

Union Calendar No. 383

106TH CONGRESS
2^D SESSION

H.R. 4690

[Report No. 106-680]

Making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 2001, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 19, 2000

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

A BILL

Making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 2001, and for other purposes.

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

1 fiscal year ending September 30, 2001, and for other pur-
2 poses, namely:

3 TITLE I—DEPARTMENT OF JUSTICE

4 GENERAL ADMINISTRATION

5 SALARIES AND EXPENSES

6 For expenses necessary for the administration of the
7 Department of Justice, \$84,177,000, of which not to ex-
8 ceed \$3,317,000 is for the Facilities Program 2000, to
9 remain available until expended: *Provided*, That not to ex-
10 ceed 43 permanent positions and 44 full-time equivalent
11 workyears and \$8,136,000 shall be expended for the De-
12 partment Leadership Program exclusive of augmentation
13 that occurred in these offices in fiscal year 2000: *Provided*
14 *further*, That not to exceed 41 permanent positions and
15 48 full-time equivalent workyears and \$4,811,000 shall be
16 expended for the Offices of Legislative Affairs and Public
17 Affairs: *Provided further*, That the latter two aforemen-
18 tioned offices may utilize non-reimbursable details of ca-
19 reer employees within the caps described in the aforemen-
20 tioned proviso: *Provided further*, That the Attorney Gen-
21 eral is authorized to transfer, under such terms and condi-
22 tions as the Attorney General shall specify, forfeited real
23 or personal property of limited or marginal value, as such
24 value is determined by guidelines established by the Attor-
25 ney General, to a State or local government agency, or

1 its designated contractor or transferee, for use to support
2 drug abuse treatment, drug and crime prevention and edu-
3 cation, housing, job skills, and other community-based
4 public health and safety programs: *Provided further*, That
5 any transfer under the preceding proviso shall not create
6 or confer any private right of action in any person against
7 the United States, and shall be treated as a reprogram-
8 ming under section 605 of this Act.

9 JOINT AUTOMATED BOOKING SYSTEM

10 For expenses necessary for the nationwide deploy-
11 ment of a Joint Automated Booking System including
12 automated capability to transmit fingerprint and image
13 data, \$1,800,000, to remain available until expended.

14 NARROWBAND COMMUNICATIONS

15 For the costs of conversion to narrowband commu-
16 nications as mandated by section 104 of the National
17 Telecommunications and Information Administration Or-
18 ganization Act (47 U.S.C. 903(d)(1)), including the cost
19 for operation and maintenance of Land Mobile Radio leg-
20 acy systems, \$177,445,000, to remain available until ex-
21 pended.

22 COUNTERTERRORISM FUND

23 For necessary expenses, as determined by the Attor-
24 ney General, \$10,000,000, to remain available until ex-
25 pended, to reimburse any Department of Justice organiza-
26 tion for: (1) the costs incurred in reestablishing the oper-

1 ational capability of an office or facility which has been
2 damaged or destroyed as a result of any domestic or inter-
3 national terrorist incident; and (2) the costs of providing
4 support to counter, investigate or prosecute domestic or
5 international terrorism, including payment of rewards in
6 connection with these activities: *Provided*, That any Fed-
7 eral agency may be reimbursed for the costs of detaining
8 in foreign countries individuals accused of acts of ter-
9 rorism that violate the laws of the United States: *Provided*
10 *further*, That funds provided under this paragraph shall
11 be available only after the Attorney General notifies the
12 Committees on Appropriations of the House of Represent-
13 atives and the Senate in accordance with section 605 of
14 this Act.

15 TELECOMMUNICATIONS CARRIER COMPLIANCE FUND

16 For payments authorized by section 109 of the Com-
17 munications Assistance for Law Enforcement Act (47
18 U.S.C. 1008), \$282,500,000, to remain available until ex-
19 pended.

20 ADMINISTRATIVE REVIEW AND APPEALS

21 For expenses necessary for the administration of par-
22 don and clemency petitions and immigration related activi-
23 ties, \$159,570,000.

24 DETENTION TRUSTEE

25 For necessary expenses to establish a Federal Deten-
26 tion Trustee who shall exercise all power and functions

1 authorized by law relating to the detention of Federal pris-
2 oners in non-Federal institutions or otherwise in the cus-
3 tody of the United States Marshals Service; and the deten-
4 tion of aliens in the custody of the Immigration and Natu-
5 ralization Service, \$1,000,000: *Provided*, That the Trustee
6 shall be responsible for construction of detention facilities
7 or for housing related to such detention; the management
8 of funds appropriated to the Department for the exercise
9 of any detention functions; and the direction of the United
10 States Marshals Service and Immigration and Naturaliza-
11 tion Service with respect to the exercise of detention policy
12 setting and operations for the Department.

13 OFFICE OF INSPECTOR GENERAL

14 For necessary expenses of the Office of Inspector
15 General in carrying out the provisions of the Inspector
16 General Act of 1978, as amended, \$41,825,000; including
17 not to exceed \$10,000 to meet unforeseen emergencies of
18 a confidential character, to be expended under the direc-
19 tion of, and to be accounted for solely under the certificate
20 of, the Attorney General; and for the acquisition, lease,
21 maintenance, and operation of motor vehicles, without re-
22 gard to the general purchase price limitation for the cur-
23 rent fiscal year.

1 UNITED STATES PAROLE COMMISSION

2 SALARIES AND EXPENSES

3 For necessary expenses of the United States Parole
4 Commission as authorized by law, \$8,855,000.

5 LEGAL ACTIVITIES

6 SALARIES AND EXPENSES, GENERAL LEGAL ACTIVITIES

7 For expenses necessary for the legal activities of the
8 Department of Justice, not otherwise provided for, includ-
9 ing not to exceed \$20,000 for expenses of collecting evi-
10 dence, to be expended under the direction of, and to be
11 accounted for solely under the certificate of, the Attorney
12 General; and rent of private or Government-owned space
13 in the District of Columbia, \$523,228,000; of which not
14 to exceed \$10,000,000 for litigation support contracts
15 shall remain available until expended: *Provided*, That of
16 the funds available in this appropriation, not to exceed
17 \$18,877,000 shall remain available until expended for of-
18 fice automation systems for the legal divisions covered by
19 this appropriation, and for the United States Attorneys,
20 the Antitrust Division, the Executive Office for Immigra-
21 tion Review, the Community Relations Service, and offices
22 funded through “Salaries and Expenses”, General Admin-
23 istration: *Provided further*, That of the total amount ap-
24 propriated, not to exceed \$1,000 shall be available to the

1 United States National Central Bureau, INTERPOL, for
2 official reception and representation expenses.

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

8 SALARIES AND EXPENSES, ANTITRUST DIVISION

9 For expenses necessary for the enforcement of anti-
10 trust and kindred laws, \$77,171,000: *Provided*, That, not-
11 withstanding section 3302(b) of title 31, United States
12 Code, not to exceed \$77,171,000 of offsetting collections
13 derived from fees collected in fiscal year 2001 for
14 premerger notification filings under the Hart-Scott-Ro-
15 dino Antitrust Improvements Act of 1976 (15 U.S.C. 18a)
16 shall be retained and used for necessary expenses in this
17 appropriation, and shall remain available until expended:
18 *Provided further*, That the sum herein appropriated from
19 the general fund shall be reduced as such offsetting collec-
20 tions are received during fiscal year 2001, so as to result
21 in a final fiscal year 2001 appropriation from the general
22 fund estimated at not more than \$0.

