mapping services in accordance with title IX of the Fed-
9 eral Property and Administrative Services Act of 1949 (40
10 U.S.C. 541 et seq.).

11 SEC. 208. There is hereby established the Bureau of
12 the Census Working Capital Fund, which shall be avail-
13 able without fiscal year limitation, for expenses and equip-
14 ment necessary for the maintenance and operation of such
15 services and projects as the Director of the Census Bureau
16 determines may be performed more advantageously when
17 centralized: *Provided*, That such central services shall, to
18 the fullest extent practicable, be used to make unnecessary
19 the maintenance of separate like services in the divisions
20 and offices of the Bureau: *Provided further*, That a sepa-
21 rate schedule of expenditures and reimbursements, and a
22 statement of the current assets and liabilities of the Work-
23 ing Capital Fund as of the close of the last completed fis-
24 cal year, shall be prepared each year: *Provided further*,
25 That notwithstanding 31 U.S.C. 3302, the Working Cap-

1 ital Fund may be credited with advances and reimburse-
2 ments from applicable appropriations of the Bureau and
3 from funds of other agencies or entities for services fur-
4 nished pursuant to law: *Provided further*, That any inven-
5 tories, equipment, and other assets pertaining to the serv-
6 ices to be provided by such funds, either on hand or on
7 order, less the related liabilities or unpaid obligations, and
8 any appropriations made hereafter for the purpose of pro-
9 viding capital, shall be used to capitalize the Working Cap-
10 ital Fund: *Provided further*, That the Working Capital
11 Fund shall provide for centralized services at rates which
12 will return in full all expenses of operation, including de-
13 preciation of fund plant and equipment, amortization of
14 automated data processing software and hardware sys-
15 tems, and an amount necessary to maintain a reasonable
16 operating reserve as determined by the Director.

17 SEC. 209. None of the funds made available in this
18 Act for fiscal year 1998 may be used by the Department
19 of Commerce to make irreversible plans or preparation for
20 the use of sampling or any other statistical method (in-
21 cluding any statistical adjustment) in taking the 2000 de-
22 cennial census of population for purposes of the
23 appropriationment of Representatives in Congress among
24 the States.

1 SEC. 210. (a) Section 401 of title 22, United States
2 Code, is amended—

3 (1) in subsection (a), by adding after the first
4 sentence the following: “The Secretary of Commerce
5 may seize and detain any commodity (other than
6 arms or munitions of war) or technology which is in-
7 tended to be or is being exported in violation of laws
8 governing such exports and may seize and detain
9 any vessel, vehicle, or aircraft containing the same
10 or which has been used or is being used in exporting
11 or attempting to export such articles.”; and

12 (2) in subsection (b), by adding the following
13 after “and not inconsistent with the provisions here-
14 of.”—

15 “However, with respect to seizures and forfeit-
16 ures of property under this section by the Secretary
17 of Commerce, such duties as are imposed upon the
18 customs officer or any other person with respect to
19 the seizure and forfeiture of property under the cus-
20 toms law may be performed by such officers as are
21 designated by the Secretary of Commerce or, upon
22 the request of the Secretary of Commerce, by any
23 other agency that has authority to manage and dis-
24 pose of seized property.”

1 (b) Section 524(c)(11)(B) of title 28, United States
2 Code, is amended by adding at the end thereof “or pursu-
3 ant to the authority of the Secretary of Commerce”.

4 This title may be cited as the “Department of Com-
5 merce and Related Agencies Appropriations Act, 1998”.

6 TITLE III—THE JUDICIARY

7 SUPREME COURT OF THE UNITED STATES

8 SALARIES AND EXPENSES

9 For expenses necessary for the operation of the Su-
10 preme Court, as required by law, excluding care of the
11 building and grounds, including purchase or hire, driving,
12 maintenance, and operation of an automobile for the Chief
13 Justice, not to exceed \$10,000 for the purpose of trans-
14 porting Associate Justices, and hire of passenger motor
15 vehicles as authorized by 31 U.S.C. 1343 and 1344; not
16 to exceed \$10,000 for official reception and representation
17 expenses; and for miscellaneous expenses, to be expended
18 as the Chief Justice may approve; \$28,903,000.

19 CARE OF THE BUILDING AND GROUNDS

20 For such expenditures as may be necessary to enable
21 the Architect of the Capitol to carry out the duties im-
22 posed upon him by the Act approved May 7, 1934 (40
23 U.S.C. 13a–13b), \$6,170,000, of which \$3,620,000 shall
24 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, \$15,796,000.

7 UNITED STATES COURT OF INTERNATIONAL TRADE

8 SALARIES AND EXPENSES

9 For salaries of the chief judge and eight judges, sala-
10 ries of the officers and employees of the court, services
11 as authorized by 5 U.S.C. 3109, and necessary expenses
12 of the court, as authorized by law, \$11,478,000.

13 COURTS OF APPEALS, DISTRICT COURTS, AND OTHER

14 JUDICIAL SERVICES

15 SALARIES AND EXPENSES

16 (INCLUDING TRANSFER OF FUNDS)

17 For the salaries of circuit and district judges (includ-
18 ing judges of the territorial courts of the United States),
19 justices and judges retire from office or from regular ac-
20 tive service, judges of the United States Court of Federal
21 Claims, bankruptcy judges, magistrate judges, and all
22 other officers and employees of the Federal Judiciary not
23 otherwise specifically provided for, and necessary expenses
24 of the courts, as authorized by law, \$2,789,777,000 (in-
25 cluding the purchase of firearms and ammunition); of
26 which not to exceed \$16,530,000 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 \$2,450,000, to be appropriated from the Vaccine
9 Injury Compensation Trust Fund.

10 DEFENDER SERVICES

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

1 of penal sentences; and the compensation of attorneys ap-
2 pointed to represent jurors in civil actions for the protec-
3 tion of their employment, as authorized by 28 U.S.C.
4 1875(d); \$308,000,000, to remain available until ex-
5 pended as authorized by 18 U.S.C. 3006A(i): *Provided*,
6 That the annual incremental cost of each capital represen-
7 tation shall not exceed \$63,000: *Provided further*, That if
8 the annual incremental cost of any capital representation
9 exceeds \$63,000, the costs in excess of \$63,000 shall be
10 paid equally out of funds appropriated or otherwise made
11 available to the administrative units supporting the pros-
12 ecutor and presiding judge.

13 FEES OF JURORS AND COMMISSIONERS

14 For fees and expenses of jurors as authorized by 28
15 U.S.C. 1871 and 1876; compensation of jury commis-
16 sioners as authorized by 28 U.S.C. 1863; and compensa-
17 tion of commissioners appointed in condemnation cases
18 pursuant to rule 71A(h) of the Federal Rules of Civil Pro-
19 cedure (28 U.S.C. Appendix Rule 71A(h)); \$68,252,000,
20 to remain available until expended: *Provided*, That the
21 compensation of land commissioners shall not exceed the
22 daily equivalent of the highest rate payable under section
23 5332 of title 5, United States Code.

24 COURT SECURITY

25 For necessary expenses, not otherwise provided for,
26 incident to the procurement, installation, and maintenance

1 of security equipment and protective services for the Unit-
2 ed States Courts in courtrooms and adjacent areas, in-
3 cluding building ingress-egress control, inspection of pack-
4 ages, directed security patrols, and other similar activities
5 as authorized by section 1010 of the Judicial Improvement
6 and Access to Justice Act (Public Law 100-702);
7 \$167,883,000, of which not to exceed \$26,962,000 shall
8 remain available until expended for security systems, to
9 be expended directly or transferred to the United States
10 Marshals Service which shall be responsible for admin-
11 istering elements of the Judicial Security Program consist-
12 ent with standards or guidelines agreed to by the Director
13 of the Administrative Office of the United States Courts
14 and the Attorney General.

15 ADMINISTRATIVE OFFICE OF THE UNITED STATES

16 COURTS

17 SALARIES AND EXPENSES

18 For necessary expenses of the Administrative Office
19 of the United States Courts as authorized by law, includ-
20 ing travel as authorized by 31 U.S.C. 1345, hire of a pas-
21 senger motor vehicle as authorized by 31 U.S.C. 1343(b),
22 advertising and rent in the District of Columbia and else-
23 where, \$53,843,000, of which not to exceed \$7,500 is au-
24 thorized for official reception and representation expenses.

1 FEDERAL JUDICIAL CENTER

2 SALARIES AND EXPENSES

3 For necessary expenses of the Federal Judicial Cen-
4 ter, as authorized by Public Law 90-219, \$17,495,000;
5 of which \$1,800,000 shall remain available through Sep-
6 tember 30, 1999, to provide education and training to
7 Federal court personnel; and of which not to exceed
8 \$1,000 is authorized for official reception and representa-
9 tion expenses.