23 SALARIES AND EXPENSES, UNITED STATES ATTORNEYS

24 For necessary expenses of the Offices of the United
25 States Attorneys, including inter-governmental and coop-
26 erative agreements, \$1,247,416,000; of which not to ex-

1 ceed \$2,500,000 shall be available until September 30,
 2 2002, for: (1) training personnel in debt collection; (2) lo-
 3 cating debtors and their property; (3) paying the net costs
 4 of selling property; and (4) tracking debts owed to the
 5 United States Government: *Provided*, That of the total
 6 amount appropriated, not to exceed \$8,000 shall be avail-
 7 able for official reception and representation expenses:
 8 *Provided further*, That not to exceed \$10,000,000 of those
 9 funds available for automated litigation support contracts
 10 shall remain available until expended: *Provided further*,
 11 That, in addition to reimbursable full-time equivalent
 12 workyears available to the Offices of the United States At-
 13 torneys, not to exceed 9,381 positions and 9,529 full-time
 14 equivalent workyears shall be supported from the funds
 15 appropriated in this Act for the United States Attorneys.

16 UNITED STATES TRUSTEE SYSTEM FUND

17 For necessary expenses of the United States Trustee
 18 Program, as authorized by 28 U.S.C. 589a(a),
 19 \$126,242,000, to remain available until expended and to
 20 be derived from the United States Trustee System Fund:
 21 *Provided*, That, notwithstanding any other provision of
 22 law, deposits to the Fund shall be available in such
 23 amounts as may be necessary to pay refunds due deposi-
 24 tors: *Provided further*, That, notwithstanding any other
 25 provision of law, \$126,242,000 of offsetting collections
 26 collected pursuant to 28 U.S.C. 589a(b) shall be retained

1 and used for necessary expenses in this appropriation and
2 remain available until expended: *Provided further*, That
3 the sum herein appropriated from the Fund shall be re-
4 duced as such offsetting collections are received during fis-
5 cal year 2001, so as to result in a final fiscal year 2001
6 appropriation from the Fund estimated at \$0.

7 SALARIES AND EXPENSES, FOREIGN CLAIMS

8 SETTLEMENT COMMISSION

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

12 SALARIES AND EXPENSES, UNITED STATES MARSHALS

13 SERVICE

14 For necessary expenses of the United States Mar-
15 shals Service; including the acquisition, lease, mainte-
16 nance, and operation of vehicles, and the purchase of pas-
17 senger motor vehicles for police-type use, without regard
18 to the general purchase price limitation for the current
19 fiscal year, \$560,438,000, as authorized by 28 U.S.C.
20 561(i); of which not to exceed \$6,000 shall be available
21 for official reception and representation expenses; and of
22 which not to exceed \$4,000,000 for development, imple-
23 mentation, maintenance and support, and training for an
24 automated prisoner information system shall remain avail-
25 able until expended: *Provided*, That, in addition to reim-
26 bursable full-time equivalent workyears available to the

1 United States Marshals Service, not to exceed 4,168 posi-
2 tions and 3,892 full-time equivalent workyears shall be
3 supported from the funds appropriated in this Act for the
4 United States Marshals Service.

5 CONSTRUCTION

6 For planning, constructing, renovating, equipping,
7 and maintaining United States Marshals Service prisoner-
8 holding space in United States courthouses and Federal
9 buildings, including the renovation and expansion of pris-
10 oner movement areas, elevators, and sallyports,
11 \$6,000,000, to remain available until expended.

12 JUSTICE PRISONER AND ALIEN TRANSPORTATION SYSTEM
13 FUND, UNITED STATES MARSHALS SERVICE

14 Beginning in fiscal year 2000 and thereafter, pay-
15 ment shall be made from the Justice Prisoner and Alien
16 Transportation System Fund for necessary expenses re-
17 lated to the scheduling and transportation of United
18 States prisoners and illegal and criminal aliens in the cus-
19 tody of the United States Marshals Service, as authorized
20 in 18 U.S.C. 4013, including, without limitation, salaries
21 and expenses, operations, and the acquisition, lease, and
22 maintenance of aircraft and support facilities: *Provided*,
23 That the Fund shall be reimbursed or credited with ad-
24 vance payments from amounts available to the Depart-
25 ment of Justice, other Federal agencies, and other sources
26 at rates that will recover the expenses of Fund operations,

1 including, without limitation, accrual of annual leave and
2 depreciation of plant and equipment of the Fund: *Provided*
3 *further*, That proceeds from the disposal of Fund aircraft
4 shall be credited to the Fund: *Provided further*, That
5 amounts in the Fund shall be available without fiscal year
6 limitation, and may be used for operating equipment lease
7 agreements that do not exceed 10 years.

8 FEDERAL PRISONER DETENTION

9 For expenses, related to United States prisoners in
10 the custody of the United States Marshals Service as au-
11 thorized in 18 U.S.C. 4013, but not including expenses
12 otherwise provided for in appropriations available to the
13 Attorney General, \$597,402,000, as authorized by 28
14 U.S.C. 561(i), to remain available until expended: *Pro-*
15 *vided*, That the United States Marshals Service may enter
16 into multi-year contracts with private entities for the con-
17 finement of Federal prisoners: *Provided further*, That
18 hereafter amounts appropriated for Federal Prisoner De-
19 tention shall be available to reimburse the Federal Bureau
20 of Prisons for salaries and expenses of transporting,
21 guarding and providing medical care outside of Federal
22 penal and correctional institutions to prisoners awaiting
23 trial or sentencing.

24 FEES AND EXPENSES OF WITNESSES

25 For expenses, mileage, compensation, and per diems
26 of witnesses, for expenses of contracts for the procurement

1 and supervision of expert witnesses, for private counsel ex-
2 penses, and for per diems in lieu of subsistence, as author-
3 ized by law, including advances, \$95,000,000, to remain
4 available until expended; of which not to exceed
5 \$6,000,000 may be made available for planning, construc-
6 tion, renovations, maintenance, remodeling, and repair of
7 buildings, and the purchase of equipment incident thereto,
8 for protected witness safesites; of which not to exceed
9 \$1,000,000 may be made available for the purchase and
10 maintenance of armored vehicles for transportation of pro-
11 tected witnesses; and of which not to exceed \$5,000,000
12 may be made available for the purchase, installation, and
13 maintenance of secure telecommunications equipment and
14 a secure automated information network to store and re-
15 trieve the identities and locations of protected witnesses.

16 SALARIES AND EXPENSES, COMMUNITY RELATIONS

17 SERVICE

18 For necessary expenses of the Community Relations
19 Service, established by title X of the Civil Rights Act of
20 1964, \$7,479,000 and, in addition, up to \$1,000,000 of
21 funds made available to the Department of Justice in this
22 Act may be transferred by the Attorney General to this
23 account: *Provided*, That notwithstanding any other provi-
24 sion of law, upon a determination by the Attorney General
25 that emergent circumstances require additional funding
26 for conflict prevention and resolution activities of the

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

11 ASSETS FORFEITURE FUND

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

16 RADIATION EXPOSURE COMPENSATION

17 ADMINISTRATIVE EXPENSES

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

21 PAYMENT TO RADIATION EXPOSURE COMPENSATION

22 TRUST FUND

23 For payments to the Radiation Exposure Compensa-
24 tion Trust Fund, \$3,200,000.

1 INTERAGENCY LAW ENFORCEMENT

2 INTERAGENCY CRIME AND DRUG ENFORCEMENT

3 For necessary expenses for the detection, investiga-
4 tion, and prosecution of individuals involved in organized
5 crime drug trafficking not otherwise provided for, to in-
6 clude inter-governmental agreements with State and local
7 law enforcement agencies engaged in the investigation and
8 prosecution of individuals involved in organized crime drug
9 trafficking, \$328,898,000, of which \$50,000,000 shall re-
10 main available until expended: *Provided*, That any
11 amounts obligated from appropriations under this heading
12 may be used under authorities available to the organiza-
13 tions reimbursed from this appropriation: *Provided fur-*
14 *ther*, That any unobligated balances remaining available
15 at the end of the fiscal year shall revert to the Attorney
16 General for reallocation among participating organizations
17 in succeeding fiscal years, subject to the reprogramming
18 procedures described in section 605 of this Act.

19 FEDERAL BUREAU OF INVESTIGATION

20 SALARIES AND EXPENSES

21 For necessary expenses of the Federal Bureau of In-
22 vestigation for detection, investigation, and prosecution of
23 crimes against the United States; including purchase for
24 police-type use of not to exceed 1,236 passenger motor ve-
25 hicles, of which 1,142 will be for replacement only, without

1 regard to the general purchase price limitation for the cur-
2 rent fiscal year, and hire of passenger motor vehicles; ac-
3 quisition, lease, maintenance, and operation of aircraft;
4 and not to exceed \$70,000 to meet unforeseen emergencies
5 of a confidential character, to be expended under the di-
6 rection of, and to be accounted for solely under the certifi-
7 cate of, the Attorney General, \$3,229,505,000; of which
8 not to exceed \$50,000,000 for automated data processing
9 and telecommunications and technical investigative equip-
10 ment and not to exceed \$1,000,000 for undercover oper-
11 ations shall remain available until September 30, 2002;
12 of which not less than \$159,223,000 shall be for
13 counterterrorism investigations, foreign counterintel-
14 ligence, and other activities related to our national secu-
15 rity; of which not to exceed \$10,000,000 is authorized to
16 be made available for making advances for expenses aris-
17 ing out of contractual or reimbursable agreements with
18 State and local law enforcement agencies while engaged
19 in cooperative activities related to violent crime, terrorism,
20 organized crime, and drug investigations: *Provided*, That
21 not to exceed \$45,000 shall be available for official recep-
22 tion and representation expenses: *Provided further*, That,
23 in addition to reimbursable full-time equivalent workyears
24 available to the Federal Bureau of Investigation, not to
25 exceed 25,384 positions and 25,049 full-time equivalent

1 workyears shall be supported from the funds appropriated
2 in this Act for the Federal Bureau of Investigation: *Pro-*
3 *vided further*, That no funds in this Act may be used to
4 provide ballistics imaging equipment to any State or local
5 authority which has obtained similar equipment through
6 a Federal grant or subsidy unless the State or local au-
7 thority agrees to return that equipment or to repay that
8 grant or subsidy to the Federal Government.

9 CONSTRUCTION

10 For necessary expenses to construct or acquire build-
11 ings and sites by purchase, or as otherwise authorized by
12 law (including equipment for such buildings); conversion
13 and extension of federally-owned buildings; and prelimi-
14 nary planning and design of projects; \$1,287,000, to re-
15 main available until expended.

16 DRUG ENFORCEMENT ADMINISTRATION

17 SALARIES AND EXPENSES

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

1 chase of not to exceed 1,358 passenger motor vehicles, of
2 which 1,079 will be for replacement only, for police-type
3 use without regard to the general purchase price limitation
4 for the current fiscal year; and acquisition, lease, mainte-
5 nance, and operation of aircraft, \$1,362,309,000; of which
6 not to exceed \$1,800,000 for research shall remain avail-
7 able until expended, and of which not to exceed
8 \$4,000,000 for purchase of evidence and payments for in-
9 formation, not to exceed \$10,000,000 for contracting for
10 automated data processing and telecommunications equip-
11 ment, and not to exceed \$2,000,000 for laboratory equip-
12 ment, \$4,000,000 for technical equipment, and
13 \$2,000,000 for aircraft replacement retrofit and parts,
14 shall remain available until September 30, 2002; of which
15 not to exceed \$50,000 shall be available for official recep-
16 tion and representation expenses: *Provided*, That, in addi-
17 tion to reimbursable full-time equivalent workyears avail-
18 able to the Drug Enforcement Administration, not to ex-
19 ceed 7,484 positions and 7,394 full-time equivalent
20 workyears shall be supported from the funds appropriated
21 in this Act for the Drug Enforcement Administration.

22 CONSTRUCTION

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

1 nary planning and design of projects, \$5,500,000, to re-
2 main available until expended.

3 IMMIGRATION AND NATURALIZATION SERVICE

4 SALARIES AND EXPENSES

5 For expenses necessary for the administration and
6 enforcement of the laws relating to immigration, natu-
7 ralization, and alien registration, as follows:

8 ENFORCEMENT AND BORDER AFFAIRS

9 For salaries and expenses for the Border Patrol pro-
10 gram, the detention and deportation program, the intel-
11 ligence program, the investigations program, and the in-
12 spections program, including not to exceed \$50,000 to
13 meet unforeseen emergencies of a confidential character,
14 to be expended under the direction of, and to be accounted
15 for solely under the certificate of, the Attorney General;
16 purchase for police-type use (not to exceed 3,165 pas-
17 senger motor vehicles, of which 2,211 are for replacement
18 only), without regard to the general purchase price limita-
19 tion for the current fiscal year, and hire of passenger
20 motor vehicles; acquisition, lease, maintenance and oper-
21 ation of aircraft; research related to immigration enforce-
22 ment; for protecting and maintaining the integrity of the
23 borders of the United States including, without limitation,
24 equipping, maintaining, and making improvements to the
25 infrastructure; and for the care and housing of Federal
26 detainees held in the joint Immigration and Naturalization

1 Service and United States Marshals Service's Buffalo De-
2 tention Facility, \$2,547,899,000; of which not to exceed
3 \$10,000,000 shall be available for costs associated with
4 the training program for basic officer training, and
5 \$5,000,000 is for payments or advances arising out of con-
6 tractual or reimbursable agreements with State and local
7 law enforcement agencies while engaged in cooperative ac-
8 tivities related to immigration; of which not to exceed
9 \$5,000,000 is to fund or reimburse other Federal agencies
10 for the costs associated with the care, maintenance, and
11 repatriation of smuggled illegal aliens: *Provided*, That
12 none of the funds available to the Immigration and Natu-
13 ralization Service shall be available to pay any employee
14 overtime pay in an amount in excess of \$30,000 during
15 the calendar year beginning January 1, 2001: *Provided*
16 *further*, That uniforms may be purchased without regard
17 to the general purchase price limitation for the current
18 fiscal year: *Provided further*, That, in addition to reim-
19 bursable full-time equivalent workyears available to the
20 Immigration and Naturalization Service, not to exceed
21 19,766 positions and 19,183 full-time equivalent
22 workyears shall be supported from the funds appropriated
23 under this heading in this Act for the Immigration and
24 Naturalization Service: *Provided further*, That none of the
25 funds provided in this or any other Act shall be used for

1 the continued operation of the San Clemente and
2 Temecula checkpoints unless the checkpoints are open and
3 traffic is being checked on a continuous 24-hour basis.