10 JUDICIAL RETIREMENT FUNDS

11 PAYMENT TO JUDICIARY TRUST FUNDS

12 For payment to the Judicial Officers' Retirement
13 Fund, as authorized by 28 U.S.C. 377(o), \$25,000,000,
14 to the Judicial Survivors' Annuities Fund, as authorized
15 by 28 U.S.C. 376(c), \$7,400,000, and to the United
16 States Court of Federal Claims Judges' Retirement Fund,
17 as authorized by 28 U.S.C. 178(l), \$1,800,000.

18 UNITED STATES SENTENCING COMMISSION

19 SALARIES AND EXPENSES

20 For the salaries and expenses necessary to carry out
21 the provisions of chapter 58 of title 28, United States
22 Code, \$9,480,000, of which not to exceed \$1,000 is au-
23 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 his
 2 capacity as Secretary of the Judicial Conference.

3 SEC. 304. Section 612 of title 28, United States
 4 Code, shall be amended by striking out subsection (l).

5 SEC. 305. (a) SHORT TITLE.—This section may be
 6 cited as the “Ninth Circuit Court of Appeals Reorganiza-
 7 tion Act of 1997”.

8 (b) NUMBER AND COMPOSITION OF CIRCUITS.—Sec-
 9 tion 41 of title 28, United States Code, is amended—

10 (1) in the matter before the table, by striking
 11 “thirteen” and inserting “fourteen”;

12 (2) in the table, by striking the item relating to
 13 the ninth circuit and inserting the following new
 14 item:

“Ninth California, Guam, Nevada, Northern
 Mariana Islands.”;

15 and

16 (3) between the last 2 items of the table, by in-
 17 serting the following new item:

“Twelfth Alaska, Arizona, Hawaii, Idaho, Mon-
 tana, Oregon, Washington.”.

18 (c) NUMBER OF CIRCUIT JUDGES.—The table in sec-
 19 tion 44(a) of title 28, United States Code, is amended—

20 (1) by striking the item relating to the ninth
 21 circuit and inserting the following new item:

“Ninth 15”;

1 (2) by inserting between the last 2 items at the
2 end thereof the following new item:

“Twelfth 13”.

3 (d) PLACES OF CIRCUIT COURT.—The table in sec-
4 tion 48 of title 28, United States Code, is amended—

5 (1) by striking the item relating to the ninth
6 circuit and inserting the following new item:

“Ninth San Francisco, Los Angeles.”;

7 and

8 (2) by inserting between the last 2 items at the
9 end thereof the following new item:

“Twelfth Portland, Seattle, Phoenix.”.

10 (e) ASSIGNMENT OF CIRCUIT JUDGES AND CLERKS
11 OF THE COURT.—Each circuit judge in regular active
12 service of the former ninth circuit whose official station
13 on the day before the effective date of this section—

14 (1) is in California, Guam, Nevada, or North-
15 ern Mariana Islands is assigned as a circuit judge
16 on the new ninth circuit;

17 (2) is in Alaska, Arizona, Hawaii, Idaho, Mon-
18 tana, Oregon, or Washington is assigned as a circuit
19 judge on the twelfth circuit; and

20 (3) two co-equal clerks of the court for the
21 twelfth circuit shall be located in two co-equal circuit
22 seats which shall be located in Phoenix, Arizona, and
23 Seattle, Washington, respectively.

1 (f) ELECTION OF ASSIGNMENT BY SENIOR
2 JUDGES.—Each judge who is a senior judge of the former
3 ninth circuit on the day before the effective date of this
4 section may elect to be assigned to the new ninth circuit
5 or to the twelfth circuit and shall notify the Director of
6 the Administrative Office of the United States Courts of
7 such election.

8 (g) SENIORITY OF JUDGES.—The seniority of each
9 judge—

10 (1) who is assigned under subsection (e); or

11 (2) who elects to be assigned under subsection
12 (f); shall run from the date of commission of such
13 judge as a judge of the former ninth circuit.

14 (h) APPLICATION TO CASES.—The provisions of the
15 following paragraphs of this subsection apply to any case
16 in which, on the day before the effective date of this sec-
17 tion, an appeal or other proceeding has been filed with
18 the former ninth circuit:

19 (1) If the matter has been submitted for deci-
20 sion, further proceedings in respect of the matter
21 shall be had in the same manner and with the same
22 effect as if this section had not been enacted.

23 (2) If the matter has not been submitted for de-
24 cision, the appeal or proceeding, together with the
25 original papers, printed records, and record entries

1 duly certified, shall, by appropriate orders, be trans-
2 ferred to the court to which it would have gone had
3 this section been in full force and effect at the time
4 such appeal was taken or other proceeding com-
5 menced, and further proceedings in respect of the
6 case shall be had in the same manner and with the
7 same effect as if the appeal or other proceeding had
8 been filed in such court.

9 (3) A petition for rehearing or a petition for re-
10 hearing en banc in a matter decided before the effec-
11 tive date of this section, or submitted before the ef-
12 fective date of this section and decided on or after
13 the effective date as provided in paragraph (1) of
14 this subsection, shall be treated in the same manner
15 and with the same effect as though this section had
16 not been enacted. If a petition for rehearing en banc
17 is granted, the matter shall be reheard by a court
18 comprised as though this section had not been en-
19 acted.

20 (i) DEFINITIONS.—For the purposes of this section,
21 the term—

22 (1) “former ninth circuit” means the ninth ju-
23 dicial circuit of the United States as in existence on
24 the day before the effective date of this section;

1 (2) “new ninth circuit” means the ninth judicial
2 circuit of the United States established by the
3 amendment made by subsection (b)(2);

4 (3) “twelfth circuit” means the twelfth judicial
5 circuit of the United States established by the
6 amendment made by subsection (b)(3).

7 (j) ADMINISTRATION.—The court of appeals for the
8 ninth circuit as constituted on the day before the effective
9 date of this section may take such administrative action
10 as may be required to carry out this section. Such court
11 shall cease to exist for administrative purposes on July
12 1, 1999.

13 (k) EFFECTIVE DATE.—This section and the amend-
14 ments made by this section shall become effective on Octo-
15 ber 1, 1997.

16 SEC. 306. Pursuant to section 140 of Public Law 97–
17 92, justices and judges of the United States are authorized
18 during fiscal year 1998, to receive a salary adjustment in
19 accordance with 28 U.S.C. 461.

20 SEC. 307. Section 44(c) of title 28, United States
21 Code, is amended by adding at the end thereof the follow-
22 ing sentence: “In each circuit (other than the Federal judi-
23 cial circuit) there shall be at least one circuit judge in reg-
24 ular active service appointed from the residents of each
25 state in that circuit.”

1 This title may be cited as “The Judiciary Appropria-
2 tions Act, 1998”.

3 TITLE IV—DEPARTMENT OF STATE AND
4 RELATED AGENCIES

5 DEPARTMENT OF STATE

6 ADMINISTRATION OF FOREIGN AFFAIRS

7 DIPLOMATIC AND CONSULAR PROGRAMS

8 For necessary expenses of the Department of State
9 and the Foreign Service not otherwise provided for, includ-
10 ing expenses authorized by the State Department Basic
11 Authorities Act of 1956, as amended; representation to
12 certain international organizations in which the United
13 States participates pursuant to treaties, ratified pursuant
14 to the advice and consent of the Senate, or specific Acts
15 of Congress; acquisition by exchange or purchase of pas-
16 senger motor vehicles as authorized by 31 U.S.C. 1343,
17 40 U.S.C. 481(c) and 22 U.S.C. 2674; and for expenses
18 of general administration; \$1,727,868,000: *Provided*, That
19 of the amount made available under this heading, not to
20 exceed \$4,000,000 may be transferred to, and merged
21 with funds in, the “Emergencies in the Diplomatic and
22 Consular Service” appropriations account, to be available
23 only for emergency evacuations and terrorism rewards:
24 *Provided further*, That of the amount made available
25 under this heading, not to exceed \$125,000 shall be avail-

1 able only for the Maui Pacific Center: *Provided further*,
2 That notwithstanding section 140(a)(5), and the second
3 sentence of section 140(a)(3), of the Foreign Relations
4 Authorization Act, Fiscal Years 1994 and 1995 (Public
5 Law 103–236), fees may be collected during fiscal year
6 1998 and each fiscal year thereafter under the authority
7 of section 140(a)(1) of that Act: *Provided further*, That
8 all fees collected under the preceding proviso shall be de-
9 posited as an offsetting collection to appropriations made
10 under this heading to recover the costs of providing con-
11 sular services and shall remain available until expended.