4 CITIZENSHIP AND BENEFITS, IMMIGRATION SUPPORT AND
5 PROGRAM DIRECTION

6 For all programs of the Immigration and Naturaliza-
7 tion Service not included under the heading “Enforcement
8 and Border Affairs”, \$573,314,000, of which not to ex-
9 ceed \$400,000 for research shall remain available until ex-
10 pended: *Provided*, That not to exceed \$5,000 shall be
11 available for official reception and representation ex-
12 penses: *Provided further*, That the Attorney General may
13 transfer any funds appropriated under this heading and
14 the heading “Enforcement and Border Affairs” between
15 said appropriations notwithstanding any percentage trans-
16 fer limitations imposed under this appropriation Act and
17 may direct such fees as are collected by the Immigration
18 and Naturalization Service to the activities funded under
19 this heading and the heading “Enforcement and Border
20 Affairs” for performance of the functions for which the
21 fees legally may be expended: *Provided further*, That not
22 to exceed 40 permanent positions and 40 full-time equiva-
23 lent workyears and \$4,300,000 shall be expended for the
24 Offices of Legislative Affairs and Public Affairs: *Provided*
25 *further*, That the latter two aforementioned offices shall
26 not be augmented by personnel details, temporary trans-

1 fers of personnel on either a reimbursable or non-reim-
2 bursable basis, or any other type of formal or informal
3 transfer or reimbursement of personnel or funds on either
4 a temporary or long-term basis: *Provided further*, That the
5 number of positions filled through non-career appointment
6 at the Immigration and Naturalization Service, for which
7 funding is provided in this Act or is otherwise made avail-
8 able to the Immigration and Naturalization Service, shall
9 not exceed four permanent positions and four full-time
10 equivalent workyears: *Provided further*, That none of the
11 funds available to the Immigration and Naturalization
12 Service shall be used to pay any employee overtime pay
13 in an amount in excess of \$30,000 during the calendar
14 year beginning January 1, 2001: *Provided further*, That
15 funds may be used, without limitation, for equipping,
16 maintaining, and making improvements to the infrastruc-
17 ture and the purchase of vehicles for police-type use within
18 the limits of the Enforcement and Border Affairs appro-
19 priation: *Provided further*, That, in addition to reimburs-
20 able full-time equivalent workyears available to the Immi-
21 gration and Naturalization Service, not to exceed 3,182
22 positions and 3,279 full-time equivalent workyears shall
23 be supported from the funds appropriated under this
24 heading in this Act for the Immigration and Naturaliza-
25 tion Service: *Provided further*, That, notwithstanding any

1 other provision of law, during fiscal year 2001, the Attor-
2 ney General is authorized and directed to impose discipli-
3 nary action, including termination of employment, pursu-
4 ant to policies and procedures applicable to employees of
5 the Federal Bureau of Investigation, for any employee of
6 the Immigration and Naturalization Service who violates
7 policies and procedures set forth by the Department of
8 Justice relative to the granting of citizenship or who will-
9 fully deceives the Congress or department leadership on
10 any matter.

11 CONSTRUCTION

12 For planning, construction, renovation, equipping,
13 and maintenance of buildings and facilities necessary for
14 the administration and enforcement of the laws relating
15 to immigration, naturalization, and alien registration, not
16 otherwise provided for, \$110,664,000, to remain available
17 until expended: *Provided*, That no funds shall be available
18 for the site acquisition, design, or construction of any Bor-
19 der Patrol checkpoint in the Tucson sector.

20 FEDERAL PRISON SYSTEM

21 SALARIES AND EXPENSES

22 For expenses necessary for the administration, oper-
23 ation, and maintenance of Federal penal and correctional
24 institutions, including purchase (not to exceed 707, of
25 which 600 are for replacement only) and hire of law en-
26 forcement and passenger motor vehicles, and for the provi-

1 sion of technical assistance and advice on corrections re-
2 lated issues to foreign governments, \$3,475,769,000: *Pro-*
3 *vided*, That the Attorney General may transfer to the
4 Health Resources and Services Administration such
5 amounts as may be necessary for direct expenditures by
6 that Administration for medical relief for inmates of Fed-
7 eral penal and correctional institutions: *Provided further*,
8 That the Director of the Federal Prison System (FPS),
9 where necessary, may enter into contracts with a fiscal
10 agent/fiscal intermediary claims processor to determine
11 the amounts payable to persons who, on behalf of FPS,
12 furnish health services to individuals committed to the
13 custody of FPS: *Provided further*, That not to exceed
14 \$6,000 shall be available for official reception and rep-
15 resentation expenses: *Provided further*, That not to exceed
16 \$90,000,000 shall remain available for necessary oper-
17 ations until September 30, 2002: *Provided further*, That,
18 of the amounts provided for Contract Confinement, not
19 to exceed \$20,000,000 shall remain available until ex-
20 pended to make payments in advance for grants, contracts
21 and reimbursable agreements, and other expenses author-
22 ized by section 501(c) of the Refugee Education Assist-
23 ance Act of 1980, as amended, for the care and security
24 in the United States of Cuban and Haitian entrants: *Pro-*
25 *vided further*, That, notwithstanding section 4(d) of the

1 Service Contract Act of 1965 (41 U.S.C. 353(d)), FPS
2 may enter into contracts and other agreements with pri-
3 vate entities for periods of not to exceed three years and
4 seven additional option years for the confinement of Fed-
5 eral prisoners.

6 BUILDINGS AND FACILITIES

7 For planning, acquisition of sites and construction of
8 new facilities; leasing the Oklahoma City Airport Trust
9 Facility; purchase and acquisition of facilities and remod-
10 eling, and equipping of such facilities for penal and correc-
11 tional use, including all necessary expenses incident there-
12 to, by contract or force account; and constructing, remod-
13 eling, and equipping necessary buildings and facilities at
14 existing penal and correctional institutions, including all
15 necessary expenses incident thereto, by contract or force
16 account, \$835,660,000, to remain available until ex-
17 pended, of which not to exceed \$14,000,000 shall be avail-
18 able to construct areas for inmate work programs: *Pro-*
19 *vided*, That labor of United States prisoners may be used
20 for work performed under this appropriation: *Provided*
21 *further*, That not to exceed 10 percent of the funds appro-
22 priated to “Buildings and Facilities” in this or any other
23 Act may be transferred to “Salaries and Expenses”, Fed-
24 eral Prison System, upon notification by the Attorney
25 General to the Committees on Appropriations of the

1 House of Representatives and the Senate in compliance
2 with provisions set forth in section 605 of this Act.

3 FEDERAL PRISON INDUSTRIES, INCORPORATED

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

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

16 Not to exceed \$3,429,000 of the funds of the corpora-
17 tion shall be available for its administrative expenses, and
18 for services as authorized by 5 U.S.C. 3109, to be com-
19 puted on an accrual basis to be determined in accordance
20 with the corporation's current prescribed accounting sys-
21 tem, and such amounts shall be exclusive of depreciation,
22 payment of claims, and expenditures which the said ac-
23 counting system requires to be capitalized or charged to
24 cost of commodities acquired or produced, including sell-
25 ing and shipping expenses, and expenses in connection
26 with acquisition, construction, operation, maintenance, im-

1 provement, protection, or disposition of facilities and other
2 property belonging to the corporation or in which it has
3 an interest.