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); and 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, and in addition, as authorized by section 5 of
22 such Act \$490,000, to be derived from the reserve author-
23 ized by that section, to be used for the purposes set out
24 in 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 SALARIES AND EXPENSES

16 For expenses necessary for the general administra-
17 tion of the Department of State and the Foreign Service,
18 provided for by law, including expenses authorized by sec-
19 tion 9 of the Act of August 31, 1964, as amended (31
20 U.S.C. 3721), and the State Department Basic Authori-
21 ties Act of 1956, as amended, \$363,513,000.

22 CAPITAL INVESTMENT FUND

23 For necessary expenses of the Capital Investment
24 Fund, \$105,000,000, to remain available until expended,
25 as authorized in Public Law 103–236: *Provided*, That sec-

1 tion 135(e) of Public Law 103–236 shall not apply to
2 funds available under this heading.

3 OFFICE OF INSPECTOR GENERAL

4 For necessary expenses of the Office of Inspector
5 General in carrying out the provisions of the Inspector
6 General Act of 1978, as amended (5 U.S.C. App.),
7 \$27,495,000, notwithstanding section 209(a)(1) of the
8 Foreign Service Act of 1980, as amended (Public Law 96–
9 465), as it relates to post inspections.

10 REPRESENTATION ALLOWANCES

11 For representation allowances as authorized by sec-
12 tion 905 of the Foreign Service Act of 1980, as amended
13 (22 U.S.C. 4085), \$4,100,000.

14 PROTECTION OF FOREIGN MISSIONS AND OFFICIALS

15 For expenses, not otherwise provided, to enable the
16 Secretary of State to provide for extraordinary protective
17 services in accordance with the provisions of section 214
18 of the State Department Basic Authorities Act of 1956
19 (22 U.S.C. 4314) and 3 U.S.C. 208, \$7,900,000, to re-
20 main available until September 30, 1999.

21 SECURITY AND MAINTENANCE OF UNITED STATES

22 MISSIONS

23 For necessary expenses for carrying out the Foreign
24 Service Buildings Act of 1926, as amended (22 U.S.C.
25 292–300), and the Diplomatic Security Construction Pro-
26 gram as authorized by title IV of the Omnibus Diplomatic

1 Security and Antiterrorism Act of 1986 (22 U.S.C. 4851),
2 \$420,281,000, to remain available until expended as au-
3 thorized by section 24(c) of the State Department Basic
4 Authorities Act of 1956 (22 U.S.C. 2696(c)): *Provided*,
5 That none of the funds appropriated in this paragraph
6 shall be available for acquisition of furniture and furnish-
7 ings and generators for other departments and agencies.

8 EMERGENCIES IN THE DIPLOMATIC AND CONSULAR
9 SERVICE

10 For expenses necessary to enable the Secretary of
11 State to meet unforeseen emergencies arising in the Diplo-
12 matic and Consular Service pursuant to the requirement
13 of 31 U.S.C. 3526(e), \$5,500,000, to remain available
14 until expended as authorized by section 24(c) of the State
15 Department Basic Authorities Act of 1956 (22 U.S.C.
16 2696(c)), of which not to exceed \$1,000,000 may be trans-
17 ferred to and merged with the Repatriation Loans Pro-
18 gram Account, subject to the same terms and conditions.

19 REPATRIATION LOANS PROGRAM ACCOUNT

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

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

3 PAYMENT TO THE AMERICAN INSTITUTE IN TAIWAN

4 For necessary expenses to carry out the Taiwan Rela-
5 tions Act, Public Law 96–8 (93 Stat. 14), \$14,490,000.

6 PAYMENT TO THE FOREIGN SERVICE RETIREMENT AND

7 DISABILITY FUND

8 For payment to the Foreign Service Retirement and
9 Disability Fund, as authorized by law, \$129,935,000.

10 INTERNATIONAL ORGANIZATIONS AND CONFERENCES

11 CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

12 For expenses, not otherwise provided for, necessary
13 to meet annual obligations of membership in international
14 multilateral organizations, pursuant to treaties ratified
15 pursuant to the advice and consent of the Senate, conven-
16 tions or specific Acts of Congress, \$957,009,000, of which
17 not to exceed \$54,000,000 shall remain available until ex-
18 pended for payment of arrearages owed the United Nations:
19 *Provided*, That any payment of arrearages shall be di-
20 rected toward special activities that are mutually agreed
21 upon by the United States and the respective international
22 organization: *Provided further*, That none of the funds ap-
23 propriated or otherwise made available by this Act for
24 “Contributions to International Organizations”, including
25 payment of arrearages owed to the United Nations, may
26 be obligated or expended unless such obligation or expend-

1 iture is expressly authorized by the enactment of the For-
2 eign Affairs Reform and Restructuring Act of 1997: *Pro-*
3 *vided further*, That notwithstanding section 402 of this
4 Act, not to exceed \$10,000,000 may be transferred from
5 the funds made available under this heading to the “Inter-
6 national Conferences and Contingencies” account for as-
7 sessed contributions to new or provisional international or-
8 ganizations or for travel expenses of official delegates to
9 international conferences: *Provided further*, That any
10 transfer pursuant to this paragraph shall be treated as
11 a reprogramming of funds under section 605 of this Act
12 and shall not be available for obligation or expenditure ex-
13 cept in compliance with the procedures set forth in that
14 section.

15 CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING

16 ACTIVITIES

17 For necessary expenses to pay assessed and other ex-
18 penses of international peacekeeping activities directed to
19 the maintenance or restoration of international peace and
20 security \$200,320,000, of which not to exceed
21 \$46,000,000 shall remain available until expended for pay-
22 ment of arrearages: *Provided*, That none of the funds ap-
23 propriated or otherwise made available by this Act for
24 “Contributions for International Peacekeeping Activities”,
25 including payment of arrearages, may be obligated or ex-
26 pended unless such obligation or expenditure is expressly

1 authorized by the enactment of the Foreign Affairs Re-
2 form and Restructuring Act of 1997.

3 INTERNATIONAL COMMISSIONS

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

7 INTERNATIONAL BOUNDARY AND WATER COMMISSION,

8 UNITED STATES AND MEXICO

9 For necessary expenses for the United States Section
10 of the International Boundary and Water Commission,
11 United States and Mexico, and to comply with laws appli-
12 cable to the United States Section, including not to exceed
13 \$10,000 for representation; as follows:

14 SALARIES AND EXPENSES

15 For salaries and expenses, not otherwise provided for,
16 \$18,200,000.

17 CONSTRUCTION

18 For detailed plan preparation and construction of au-
19 thorized projects, \$6,463,000, to remain available until ex-
20 pended, as authorized by section 24(c) of the State De-
21 partment Basic Authorities Act of 1956 (22 U.S.C.
22 2696(c)).

23 AMERICAN SECTIONS, INTERNATIONAL COMMISSIONS

24 For necessary expenses, not otherwise provided for
25 the International Joint Commission and the international
26 Boundary Commission, United States and Canada, as au-

1 thORIZED by treaties between the United States and Can-
2 ada or Great Britain, and for the Border Environment
3 Cooperation Commission as authorized by Public Law
4 103-182; \$5,010,000, of which not to exceed \$9,900 shall
5 be available for representation expenses incurred by the
6 International Joint Commission: *Provided*, That of the
7 amount made available under this heading, not to exceed
8 \$40,000 shall be available only for the Bering Straits
9 Commission.

10 INTERNATIONAL FISHERIES COMMISSIONS

11 For necessary expenses for international fisheries
12 commissions, not otherwise provided for, \$14,549,000:
13 *Provided*, That the United States' share of such expenses
14 may be advanced to the respective commissions, pursuant
15 to 31 U.S.C. 3324.

16 OTHER

17 PAYMENT TO THE ASIA FOUNDATION

18 For a grant to the Asia Foundation, as authorized
19 by section 501 of Public Law 101-246, \$5,000,000, to
20 remain available until expended, as authorized by section
21 24(c) of the State Department Basic Authorities Act of
22 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, \$32,613,000 of which not to exceed \$50,000 shall be
7 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)); \$427,097,000: *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 student advising and counseling: *Provided fur-*
15 *ther*, That not to exceed \$920,000 to remain available
16 until expended may be used to carry out projects involving
17 security construction and related improvements for agency
18 facilities not physically located together with Department
19 of State facilities abroad.

20 TECHNOLOGY FUND

21 For expenses necessary to enable the United States
22 Information Agency to provide for the procurement of in-
23 formation technology improvements, as authorized by the
24 United States Information and Educational Exchange Act
25 of 1948, as amended (22 U.S.C. 1431 et seq.), the Mutual
26 Educational and Cultural Exchange Act of 1961, as

1 amended (22 U.S.C. 2451 et seq.), and Reorganization
2 Plan No. 2 of 1977 (91 Stat. 1636), \$10,000,000, to re-
3 main available until expended.

4 EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS

5 For expenses of educational and cultural exchange
6 programs, as authorized by the Mutual Educational and
7 Cultural Exchange Act of 1961, as amended (22 U.S.C.
8 2451 et seq.), and Reorganization Plan No. 2 of 1977 (91
9 Stat. 1636), \$200,000,000, to remain available until ex-
10 pended as authorized by section 105 of such Act of 1961
11 (22 U.S.C. 2455): *Provided*, That not to exceed \$500,000,
12 to remain available until expended, may be credited to this
13 appropriation from fees or other payments received from
14 or in connection with English teaching and publication
15 programs as authorized by section 810 of the United
16 States Information and Educational Exchange Act of
17 1948 (22 U.S.C. 1475a).

18 EISENHOWER EXCHANGE FELLOWSHIP PROGRAM TRUST

19 FUND

20 For necessary expenses of Eisenhower Exchange Fel-
21 lowships, Incorporated, as authorized by sections 4 and
22 5 of the Eisenhower Exchange Fellowship Act of 1990 (20
23 U.S.C. 5204–5205), all interest and earnings accruing to
24 the Eisenhower Exchange Fellowship Program Trust
25 Fund on or before September 30, 1998, to remain avail-
26 able until expended: *Provided*, That none of the funds ap-

1 appropriated herein shall be used to pay any salary or other
2 compensation, or to enter into any contract providing for
3 the payment thereof, in excess of the rate authorized by
4 5 U.S.C. 5376; or for purposes which are not in accord-
5 ance with OMB Circulars A-110 (Uniform Administrative
6 Requirements) and A-122 (Cost Principles for Non-profit
7 Organizations), including the restrictions on compensation
8 for personal services.

9 ISRAELI ARAB SCHOLARSHIP PROGRAM

10 For necessary expenses of the Israeli Arab Scholar-
11 ship Program as authorized by section 214 of the Foreign
12 Relations Authorization Act, Fiscal Years 1992 and 1993
13 (22 U.S.C. 2452), all interest and earnings accruing to
14 the Israeli Arab Scholarship Fund on or before September
15 30, 1998, to remain available until expended.

16 INTERNATIONAL BROADCASTING OPERATIONS

17 For expenses necessary to enable the United States
18 Information Agency, as authorized by the United States
19 Information and Educational Exchange Act of 1948, as
20 amended, the United States International Broadcasting
21 Act of 1994, as amended, and Reorganization Plan No.
22 2 of 1977, to carry out international communication ac-
23 tivities; \$339,655,000, of which not to exceed \$10,000,000
24 shall be available only on a dollar-for-dollar basis when
25 matched with the proceeds of sales of advertising air time,
26 of which not to exceed \$16,000 may be used for official

1 receptions within the United States as authorized by sec-
2 tion 804(3) of such Act of 1948 (22 U.S.C. 1747(3)), not
3 to exceed \$35,000 may be used for representation abroad
4 as authorized by section 302 of such Act of 1948 (22
5 U.S.C. 1452) and section 905 of the Foreign Service Act
6 of 1980 (22 U.S.C. 4085), and not to exceed \$39,000 may
7 be used for official reception and representation expenses
8 of Radio Free Europe/Radio Liberty; and in addition, not
9 to exceed \$250,000 from fees as authorized by section 810
10 of such Act of 1948 (22 U.S.C. 1475e), to remain avail-
11 able until expended for carrying out authorized purposes;
12 and in addition, notwithstanding any other provision of
13 law, not to exceed \$1,000,000 in monies received (includ-
14 ing receipts from advertising, if any) by or for the use
15 of the United States Information Agency from or in con-
16 nection with broadcasting resources owned by or on behalf
17 of the Agency, to be available until expended for carrying
18 out authorized purposes.

19 BROADCASTING TO CUBA

20 For expenses necessary to enable the United States
21 Information Agency to carry out the Radio Broadcasting
22 to Cuba Act, as amended, the Television Broadcasting to
23 Cuba Act, and the International Broadcasting Act of
24 1994, including the purchase, rent, construction, and im-
25 provement of facilities for radio and television trans-
26 mission and reception, and purchase and installation of

1 necessary equipment for radio and television transmission
2 and reception, \$22,095,000, to remain available until ex-
3 pended.

4 RADIO CONSTRUCTION

5 For the purchase, rent, construction, and improve-
6 ment of facilities for radio transmission and reception, and
7 purchase and installation of necessary equipment for radio
8 and television transmission and reception as authorized by
9 section 801 of the United States Information and Edu-
10 cational Exchange Act of 1948 (22 U.S.C. 1471),
11 \$32,710,000, to remain available until expended, as au-
12 thorized by section 704(a) of such Act of 1948 (22 U.S.C.
13 1477b(a)).

14 EAST-WEST CENTER

15 To enable the Director of the United States Informa-
16 tion Agency to provide for carrying out the provisions of
17 the Center for Cultural and Technical Interchange Be-
18 tween East and West Act of 1960 (22 U.S.C. 2054–2057),
19 by grant to the Center for Cultural and Technical Inter-
20 change Between East and West in the State of Hawaii,
21 \$22,000,000: *Provided*, That none of the funds appro-
22 priated herein shall be used to pay any salary, or enter
23 into any contract providing for the payment thereof, in
24 excess of the rate authorized by 5 U.S.C. 5376.

1 NORTH/SOUTH CENTER

2 To enable the Director of the United States Informa-
3 tion Agency to provide for carrying out the provisions of
4 the North/South Center Act of 1991 (22 U.S.C. 2075),
5 by grant to an educational institution in Florida known
6 as the North/South Center, \$3,000,000, to remain avail-
7 able until expended.

8 GENERAL PROVISIONS—DEPARTMENT OF STATE AND
9 RELATED AGENCIES

10 SEC. 401. Funds appropriated under this title shall
11 be available, except as otherwise provided for allowances
12 and differentials as authorized by subchapter 59 of 5
13 U.S.C.; for services as authorized by 5 U.S.C. 3109; and
14 hire of passenger transportation pursuant to 31 U.S.C.
15 1343(b).

16 SEC. 402. Not to exceed 5 percent of any appropria-
17 tion made available for the current fiscal year for the De-
18 partment of State in this Act may be transferred between
19 such appropriations, but no such appropriations, except
20 as otherwise specifically provided shall be increased by
21 more than 10 percent by any such transfers: *Provided,*
22 That not to exceed 5 percent of any appropriation made
23 available for the current fiscal year for the United States
24 Information Agency in this Act may be transferred be-
25 tween such appropriations, but no such appropriation, ex-

1 cept as otherwise specifically provided shall be increased
2 by more than 10 percent by any such transfers: *Provided*
3 *further*, That any transfer pursuant to this section shall
4 be treated as a reprogramming of funds under section 605
5 of this Act and shall not be available for obligation or ex-
6 penditure except in compliance with the procedures set
7 forth in that section.

8 SEC. 403. Funds hereafter appropriated or otherwise
9 made available under this Act or any other Act may be
10 expended for compensation of the United States Commis-
11 sioner of the International Boundary Commission, United
12 States and Canada, only for actual hours worked by such
13 Commissioner.

14 SEC. 404. Funds appropriated by this Act for the
15 United States Information Agency, the Arms Control and
16 Disarmament Agency, and the Department of State may
17 be obligated and expended notwithstanding section 701 of
18 the United States Information and Educational Exchange
19 Act of 1948 and section 313 of the Foreign Relations Au-
20 thorization Act, Fiscal Years 1994 and 1995, section 53
21 of the Arms Control and Disarmament Act, and section
22 15 of the State Department Basic Authorities Act of
23 1956.

24 SEC. 405. Any costs incurred by a Department or
25 agency funded under this title resulting from personnel

1 actions taken in response to funding reductions included
2 in this title shall be absorbed within the total budgetary
3 resources available to such Department or agency: *Pro-*
4 *vided*, That the authority to transfer funds between appro-
5 priations accounts as may be necessary to carry out this
6 section is provided in addition to authorities included else-
7 where in this Act: *Provided further*, That use of funds to
8 carry out this section shall be treated as a reprogramming
9 of funds under section 605 of this Act and shall not be
10 available for obligation or expenditure except in compli-
11 ance with the procedures set forth in that section.