4 OFFICE OF JUSTICE PROGRAMS

5 JUSTICE ASSISTANCE

6 For grants, contracts, cooperative agreements, and
7 other assistance authorized by title I of the Omnibus
8 Crime Control and Safe Streets Act of 1968, as amended
9 (“the 1968 Act”), and the Missing Children’s Assistance
10 Act, as amended, including salaries and expenses in con-
11 nection therewith, and with the Victims of Crime Act of
12 1984, as amended, \$155,611,000, to remain available
13 until expended, as authorized by section 1001 of title I
14 of the Omnibus Crime Control and Safe Streets Act of
15 1968, as amended by Public Law 102–534 (106 Stat.
16 3524).

17 In addition, for grants, cooperative agreements, and
18 other assistance authorized by sections 819, 821, and 822
19 of the Antiterrorism and Effective Death Penalty Act of
20 1996, \$152,000,000, to remain available until expended.

21 STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE

22 For assistance (including amounts for administrative
23 costs for management and administration, which amounts
24 shall be transferred to and merged with the “Justice As-
25 sistance” account) authorized by the Violent Crime Con-
26 trol and Law Enforcement Act of 1994 (Public Law 103–

1 322), as amended (“the 1994 Act”); the Omnibus Crime
2 Control and Safe Streets Act of 1968, as amended (“the
3 1968 Act”); and the Victims of Child Abuse Act of 1990,
4 as amended (“the 1990 Act”), \$2,823,950,000, to remain
5 available until expended; of which \$523,000,000 shall be
6 for Local Law Enforcement Block Grants, pursuant to
7 H.R. 728 as passed by the House of Representatives on
8 February 14, 1995, except that for purposes of this Act,
9 Guam shall be considered a “State”, the Commonwealth
10 of Puerto Rico shall be considered a “unit of local govern-
11 ment” as well as a “State”, for the purposes set forth
12 in paragraphs (A), (B), (D), (F), and (I) of section
13 101(a)(2) of H.R. 728 and for establishing crime preven-
14 tion programs involving cooperation between community
15 residents and law enforcement personnel in order to con-
16 trol, detect, or investigate crime or the prosecution of
17 criminals: *Provided*, That no funds provided under this
18 heading may be used as matching funds for any other
19 Federal grant program: *Provided further*, That
20 \$50,000,000 of this amount shall be for Boys and Girls
21 Clubs in public housing facilities and other areas in co-
22 operation with State and local law enforcement: *Provided*
23 *further*, That funds may also be used to defray the costs
24 of indemnification insurance for law enforcement officers:
25 *Provided further*, That \$20,000,000 shall be available to

1 carry out section 102(2) of H.R. 728; of which
2 \$420,000,000 shall be for the State Criminal Alien Assist-
3 ance Program, as authorized by section 242(j) of the Im-
4 migration and Nationality Act, as amended; of which
5 \$686,500,000 shall be for Violent Offender Incarceration
6 and Truth in Sentencing Incentive Grants pursuant to
7 subtitle A of title II of the 1994 Act, of which
8 \$165,000,000 shall be available for payments to States for
9 incarceration of criminal aliens, and of which \$35,000,000
10 shall be available for the Cooperative Agreement Program;
11 of which \$552,000,000 shall be for grants, contracts, co-
12 operative agreements, and other assistance authorized by
13 part E of title I of the 1968 Act, for State and Local
14 Narcotics Control and Justice Assistance Improvements,
15 notwithstanding the provisions of section 511 of said Act,
16 as authorized by section 1001 of title I of said Act, as
17 amended by Public Law 102–534 (106 Stat. 3524), of
18 which \$52,000,000 shall be available to carry out the pro-
19 visions of chapter A of subpart 2 of part E of title I of
20 said Act, for discretionary grants under the Edward Byrne
21 Memorial State and Local Law Enforcement Assistance
22 Programs; of which \$9,000,000 shall be for the Court Ap-
23 pointed Special Advocate Program, as authorized by sec-
24 tion 218 of the 1990 Act; of which \$2,000,000 shall be
25 for Child Abuse Training Programs for Judicial Personnel

1 and Practitioners, as authorized by section 224 of the
2 1990 Act; of which \$207,750,000 shall be for Grants to
3 Combat Violence Against Women, to States, units of local
4 government, and Indian tribal governments, as authorized
5 by section 1001(a)(18) of the 1968 Act, including
6 \$35,250,000 which shall be used exclusively for the pur-
7 pose of strengthening civil legal assistance programs for
8 victims of domestic violence: *Provided*, That, of these
9 funds, \$5,200,000 shall be provided to the National Insti-
10 tute of Justice for research and evaluation of violence
11 against women, and \$10,000,000 shall be available to the
12 Office of Juvenile Justice and Delinquency Prevention for
13 the Safe Start Program, to be administered as authorized
14 by part C of the Juvenile Justice and Delinquency Act
15 of 1974, as amended; of which \$34,000,000 shall be for
16 Grants to Encourage Arrest Policies to States, units of
17 local government, and Indian tribal governments, as au-
18 thorized by section 1001(a)(19) of the 1968 Act; of which
19 \$25,000,000 shall be for Rural Domestic Violence and
20 Child Abuse Enforcement Assistance Grants, as author-
21 ized by section 40295 of the 1994 Act; of which
22 \$5,000,000 shall be for training programs to assist proba-
23 tion and parole officers who work with released sex offend-
24 ers, as authorized by section 40152(c) of the 1994 Act,
25 and for local demonstration projects; of which \$1,000,000

1 shall be for grants for televised testimony, as authorized
2 by section 1001(a)(7) of the 1968 Act; of which
3 \$63,000,000 shall be for grants for residential substance
4 abuse treatment for State prisoners, as authorized by sec-
5 tion 1001(a)(17) of the 1968 Act; of which \$900,000 shall
6 be for the Missing Alzheimer’s Disease Patient Alert Pro-
7 gram, as authorized by section 240001(c) of the 1994 Act;
8 of which \$1,300,000 shall be for Motor Vehicle Theft Pre-
9 vention Programs, as authorized by section 220002(h) of
10 the 1994 Act; of which \$40,000,000 shall be for Drug
11 Courts, as authorized by title V of the 1994 Act; of which
12 \$1,500,000 shall be for Law Enforcement Family Support
13 Programs, as authorized by section 1001(a)(21) of the
14 1968 Act; of which \$2,000,000 shall be for public aware-
15 ness programs addressing marketing scams aimed at sen-
16 ior citizens, as authorized by section 250005(3) of the
17 1994 Act; and of which \$250,000,000 shall be for Juvenile
18 Accountability Incentive Block Grants, except that such
19 funds shall be subject to the same terms and conditions
20 as set forth in the provisions under this heading for this
21 program in Public Law 105–119, but all references in
22 such provisions to 1998 shall be deemed to refer instead
23 to 2001 and Guam shall be considered a “State” for the
24 purposes of title III of H.R. 3, as passed by the House
25 of Representatives on May 8, 1977: *Provided further*, That

1 funds made available in fiscal year 2001 under subpart
2 1 of part E of title I of the 1968 Act may be obligated
3 for programs to assist States in the litigation processing
4 of death penalty Federal habeas corpus petitions and for
5 drug testing initiatives: *Provided further*, That, if a unit
6 of local government uses any of the funds made available
7 under this title to increase the number of law enforcement
8 officers, the unit of local government will achieve a net
9 gain in the number of law enforcement officers who per-
10 form nonadministrative public safety service.