12 SEC. 406. None of the funds appropriated or other-
13 wise made available by this Act or any other Act for fiscal
14 year 1998 or any fiscal year thereafter may be obligated
15 or expended to pay for any cost incurred in—

16 (1) opening or operating any United States dip-
17 lomatic or consular post in the Socialist Republic of
18 Vietnam that was not operating on July 11, 1995;

19 (2) expanding any United States diplomatic or
20 consular post in the Socialist Republic of Vietnam
21 that was operating as of July 11, 1995; or

22 (3) increasing the total number of personnel as-
23 signed to United States diplomatic or consular posts
24 in the Socialist Republic of Vietnam in excess of the
25 total number of personnel assigned to the posts as

1 of July 11, 1995, unless the President certifies with-
2 in 60 days of the beginning of each fiscal year the
3 following:

4 (A) Based upon a formal assessment of all
5 information available to the United States Gov-
6 ernment, the Government of the Socialist Re-
7 public of Vietnam is fully cooperating with the
8 United States in the following:

9 (i) Resolving discrepancy cases, live
10 sightings, and field activities.

11 (ii) Recovering and repatriating
12 American remains.

13 (iii) Accelerating efforts to provide
14 documents that will help lead to fullest
15 possible accounting of prisoners of war and
16 missing in action.

17 (iv) Providing further assistance in
18 implementing trilateral investigations with
19 Laos.

20 (B) The remains, artifacts, eyewitness ac-
21 counts, archival material, and other evidence
22 associated with prisoners of war and missing in
23 action recovered from crash sites, military ac-
24 tions, and other locations in Southeast Asia are
25 being thoroughly analyzed by the appropriate

1 laboratories with the intent of providing surviv-
2 ing relatives with scientifically defensible, legal
3 determinations of death or other accountability
4 that are fully documented and available in un-
5 classified and unredacted form to immediate
6 family members.

7 SEC. 407. (a)(1) For purposes of implementing the
8 International Cooperative Administrative Support Services
9 program in fiscal year 1998, the amounts referred to in
10 paragraph (2) shall be transferred in accordance with the
11 provisions of subsection (b).

12 (2) Paragraph (1) applies to amounts made available
13 by title IV of this Act under the heading “ADMINISTRA-
14 TION OF FOREIGN AFFAIRS” as follows:

15 (A) \$108,932,000 of the amount made available
16 under the paragraph “DIPLOMATIC AND CONSULAR
17 PROGRAMS”.

18 (B) \$3,530,000 of the amount made available
19 under the paragraph “SECURITY AND MAINTENANCE OF UNITED STATES MISSIONS”.

21 (b) Funds transferred pursuant to subsection (a)
22 shall be transferred to the specified appropriation, allo-
23 cated to the specified account or accounts in the specified
24 amount, be merged with funds in such account or accounts
25 that are available for administrative support expenses of

1 overseas activities, and be available for the same purposes,
2 and subject to the same terms and conditions, as the funds
3 with which merged, as follows:

4 (1) Appropriations for the Legislative Branch—

5 (A) for the Library of Congress, for sala-
6 ries and expenses, \$500,000; and

7 (B) for the General Accounting Office, for
8 salaries and expenses, \$12,000.

9 (2) Appropriations for the Office of the United
10 States Trade Representative, for salaries and ex-
11 penses, \$302,000.

12 (3) Appropriations for the Department of Com-
13 merce, for the International Trade Administration,
14 for operations and administration, \$7,055,000.

15 (4) Appropriations for the Department of Jus-
16 tice—

17 (A) for legal activities—

18 (i) for general legal activities, for sala-
19 ries and expenses, \$194,000; and

20 (ii) for the United States Marshals
21 Service, for salaries and expenses, \$2,000;

22 (B) for the Federal Bureau of Investiga-
23 tion, for salaries and expenses, \$2,477,000;

24 (C) for the Drug Enforcement Administra-
25 tion, for salaries and expenses, \$6,356,000; and

1 (D) for the Immigration and Naturaliza-
2 tion Service, for salaries and expenses,
3 \$1,313,000.

4 (5) Appropriations for the United States Infor-
5 mation Agency, for international information pro-
6 grams, \$25,047,000.

7 (6) Appropriations for the Arms Control and
8 Disarmament Agency, for arms control and disar-
9 mament activities, \$1,247,000.

10 (7) Appropriations to the President—

11 (A) for the Foreign Military Financing
12 Program, for administrative costs, \$6,660,000;

13 (B) for the Economic Support Fund,
14 \$336,000;

15 (C) for the Agency for International Devel-
16 opment—

17 (i) for operating expenses,
18 \$6,008,000;

19 (ii) for the Urban and Environmental
20 Credit Program, \$54,000;

21 (iii) for the Development Assistance
22 Fund, \$124,000;

23 (iv) for the Development Fund for Af-
24 rica, \$526,000;

1 (v) for assistance for the new inde-
2 pendent states of the former Soviet Union,
3 \$818,000;

4 (vi) for assistance for Eastern Europe
5 and the Baltic States, \$283,000; and

6 (vii) for international disaster assist-
7 ance, \$306,000;

8 (D) for the Peace Corps, \$3,672,000; and
9 (E) for the Department of State—

10 (i) for international narcotics control,
11 \$1,117,000; and,

12 (ii) for migration and refugee assist-
13 ance, \$394,000.

14 (8) Appropriations for the Department of De-
15 fense—

16 (A) for operation and maintenance—

17 (i) for operation and maintenance,
18 Army, \$4,394,000;

19 (ii) for operation and maintenance,
20 Navy, \$1,824,000;

21 (iii) for operation and maintenance,
22 Air Force, \$1,603,000; and

23 (iv) for operation and maintenance,
24 Defense-Wide, \$21,993,000; and

1 (B) for procurement, for other procure-
2 ment, Air Force, \$4,211,000.

3 (9) Appropriations for the American Battle
4 Monuments Commission, for salaries and expenses,
5 \$210,000.

6 (10) Appropriations for the Department of Ag-
7 riculture—

8 (A) for the Animal and Plant Health In-
9 spection Service, for salaries and expenses,
10 \$932,000;

11 (B) for the Foreign Agricultural Service
12 and General Sales Manager, \$4,521,000; and

13 (C) for the Agricultural Research Service,
14 \$16,000.

15 (11) Appropriations for the Department of
16 Treasury—

17 (A) for the United States Customs Service,
18 for salaries and expenses, \$2,002,000;

19 (B) for departmental offices, for salaries
20 and expenses, \$804,000;

21 (C) for the Internal Revenue Service, for
22 tax law enforcement, \$662,000;

23 (D) for the Bureau of Alcohol, Tobacco,
24 and Firearms, for salaries and expenses,
25 \$17,000;

1 (E) for the United States Secret Service,
2 for salaries and expenses, \$617,000; and

3 (F) for the Comptroller of the Currency,
4 for assessment funds, \$29,000.

5 (12) Appropriations for the Department of
6 Transportation—

7 (A) for the Federal Aviation Administra-
8 tion, for operations, \$1,594,000; and

9 (B) for the Coast Guard, for operating ex-
10 penses, \$65,000.

11 (13) Appropriations for the Department of
12 Labor, for departmental management, for salaries
13 and expenses, \$58,000.

14 (14) Appropriations for the Department of
15 Health and Human Services—

16 (A) for the National Institutes of Health,
17 for the National Cancer Institute, \$42,000;

18 (B) for the Office of the Secretary, for
19 general departmental management, \$71,000;
20 and

21 (C) for the Centers for Disease Control
22 and Prevention, for disease control, research,
23 and training, \$522,000.

24 (15) Appropriations for the Social Security Ad-
25 ministration, for administrative expenses, \$370,000.

1 (16) Appropriations for the Department of the
2 Interior—

3 (A) for the United States Fish and Wild-
4 life Service, for resource management, \$12,000;

5 (B) for the United States Geological Sur-
6 vey, for surveys, investigations, and research,
7 \$80,000; and

8 (C) for the Bureau of Reclamation, for
9 water and related resources, \$101,000.

10 (17) Appropriations for the Department of Vet-
11 erans Affairs, for departmental administration, for
12 general operating expenses, \$453,000.

13 (18) Appropriations for the National Aero-
14 nautics and Space Administration, for mission sup-
15 port, \$183,000.

16 (19) Appropriations for the National Science
17 Foundation, for research and related activities,
18 \$39,000.

19 (20) Appropriations for the Federal Emergency
20 Management Agency, for salaries and expenses,
21 \$4,000.

22 (21) Appropriations for the Department of En-
23 ergy—

24 (A) for departmental administration,
25 \$150,000; and

1 (B) for atomic energy defense activities,
2 for other defense activities, \$54,000.

3 (22) Appropriations for the Nuclear Regulatory
4 Commission, for salaries and expenses, \$26,000.

5 SEC. 408. (a) Notwithstanding any other provision
6 of law, the United States shall withdraw from an inter-
7 national organization if the President determines that the
8 amount appropriated or otherwise available for a fiscal
9 year for the payment of all assessed contributions or vol-
10 untary contributions (including contingency payments, ex-
11 traordinary payments, and emergency payments) of the
12 United States for that organization for that fiscal year is
13 less than the actual amount of such contributions for that
14 fiscal year.