11 WEED AND SEED PROGRAM FUND

12 For necessary expenses, including salaries and re-
13 lated expenses of the Executive Office for Weed and Seed,
14 to implement “Weed and Seed” program activities,
15 \$33,500,000, to remain available until expended, for inter-
16 governmental agreements, including grants, cooperative
17 agreements, and contracts, with State and local law en-
18 forcement agencies engaged in the investigation and pros-
19 ecution of violent crimes and drug offenses in “Weed and
20 Seed” designated communities, and for either reimburse-
21 ments or transfers to appropriation accounts of the De-
22 partment of Justice and other Federal agencies which
23 shall be specified by the Attorney General to execute the
24 “Weed and Seed” program strategy: *Provided*, That funds
25 designated by Congress through language for other De-
26 partment of Justice appropriation accounts for “Weed and

1 Seed” program activities shall be managed and executed
2 by the Attorney General through the Executive Office for
3 Weed and Seed: *Provided further*, That the Attorney Gen-
4 eral may direct the use of other Department of Justice
5 funds and personnel in support of “Weed and Seed” pro-
6 gram activities only after the Attorney General notifies the
7 Committees on Appropriations of the House of Represent-
8 atives and the Senate in accordance with section 605 of
9 this Act.

10 COMMUNITY ORIENTED POLICING SERVICES

11 For activities authorized by title I of the Violent
12 Crime Control and Law Enforcement Act of 1994, Public
13 Law 103–322 (“the 1994 Act”) (including administrative
14 costs), \$595,000,000, to remain available until expended,
15 of which \$384,500,000 is for Public Safety and Commu-
16 nity Policing Grants pursuant to title I of the 1994 Act,
17 including up to \$180,000,000 to be used to combat vio-
18 lence in schools; and of which \$210,500,000 is for innova-
19 tive community policing programs, of which \$45,675,000
20 shall be used for policing initiatives to combat meth-
21 amphetamine production and trafficking and to enhance
22 policing initiatives in drug “hot spots”, \$5,000,000 shall
23 be used to combat violence in schools, \$130,000,000 shall
24 be used for grants, as authorized by section 102(e) of the
25 Crime Identification Technology Act of 1998, and section

1 4(b) of the National Child Protection Act of 1993, as
2 amended, and \$29,825,000 shall be expended for program
3 management and administration: *Provided*, That of the
4 unobligated balances available in this program,
5 \$150,000,000 shall be used for innovative policing pro-
6 grams, of which \$25,000,000 shall be used for the Match-
7 ing Grant Program for Law Enforcement Armor Vests
8 pursuant to section 2501 of part Y of the Omnibus Crime
9 Control and Safe Streets Act of 1968 (“the 1968 Act”),
10 as amended, \$100,000,000 shall be used for a law enforce-
11 ment technology program, \$15,000,000 shall be used for
12 Police Corps education, training, and service as set forth
13 in sections 200101–200113 of the 1994 Act, and
14 \$10,000,000 shall be used to combat violence in schools.

15 JUVENILE JUSTICE PROGRAMS

16 For grants, contracts, cooperative agreements, and
17 other assistance authorized by the Juvenile Justice and
18 Delinquency Prevention Act of 1974, as amended, includ-
19 ing salaries and expenses in connection therewith to be
20 transferred to and merged with the appropriations for
21 Justice Assistance, \$267,597,000, to remain available
22 until expended: *Provided*, That these funds shall be avail-
23 able for obligation and expenditure upon enactment of re-
24 authorization legislation for the Juvenile Justice and De-
25 linquency Prevention Act of 1974 (title XIII of H.R. 1501
26 or comparable legislation).

1 In addition, for grants, contracts, cooperative agree-
2 ments, and other assistance, \$11,000,000 to remain avail-
3 able until expended, for developing, testing, and dem-
4 onstrating programs designed to reduce drug use among
5 juveniles.

6 In addition, for grants, contracts, cooperative agree-
7 ments, and other assistance authorized by the Victims of
8 Child Abuse Act of 1990, as amended, \$8,500,000, to re-
9 main available until expended, as authorized by section
10 214B of the 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).

17 GENERAL PROVISIONS—DEPARTMENT OF JUSTICE

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

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

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

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

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

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

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

24 SEC. 108. Section 108(a) of the Departments of
25 Commerce, Justice, and State, the Judiciary, and Related

1 Agencies Appropriations Act, 2000 (as enacted into law
2 by section 1000(a)(1) of Public Law 106–113) shall apply
3 for fiscal year 2001 and thereafter.

4 SEC. 109. Section 3024 of the Emergency Supple-
5 mental Appropriations Act, 1999 (Public Law 106–31)
6 shall apply for fiscal year 2001.

7 SEC. 110. For fiscal year 2001 and thereafter, sec-
8 tion 109 of Public Law 103–317 (28 U.S.C. 509 note)
9 shall apply only to litigation in which the United States,
10 or an agency or officer of the United States, is a defend-
11 ant.

12 SEC. 111. Section 115 of the Departments of Com-
13 merce, Justice, and State, the Judiciary, and Related
14 Agencies Appropriations Act, 2000 (as enacted into law
15 by section 1000(a)(1) of Public Law 106–113) shall apply
16 for fiscal year 2001.

17 SEC. 112. Section 286 of the Immigration and Na-
18 tionality Act (8 U.S.C. 1356) is amended by adding at
19 the end the following new subsections:

20 “(t) GENEALOGY FEE.—(1) There is hereby estab-
21 lished the Genealogy Fee for providing genealogy research
22 and information services. This fee shall be deposited as
23 offsetting collections into the Examinations Fee Account.
24 Fees for such research and information services may be

1 set at a level that will ensure the recovery of the full costs
2 of providing all such services.

3 “(2) The Attorney General will prepare and submit
4 annually to Congress statements of the financial condition
5 of the Genealogy Fee.

6 “(3) Any officer or employee of the Immigration and
7 Naturalization Service shall collect fees prescribed under
8 regulation before disseminating any requested genealogical
9 information.

10 “(u) PREMIUM FEE FOR EMPLOYMENT-BASED PETI-
11 TIONS AND APPLICATIONS.—The Attorney General is au-
12 thorized to establish and collect a premium fee for employ-
13 ment-based petitions and applications. This fee shall be
14 used to provide certain premium-processing services to
15 business customers, and to make infrastructure improve-
16 ments in the adjudications and customer-service processes.
17 For approval of the benefit applied for, the petitioner/ap-
18 plicant must meet the legal criteria for such benefit. This
19 fee shall be set at \$1,000, shall be paid in addition to any
20 normal petition/application fee that may be applicable, and
21 shall be deposited as offsetting collections in the Immigra-
22 tion Examinations Fee Account. The Attorney General
23 may adjust this fee according to the Consumer Price
24 Index.”.

1 SEC. 113. During the current fiscal year, the Attor-
 2 ney General may not certify any amount for appropriation
 3 under section 1817(k)(3)(A)(i) of the Social Security Act
 4 (42 U.S.C. 1395i(k)(3)(A)(i)) to the Health Care Fraud
 5 and Abuse Control Account for any purpose of the Depart-
 6 ment of Justice, unless the Attorney General has notified
 7 the Committees on Appropriations, at least 15 days in ad-
 8 vance, of the amount and purpose involved.

9 This title may be cited as the “Department of Justice
 10 Appropriations Act, 2001”.

11 TITLE II—DEPARTMENT OF COMMERCE AND

12 RELATED AGENCIES

13 TRADE AND INFRASTRUCTURE DEVELOPMENT

14 RELATED AGENCIES

15 OFFICE OF THE UNITED STATES TRADE

16 REPRESENTATIVE

17 SALARIES AND EXPENSES

18 For necessary expenses of the Office of the United
 19 States Trade Representative, including the hire of pas-
 20 senger motor vehicles and the employment of experts and
 21 consultants as authorized by 5 U.S.C. 3109, \$26,433,000,
 22 of which \$1,000,000 shall remain available until expended:
 23 *Provided*, That not to exceed \$98,000 shall be available
 24 for official reception and representation expenses.

1 INTERNATIONAL TRADE COMMISSION

2 SALARIES AND EXPENSES

3 For necessary expenses of the International Trade
4 Commission, including hire of passenger motor vehicles,
5 and services as authorized by 5 U.S.C. 3109, and not to
6 exceed \$2,500 for official reception and representation ex-
7 penses, \$46,995,000, 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 10 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 taining insurance on official motor vehicles; and rental of
8 tie lines and teletype equipment, \$321,448,000, to remain
9 available until expended, of which \$3,000,000 is to be de-
10 rived from fees to be retained and used by the Inter-
11 national Trade Administration, notwithstanding 31 U.S.C.
12 3302: *Provided*, That \$62,376,000 shall be for Trade De-
13 velopment, \$19,755,000 shall be for Market Access and
14 Compliance, \$32,473,000 shall be for the Import Adminis-
15 tration, \$194,638,000 shall be for the United States and
16 Foreign Commercial Service, and \$12,206,000 shall be for
17 Executive Direction and Administration: *Provided further*,
18 That the provisions of the first sentence of section 105(f)
19 and all of section 108(c) of the Mutual Educational and
20 Cultural Exchange Act of 1961 (22 U.S.C. 2455(f) and
21 2458(c)) shall apply in carrying out these activities with-
22 out regard to section 5412 of the Omnibus Trade and
23 Competitiveness Act of 1988 (15 U.S.C. 4912); and that
24 for the purpose of this Act, contributions under the provi-
25 sions of the Mutual Educational and Cultural Exchange

1 Act shall include payment for assessments for services pro-
2 vided as part of these activities.

3 EXPORT ADMINISTRATION

4 OPERATIONS AND ADMINISTRATION

5 For necessary expenses for export administration and
6 national security activities of the Department of Com-
7 merce, including costs associated with the performance of
8 export administration field activities both domestically and
9 abroad; full medical coverage for dependent members of
10 immediate families of employees stationed overseas; em-
11 ployment of Americans and aliens by contract for services
12 abroad; payment of tort claims, in the manner authorized
13 in the first paragraph of 28 U.S.C. 2672 when such claims
14 arise in foreign countries; not to exceed \$15,000 for offi-
15 cial representation expenses abroad; awards of compensa-
16 tion to informers under the Export Administration Act of
17 1979, and as authorized by 22 U.S.C. 401(b); purchase
18 of passenger motor vehicles for official use and motor vehi-
19 cles for law enforcement use with special requirement vehi-
20 cles eligible for purchase without regard to any price limi-
21 tation otherwise established by law, \$53,833,000, to re-
22 main available until expended, of which \$1,870,000 shall
23 be for inspections and other activities related to national
24 security: *Provided*, That the provisions of the first sen-
25 tence of section 105(f) and all of section 108(c) of the

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

19 ECONOMIC DEVELOPMENT ADMINISTRATION

20 ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

21 For grants for economic development assistance as
22 provided by the Public Works and Economic Development
23 Act of 1965, as amended, and for trade adjustment assist-
24 ance, \$361,879,000, to remain available until expended.

1 SALARIES AND EXPENSES

2 For necessary expenses of administering the eco-
3 nomic development assistance programs as provided for by
4 law, \$26,499,000: *Provided*, That these funds may be used
5 to monitor projects approved pursuant to title I of the
6 Public Works Employment Act of 1976, as amended, title
7 II of the Trade Act of 1974, as amended, and the Commu-
8 nity Emergency Drought Relief Act of 1977.

9 MINORITY BUSINESS DEVELOPMENT AGENCY

10 MINORITY BUSINESS DEVELOPMENT

11 For necessary expenses of the Department of Com-
12 merce in fostering, promoting, and developing minority
13 business enterprise, including expenses of grants, con-
14 tracts, and other agreements with public or private organi-
15 zations, \$27,314,000.

16 ECONOMIC AND INFORMATION INFRASTRUCTURE

17 ECONOMIC AND STATISTICAL ANALYSIS

18 SALARIES AND EXPENSES

19 For necessary expenses, as authorized by law, of eco-
20 nomic and statistical analysis programs of the Department
21 of Commerce, \$49,499,000, to remain available until Sep-
22 tember 30, 2002.

1 BUREAU OF THE CENSUS

2 SALARIES AND EXPENSES

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

6 PERIODIC CENSUSES AND PROGRAMS

7 For necessary expenses to conduct the decennial cen-
8 sus, \$392,898,000 to remain available until expended: of
9 which \$24,055,000 is for Program Development and Man-
10 agement; of which \$57,096,000 is for Data Content and
11 Products; of which \$122,000,000 is for Field Data Collec-
12 tion and Support Systems; of which \$1,500,000 is for Ad-
13 dress List Development; of which \$115,038,000 is for
14 Automated Data Processing and Telecommunications
15 Support; of which \$55,000,000 is for Testing and Evalua-
16 tion; of which \$5,512,000 is for activities related to Puerto
17 Rico, the Virgin Islands and Pacific Areas; of which
18 \$9,197,000 is for Marketing, Communications and Part-
19 nerships activities; and of which \$3,500,000 is for the
20 Census Monitoring Board, as authorized by section 210
21 of Public Law 105–119.