15 (b)(1) The United States shall withdraw from an
16 international organization under this section in accordance
17 with the procedures identified for withdrawal in the treaty,
18 pact, agreement, charter, or other instrument of that orga-
19 nization which establishes such procedures.

20 (2) Unless otherwise provided for in the instrument
21 concerned, a withdrawal under this section shall be com-
22 pleted by the end of the fiscal year in which the withdrawal
23 is required.

24 (c) Not less than 30 days before the commencement
25 of the withdrawal of the United States from an inter-

1 national organization under this section, the President
2 shall submit to Congress a report on the withdrawal.

3 SEC. 409. (a) Public Law 103–236 is amended—

4 (1) in the third sentence of section 253(3)(B),
5 by striking “2” and inserting “5”; and

6 (2) in the second sentence of section 255(2)(A),
7 by striking “2” and inserting “5”.

8 (b) Section (a) shall only apply to participants who
9 enter the program after the date of enactment of this Act.

10 This title may be cited as the “Department of State
11 and Related Agencies Appropriations Act, 1998”.

12 TITLE V—RELATED AGENCIES

13 MARITIME ADMINISTRATION

14 OPERATING-DIFFERENTIAL SUBSIDIES

15 (LIQUIDATION OF CONTRACT AUTHORITY)

16 For the payment of obligations incurred for operat-
17 ing-differential subsidies, as authorized by the Merchant
18 Marine Act, 1936, as amended, \$135,000,000, to remain
19 available until expended.

20 MARITIME SECURITY PROGRAM

21 For necessary expenses to maintain and preserve a
22 U.S.-flag merchant fleet to serve the national security
23 needs of the United States, \$35,000,000, to remain avail-
24 able until expended: *Provided*, That these funds will be
25 available only upon enactment of an authorization for this
26 program.

1 OPERATIONS AND TRAINING

2 For necessary expenses of operations and training ac-
3 tivities authorized by law, \$69,000,000: *Provided*, That re-
4 imbursements may be made to this appropriation from re-
5 ceipts to the “Federal Ship Financing Fund” for adminis-
6 trative expenses in support of that program in addition
7 to any amount heretofore appropriated.

8 MARITIME GUARANTEED LOAN (TITLE XI) PROGRAM

9 ACCOUNT

10 For the cost of guaranteed loans, as authorized by
11 the Merchant Marine Act, 1936, \$29,000,000, to remain
12 available until expended: *Provided*, That such costs, in-
13 cluding the cost of modifying such loans, shall be as de-
14 fined in section 502 of the Congressional Budget Act of
15 1974, as amended: *Provided further*, That these funds are
16 available to subsidize total loan principal, any part of
17 which is to be guaranteed, not to exceed \$1,000,000,000.

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

22 ADMINISTRATIVE PROVISIONS—MARITIME

23 ADMINISTRATION

24 Notwithstanding any other provision of this Act, the
25 Maritime Administration is authorized to furnish utilities
26 and services and make necessary repairs in connection

1 with any lease, contract, or occupancy involving Govern-
 2 ment property under control of the Maritime Administra-
 3 tion, and payments received therefor shall be credited to
 4 the appropriation charged with the cost thereof: *Provided,*
 5 That rental payments under any such lease, contract, or
 6 occupancy for items other than such utilities, services, or
 7 repairs shall be covered into the Treasury as miscellaneous
 8 receipts.

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

16 COMMISSION FOR THE PRESERVATION OF AMERICA'S
 17 HERITAGE ABROAD
 18 SALARIES AND EXPENSES

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

22 COMMISSION ON CIVIL RIGHTS
 23 SALARIES AND EXPENSES

24 For necessary expenses of the Commission on Civil
 25 Rights, including hire of passenger motor vehicles,

1 \$8,740,000: *Provided*, That not to exceed \$50,000 may
2 be used to employ consultants: *Provided further*, That
3 none of the funds appropriated in this paragraph shall be
4 used to employ in excess of four full-time individuals under
5 Schedule C of the Excepted Service exclusive of one special
6 assistant for each Commissioner: *Provided further*, That
7 none of the funds appropriated in this paragraph shall be
8 used to reimburse Commissioners for more than 75
9 billable days, with the exception of the Chairperson who
10 is permitted 125 billable days.

11 COMMISSION ON IMMIGRATION REFORM

12 SALARIES AND EXPENSES

13 For necessary expenses of the Commission on Immi-
14 gration Reform pursuant to section 141(f) of the Immi-
15 gration Act of 1990, \$459,000 to remain available until
16 expended.

17 COMMISSION ON SECURITY AND COOPERATION IN

18 EUROPE

19 SALARIES AND EXPENSES

20 For necessary expenses of the Commission on Secu-
21 rity and Cooperation in Europe, as authorized by Public
22 Law 94-304, \$1,090,000, to remain available until ex-
23 pended as authorized by section 3 of Public Law 99-7.

1 EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

2 SALARIES AND EXPENSES

3 For necessary expenses of the Equal Employment
4 Opportunity Commission as authorized by title VII of the
5 Civil Rights Act of 1964, as amended (29 U.S.C. 206(d)
6 and 621–634), the Americans with Disabilities Act of
7 1990, and the Civil Rights Act of 1991, including services
8 as authorized by 5 U.S.C. 3109; hire of passenger motor
9 vehicles as authorized by 31 U.S.C. 1343(b); non-mone-
10 tary awards to private citizens; not to exceed \$27,500,000,
11 for payments to State and local enforcement agencies for
12 services to the Commission pursuant to title VII of the
13 Civil Rights Act of 1964, as amended, sections 6 and 14
14 of the Age Discrimination in Employment Act, the Ameri-
15 cans with Disabilities Act of 1990, and the Civil Rights
16 Act of 1991; \$242,000,000: *Provided*, That the Commis-
17 sion is authorized to make available for official reception
18 and representation expenses not to exceed \$2,500 from
19 available funds.

20 FEDERAL COMMUNICATIONS COMMISSION

21 SALARIES AND EXPENSES

22 For necessary expenses of the Federal Communica-
23 tions Commission, as authorized by law, including uni-
24 forms and allowances therefor, as authorized by 5 U.S.C.
25 5901–02; not to exceed \$600,000 for land and structure;

1 not to exceed \$500,000 for improvement and care of
2 grounds and repair to buildings; not to exceed \$4,000 for
3 official reception and representation expenses; purchase
4 (not to exceed sixteen) and hire of motor vehicles; special
5 counsel fees; and services as authorized by 5 U.S.C. 3109;
6 \$185,949,000, of which not to exceed \$300,000 shall re-
7 main available until September 30, 1998, for research and
8 policy studies: *Provided*, That \$162,523,000 of offsetting
9 collections shall be assessed and collected pursuant to sec-
10 tion 9 of title I of the Communications Act of 1934, as
11 amended, and shall be retained and used for necessary ex-
12 penses in this appropriation, and shall remain available
13 until expended: *Provided further*, That the sum herein ap-
14 propriated shall be reduced as such offsetting collections
15 are received during fiscal year 1998 so as to result in a
16 final fiscal year 1998 appropriation estimated at
17 \$23,426,000: *Provided further*, That any offsetting collec-
18 tions received in excess of \$162,523,000 in fiscal year
19 1998 shall remain available until expended, but shall not
20 be available for obligation until October 1, 1998.

21 FEDERAL MARITIME COMMISSION

22 SALARIES AND EXPENSES

23 For necessary expenses of the Federal Maritime
24 Commission as authorized by section 201(d) of the Mer-
25 chant Marine Act of 1936, as amended (46 App. U.S.C.

1 1111), including services as authorized by 5 U.S.C. 3109;
2 hire of passenger motor vehicles as authorized by 31
3 U.S.C. 1343(b); and uniforms or allowances therefor, as
4 authorized by 5 U.S.C. 5901–02; \$14,300,000: *Provided*,
5 That not to exceed \$2,000 shall be available for official
6 reception and representation expenses.

7 FEDERAL TRADE COMMISSION

8 SALARIES AND EXPENSES

9 For necessary expenses of the Federal Trade Com-
10 mission, including uniforms or allowances therefor, as au-
11 thorized by 5 U.S.C. 5901–5902; services as authorized
12 by 5 U.S.C. 3109; hire of passenger motor vehicles; and
13 not to exceed \$2,000 for official reception and representa-
14 tion expenses; \$108,000,000: *Provided*, That not to exceed
15 \$300,000 shall be available for use to contract with a per-
16 son or persons for collection services in accordance with
17 the terms of 31 U.S.C. 3718, as amended: *Provided fur-*
18 *ther*, That notwithstanding any other provision of law, not
19 to exceed \$70,000,000 of offsetting collections derived
20 from fees collected for premerger notification filings under
21 the Hart-Scott-Rodino Antitrust Improvements Act of
22 1976 (15 U.S.C. 18(a)) shall be retained and used for nec-
23 essary expenses in this appropriation, and shall remain
24 available until expended: *Provided further*, That the sum
25 herein appropriated from the General Fund shall be re-

1 duced as such offsetting collections are received during fis-
2 cal year 1997, so as to result in a final fiscal year 1997
3 appropriation from the General Fund estimated at not
4 more than \$28,000,000, to remain available until ex-
5 pended: that not more than \$10,000,000 shall be available
6 from prior year unobligated fee collections: *Provided fur-*
7 *ther*, That any fees received in excess of \$70,000,000 in
8 fiscal year 1998 shall remain available until expended, but
9 shall not be available for obligation until October 1, 1998:
10 *Provided further*, That none of the funds made available
11 to the Federal Trade Commission shall be available for
12 obligation for expenses authorized by section 151 of the
13 Federal Deposit Insurance Corporation Improvement Act
14 of 1991 (Public Law 102-242, 105 Stat. 2282-2285):
15 *Provided further*, That, for a period of one year, none of
16 the funds made available to the Federal Trade Commis-
17 sion shall be spent on an administrative proceeding con-
18 cerning the merger of two hospitals where the Commission
19 has already sought injunctive relief under 15 U.S.C.
20 53(b), and prior to July 9, 1997, a Court of Appeals has
21 affirmed the denial of the injunctive relief requested by
22 the Commission unless further review overturns the deci-
23 sion by the court of appeals.

1 LEGAL SERVICES CORPORATION

2 PAYMENT TO THE LEGAL SERVICES CORPORATION

3 For payment to the Legal Services Corporation to
 4 carry out the purposes of the Legal Services Corporation
 5 Act of 1974, as amended, \$300,000,000, of which
 6 \$273,070,000 is for basic field programs and required
 7 independent audits; \$2,019,000 is for the Office of Inspec-
 8 tor General, of which such amounts as may be necessary
 9 may be used to conduct additional audits of recipients;
 10 \$7,911,000 is for management and administration; and
 11 \$17,000,000, to remain available until expended, is for pro-
 12 se legal education demonstration projects.

13 ADMINISTRATIVE PROVISIONS—LEGAL SERVICES

14 CORPORATION

15 SEC. 501. (a) CONTINUATION OF COMPETITIVE SE-
 16 LECTION PROCESS.—None of the funds appropriated in
 17 this Act to the Legal Services Corporation may be used
 18 to provide financial assistance to any person or entity ex-
 19 cept through a competitive selection process conducted in
 20 accordance with regulations promulgated by the Corpora-
 21 tion in accordance with the criteria set forth in subsections
 22 (c), (d), and (e) of section 503 of Public Law 104–134
 23 (110 Stat. 1321–52 et seq.).

24 (b) INAPPLICABILITY OF NONCOMPETITIVE PROCE-
 25 DURES.—For purposes of the funding provided in this
 26 Act, rights under sections 1007(a)(9) and 1011 of the

1 Legal Services Corporation Act (42 U.S.C. 2996f(a)(9)
2 and 42 U.S.C. 2996j) shall not apply.

3 (c) ADDITIONAL PROCEDURES.—If, during any term
4 of a grant or contract awarded to a recipient by the Legal
5 Services Corporation under the competitive selection pro-
6 cess referred to in subsection (a) and applicable Legal Serv-
7 ices Corporation regulations, the Legal Services Corpora-
8 tion finds, after notice and an opportunity for a hearing
9 to the recipient, that the recipient has failed to comply
10 with any requirement of the Legal Services Corporation
11 Act (42 U.S.C. 2996 et seq.), this Act, or any other appli-
12 cable law relating to funding for the Legal Services Cor-
13 poration, the Legal Services Corporation may terminate
14 the grant or contract and institute a new competitive se-
15 lection process for the area served by the recipient, not-
16 withstanding the terms of the grant or contract of the re-
17 cipient.

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

23 (1) sections 501, 502, 505, 506, and 507 of
24 Public Law 104–134 (110 Stat. 1321–51 et seq.),
25 and all funds appropriated in this Act to the Legal

1 Services Corporation shall be subject to the same
2 terms and conditions as set forth in such sections,
3 except that all references in such sections to 1995
4 and 1996 shall be deemed to refer instead to 1997
5 and 1998, respectively; and

6 (2) section 504 of Public Law 104–134 (110
7 Stat. 1321–53 et seq.), and all funds appropriated
8 in this Act to the Legal Services Corporation shall
9 be subject to the same terms and conditions set
10 forth in such section, except that—

11 (A) subsection (c) of such section 504 shall
12 not apply;

13 (B) paragraph (3) of section 508(b) of
14 Public Law 104–134 (110 Stat. 1321–58) shall
15 apply with respect to the requirements of sub-
16 section (a)(13) of such section 504, except that
17 all references in such section 508(b) to the date
18 of enactment shall be deemed to refer to April
19 26, 1996; and

20 (C) subsection (a)(11) of such section 504
21 shall not be construed to prohibit a recipient
22 from using funds derived from a source other
23 than the Corporation to provide related legal
24 assistance to—

1 (i) an alien who has been battered or
2 subjected to extreme cruelty in the United
3 States by a spouse or a parent, or by a
4 member of the spouse's or parent's family
5 residing in the same household as the alien
6 and the spouse or parent consented or ac-
7 quiesced to such battery or cruelty; or

8 (ii) an alien whose child has been bat-
9 tered or subjected to extreme cruelty in the
10 United States by a spouse or parent of the
11 alien (without the active participation of
12 the alien in the battery or extreme cru-
13 elty), or by a member of the spouse's or
14 parent's family residing in the same house-
15 hold as the alien and the spouse or parent
16 consented or acquiesced to such battery or
17 cruelty, and the alien did not actively par-
18 ticipate in such battery or cruelty.

19 (b) DEFINITIONS.—For purposes of subsection
20 (a)(2)(C):

21 (1) The term “battered or subjected to extreme
22 cruelty” has the meaning given such term under reg-
23 ulations issued pursuant to subtitle G of the Vio-
24 lence Against Women Act of 1994 (Public Law 103–
25 322; 108 Stat. 1953).

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

5 SEC. 503. (a) CONTINUATION OF AUDIT REQUIRE-
6 MENTS.—The requirements of section 509 of Public Law
7 104–134 (110 Stat. 1321–58 et seq.), other than sub-
8 section (l) of such section, shall apply during fiscal year
9 1998.

10 (b) REQUIREMENT OF ANNUAL AUDIT.—An annual
11 audit of each person or entity receiving financial assist-
12 ance from the Legal Services Corporation under this Act
13 shall be conducted during fiscal year 1998 in accordance
14 with the requirements referred to in subsection (a).

15 SEC. 504. (a) DEBARMENT.—The Legal Services
16 Corporation may debar a recipient, on a showing of good
17 cause, from receiving an additional award of financial as-
18 sistance from the Legal Services Corporation. Any such
19 action to debar a recipient shall be instituted after the
20 Legal Services Corporation provides notice and an oppor-
21 tunity for a hearing to the recipient. The decision regard-
22 ing the debarment shall not be subject to Section 1011
23 of the Legal Services Corporation Act (42 U.S.C. 2996j).

24 (b) The Legal Services Corporation shall promulgate
25 regulations to implement this section.

1 (c) In this section, the term “good cause”, used with
2 respect to debarment, includes—

3 (1) prior termination of the financial assistance
4 of the recipient, under part 1640 of title 45, Code
5 of Federal Regulations (or any similar corresponding
6 regulation or ruling);

7 (2) prior termination in whole, under part 1606
8 of title 45, Code of Federal Regulations (or any
9 similar corresponding regulation or ruling), of the
10 most recent financial assistance received by the re-
11 cipient, prior to the date of the debarment decision;

12 (3) substantial violation by the recipient of the
13 statutory or regulatory restrictions that prohibit re-
14 cipients from using financial assistance made avail-
15 able by the Legal Services Corporation or other fi-
16 nancial assistance for purposes prohibited under the
17 Legal Services Corporation Act (42 U.S.C.
18 2996 et seq.) or for involvement in any activity pro-
19 hibited by, or inconsistent with, section 504 of the
20 Departments of Commerce, Justice, and State, the
21 Judiciary, and Related Agencies Appropriations Act,
22 1996, section 502(a)(2) of the Departments of Com-
23 merce, Justice, and State, the Judiciary, and Relat-
24 ed Agencies Appropriations Act, 1997, or section
25 502(a)(2) of this title;

1 (4) knowing entry by the recipient into a
2 subgrant, subcontract, or other agreement with an
3 entity that had been debarred by the Corporation; or

4 (5) the filing of a lawsuit by the recipient, on
5 behalf of the recipient, as part of any program re-
6 ceiving any federal funds, naming the Legal Services
7 Corporation, or any agency or employee of a federal,
8 state, or local government, as a defendant.

9 MARINE MAMMAL COMMISSION

10 SALARIES AND EXPENSES

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

14 SECURITIES AND EXCHANGE COMMISSION

15 SALARIES AND EXPENSES

16 For necessary expenses for the Securities and Ex-
17 change Commission, including services as authorized by
18 5 U.S.C. 3109, the rental of space (to include multiple
19 year leases) in the District of Columbia and elsewhere, and
20 not to exceed \$3,000 for official reception and representa-
21 tion expenses, \$285,412,000, of which not to exceed
22 \$10,000 may be used toward funding a permanent sec-
23 retariat for the International Organization of Securities
24 Commissions, and of which not to exceed \$100,000 shall
25 be available for expenses for consultations and meetings

1 hosted by the Commission with foreign governmental and
2 other regulatory officials, members of their delegations,
3 appropriate representatives and staff to exchange views
4 concerning developments relating to securities matters, de-
5 velopment and implementation of cooperation agreements
6 concerning securities matters and provision of technical
7 assistance for the development of foreign securities mar-
8 kets, such expenses to include necessary logistic and ad-
9 ministrative expenses and the expenses of Commission
10 staff and foreign invitees in attendance at such consulta-
11 tions and meetings including: (1) such incidental expenses
12 as meals taken in the course of such attendance, (2) any
13 travel and transportation to or from such meetings, and
14 (3) any other related lodging or subsistence: *Provided,*
15 That fees and charges authorized by section 6(b)(4) of the
16 Securities Act of 1933 (15 U.S.C. 77f(b)(4)) and 31(d)
17 of the Securities Exchange Act of 1934 (15 U.S.C.
18 78ee(d)) shall be credited to this account as offsetting col-
19 lections: *Provided further,* That not to exceed
20 \$249,523,000 of such offsetting collections shall be avail-
21 able until expended for necessary expenses of this account:
22 *Provided further,* That the total amount appropriated from
23 the General Fund for fiscal year 1998 under this heading
24 shall be reduced as all such offsetting collections are de-
25 posited to this appropriation so as to result in a final total

1 fiscal year 1998 appropriation from the General Fund es-
2 timated at no more than \$35,889,000.

3 SMALL BUSINESS ADMINISTRATION

4 SALARIES AND EXPENSES

5 For necessary expenses, not otherwise provided for,
6 of the Small Business Administration as authorized by
7 Public Law 103-403, including hire of passenger motor
8 vehicles as authorized by 31 U.S.C. 1343 and 1344, and
9 not to exceed \$3,500 for official reception and representa-
10 tion expenses, \$246,100,000, of which \$16,500,000 shall
11 be available to fund technical assistance grants in fiscal
12 year 1998 as authorized by section 7(m) of the Small
13 Business Act, as amended: *Provided*, That the Adminis-
14 trator is authorized to charge fees to cover the cost of pub-
15 lications developed by the Small Business Administration,
16 and certain loan servicing activities: *Provided further*,
17 That notwithstanding 31 U.S.C. 3302, revenues received
18 from all such activities shall be credited to this account,
19 to be available for carrying out these purposes without fur-
20 ther appropriations: *Provided further*, That \$75,800,000
21 shall be available to fund grants for performance in fiscal
22 year 1997 or fiscal year 1998 as authorized by section
23 21 of the Small Business Act, as amended.

24 OFFICE OF INSPECTOR GENERAL

25 For necessary expenses of the Office of Inspector
26 General in carrying out the provisions of the Inspector

1 General Act of 1978, as amended (5 U.S.C. App. 1–11,
2 as amended by Public Law 100–504), \$10,600,000.

3 BUSINESS LOANS PROGRAM ACCOUNT

4 For the cost of guaranteed loans, \$181,232,000, as
5 authorized by 15 U.S.C. 631 note: *Provided*, That such
6 costs, including the cost of modifying such loans, shall be
7 as defined in section 502 of the Congressional Budget Act
8 of 1974: *Provided further*, That during fiscal year 1998,
9 commitments to guarantee loans under section 503 of the
10 Small Business Investment Act of 1958, as amended, shall
11 not exceed the amount of financings authorized under sec-
12 tion 20(n)(2)(B) of the Small Business Act, as amended.

13 In addition, for administrative expenses to carry out
14 the direct and guaranteed loan programs, \$94,000,000,
15 which may be transferred to and merged with the appro-
16 priations for Salaries and Expenses.

17 DISASTER LOANS PROGRAM ACCOUNT

18 For administrative expenses to carry out the direct
19 loan program, as authorized by section 7(b) of the Small
20 Business Act, as amended, \$173,200,000, including not
21 to exceed \$500,000 for the Office of Inspector General of
22 the Small Business Administration for audits and reviews
23 of disaster loans and the disaster loan program, and said
24 sums may be transferred to and merged with appropria-
25 tions for Salaries and Expenses and Office of Inspector
26 General.

1 SURETY BOND GUARANTEES REVOLVING FUND

2 For additional capital for the “Surety Bond Guarant-
 3 tees Revolving Fund”, authorized by the Small Business
 4 Investment Act, as amended, \$3,500,000, to remain avail-
 5 able without fiscal year limitation as authorized by 15
 6 U.S.C. 631 note.

7 ADMINISTRATIVE PROVISION—SMALL BUSINESS

8 ADMINISTRATION

9 SEC. 505. Not to exceed 5 percent of any appropria-
 10 tion made available for the current fiscal year for the
 11 Small Business Administration in this Act may be trans-
 12 ferred between such appropriations, but no such appro-
 13 priation shall be increased by more than 10 percent by
 14 any such transfers: *Provided*, That any transfer pursuant
 15 to this section shall be treated as a reprogramming of
 16 funds under section 605 of this Act and shall not be avail-
 17 able for obligation or expenditure except in compliance
 18 with the procedures set forth in that section.

19 STATE JUSTICE INSTITUTE

20 SALARIES AND EXPENSES

21 For necessary expenses of the State Justice Institute,
 22 as authorized by the State Justice Institute Authorization
 23 Act of 1992 (Public Law 102–572 (106 Stat. 4515–
 24 4516)), \$13,550,000, to remain available until expended:
 25 *Provided*, That not to exceed \$2,500 shall be available for
 26 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 1997, 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 1997, 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, projects,
23 or activities; (2) reduces by 10 percent funding for any
24 existing program, project, or activity, or numbers of per-
25 sonnel by 10 percent as approved by Congress; or (3) re-

1 sults from any general savings from a reduction in person-
2 nel which would result in a change in existing programs,
3 activities, or projects as approved by Congress; unless the
4 Appropriations Committees of both Houses of Congress
5 are notified fifteen days in advance of such reprogram-
6 ming 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 made available in this
21 Act shall be used to provide the following amenities or per-
22 sonal comforts in the Federal prison system—

23 (1) in-cell television viewing except for prisoners
24 who are segregated from the general prison popu-
25 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. 610. Any costs incurred by a Department or
12 agency funded under this Act resulting from personnel ac-
13 tions taken in response to funding reductions included in
14 this Act shall be absorbed within the total budgetary re-
15 sources available to such Department or agency: *Provided*,
16 That the authority to transfer funds between appropria-
17 tions accounts as may be necessary to carry out this sec-
18 tion is provided in addition to authorities included else-
19 where in this Act: *Provided further*, That use of funds to
20 carry out this section shall be treated as a reprogramming
21 of funds under section 605 of this Act and shall not be
22 available for obligation or expenditure except in compli-
23 ance with the procedures set forth in that section.

24 SEC. 611. None of the funds made available in this
25 Act to the Federal Bureau of Prisons may be used to dis-

1 tribute or make available any commercially published in-
2 formation or material to a prisoner when it is made known
3 to the Federal official having authority to obligate or ex-
4 pend such funds that such information or material is sexu-
5 ally explicit or features nudity.

6 TITLE VII—RESCISSIONS
7 DEPARTMENT OF JUSTICE
8 GENERAL ADMINISTRATION
9 WORKING CAPITAL FUND
10 (RESCISSION)

11 Of the unobligated balances available under this
12 heading on September 30, 1997, \$30,310,000 are re-
13 scinded.

14 This Act may be cited as the “Departments of Com-
15 merce, Justice, and State, the Judiciary, and Related
16 Agencies Appropriations Act, 1998”.