22 In addition, for expenses to collect and publish statis-
23 tics for other periodic censuses and programs provided for
24 by law, \$137,969,000, 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), \$10,975,000, to remain available
7 until expended: *Provided*, That, notwithstanding 31
8 U.S.C. 1535(d), the Secretary of Commerce shall charge
9 Federal agencies for costs incurred in spectrum manage-
10 ment, analysis, and operations, and related services and
11 such fees shall be retained and used as offsetting collec-
12 tions for costs of such spectrum services, to remain avail-
13 able until expended: *Provided further*, That hereafter, not-
14 withstanding any other provision of law, NTIA shall not
15 authorize spectrum use or provide any spectrum functions
16 pursuant to the National Telecommunications and Infor-
17 mation Administration Organization Act, 47 U.S.C. 902–
18 903, to any Federal entity without reimbursement as re-
19 quired by NTIA for such spectrum management costs, and
20 Federal entities withholding payment of such cost shall
21 not use spectrum: *Provided further*, That the Secretary of
22 Commerce is authorized to retain and use as offsetting
23 collections all funds transferred, or previously transferred,
24 from other Government agencies for all costs incurred in
25 telecommunications research, engineering, and related ac-

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

5 PUBLIC TELECOMMUNICATIONS FACILITIES, PLANNING
 6 AND CONSTRUCTION

7 For grants authorized by section 392 of the Commu-
 8 nications Act of 1934, as amended, \$31,000,000, to re-
 9 main available until expended as authorized by section 391
 10 of the Act, as amended: *Provided*, That not to exceed
 11 \$1,800,000 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 INFORMATION INFRASTRUCTURE GRANTS

18 For grants authorized by section 392 of the Commu-
 19 nications Act of 1934, as amended, \$15,500,000, to re-
 20 main available until expended as authorized by section 391
 21 of the Act, as amended: *Provided*, That not to exceed
 22 \$3,000,000 shall be available for program administration
 23 and other support activities as authorized by section 391:
 24 *Provided further*, That, of the funds appropriated herein,
 25 not to exceed 5 percent may be available for telecommuni-
 26 cations research activities for projects related directly to

1 the development of a national information infrastructure:
 2 *Provided further*, That, notwithstanding the requirements
 3 of sections 392(a) and 392(c) of the Act, these funds may
 4 be used for the planning and construction of telecommuni-
 5 cations networks for the provision of educational, cultural,
 6 health care, public information, public safety, or other so-
 7 cial services: *Provided further*, That notwithstanding any
 8 other provision of law, no entity that receives tele-
 9 communications services at preferential rates under sec-
 10 tion 254(h) of the Act (47 U.S.C. 254(h)) or receives as-
 11 sistance under the regional information sharing systems
 12 grant program of the Department of Justice under part
 13 M of title I of the Omnibus Crime Control and Safe
 14 Streets Act of 1968 (42 U.S.C. 3796h) may use funds
 15 under a grant under this heading to cover any costs of
 16 the entity that would otherwise be covered by such pref-
 17 erential rates or such assistance, as the case may be.

18 PATENT AND TRADEMARK OFFICE

19 SALARIES AND EXPENSES

20 For necessary expenses of the Patent and Trademark
 21 Office provided for by law, including defense of suits insti-
 22 tuted against the Director of Patents and Trademarks,
 23 \$650,035,000, to remain available until expended: *Pro-*
 24 *vided*, That of this amount, \$650,035,000 shall be derived
 25 from offsetting collections assessed and collected pursuant

1 to 15 U.S.C. 1113 and 35 U.S.C. 41 and 376, and shall
 2 be retained and used for necessary expenses in this appro-
 3 priation: *Provided further*, That the sum herein appro-
 4 priated from the general fund shall be reduced as such
 5 offsetting collections are received during fiscal year 2001,
 6 so as to result in a final fiscal year 2001 appropriation
 7 from the general fund estimated at \$0: *Provided further*,
 8 That, during fiscal year 2001, should the total amount
 9 of offsetting fee collections be less than \$650,035,000, the
 10 total amounts available to the Patent and Trademark Of-
 11 fice shall be reduced accordingly: *Provided further*, That
 12 any amount received in excess of \$650,035,000 in fiscal
 13 year 2001 shall not be available for obligation: *Provided*
 14 *further*, That not to exceed \$254,889,000 from fees col-
 15 lected in fiscal years 1999 and 2000 shall be made avail-
 16 able for obligation in fiscal year 2001.

17 SCIENCE AND TECHNOLOGY

18 TECHNOLOGY ADMINISTRATION

19 UNDER SECRETARY FOR TECHNOLOGY/OFFICE OF

20 TECHNOLOGY POLICY

21 SALARIES AND EXPENSES

22 For necessary expenses for the Under Secretary for
 23 Technology/Office of Technology Policy, \$7,945,000.

1 NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY
2 SCIENTIFIC AND TECHNICAL RESEARCH AND SERVICES

3 For necessary expenses of the National Institute of
4 Standards and Technology, \$292,056,000, to remain
5 available until expended, of which not to exceed \$282,000
6 may be transferred to the “Working Capital Fund”.

7 INDUSTRIAL TECHNOLOGY SERVICES

8 For necessary expenses of the Manufacturing Exten-
9 sion Partnership of the National Institute of Standards
10 and Technology, \$104,836,000, to remain available until
11 expended.

12 CONSTRUCTION OF RESEARCH FACILITIES

13 For construction of new research facilities, including
14 architectural and engineering design, and for renovation
15 of existing facilities, not otherwise provided for the Na-
16 tional Institute of Standards and Technology, as author-
17 ized by 15 U.S.C. 278c–278e, \$26,000,000, to remain
18 available until expended.

19 NATIONAL OCEANIC AND ATMOSPHERIC

20 ADMINISTRATION

21 OPERATIONS, RESEARCH, AND FACILITIES

22 (INCLUDING TRANSFERS OF FUNDS)

23 For necessary expenses of activities authorized by law
24 for the National Oceanic and Atmospheric Administration,
25 including maintenance, operation, and hire of aircraft;
26 grants, contracts, or other payments to nonprofit organi-

1 zations for the purposes of conducting activities pursuant
2 to cooperative agreements; and relocation of facilities as
3 authorized by 33 U.S.C. 883i, \$1,606,925,000, to remain
4 available until expended: *Provided*, That fees and dona-
5 tions received by the National Ocean Service for the man-
6 agement of the national marine sanctuaries may be re-
7 tained and used for the salaries and expenses associated
8 with those activities, notwithstanding 31 U.S.C. 3302:
9 *Provided further*, That in addition, \$68,000,000 shall be
10 derived by transfer from the fund entitled “Promote and
11 Develop Fishery Products and Research Pertaining to
12 American Fisheries”: *Provided further*, That grants to
13 States pursuant to sections 306 and 306A of the Coastal
14 Zone Management Act of 1972, as amended, shall not ex-
15 ceed \$2,000,000: *Provided further*, That, of the
16 \$1,734,925,000 provided for in direct obligations under
17 this heading (of which \$1,606,925,000 is appropriated
18 from the General Fund, \$92,000,000 is provided by trans-
19 fer, and \$36,000,000 is derived from deobligations from
20 prior years), \$260,561,000 shall be for the National
21 Ocean Service, \$405,383,000 shall be for the National
22 Marine Fisheries Service, \$264,561,000 shall be for Oce-
23 anic and Atmospheric Research, \$621,726,000 shall be for
24 the National Weather Service, \$106,585,000 shall be for
25 the National Environmental Satellite, Data, and Informa-

tion Service, \$58,094,000 shall be for Program Support,
\$7,000,000 shall be for Fleet Maintenance, and
\$11,015,000 shall be for Facilities Maintenance: *Provided*
further, That not to exceed \$31,439,000 shall be expended
for Executive Direction and Administration, which con-
sists of the Offices of the Undersecretary, the Executive
Secretariat, Policy and Strategic Planning, International
Affairs, Legislative Affairs, Public Affairs, Sustainable
Development, the Chief Scientist, and the General Coun-
sel: *Provided further*, That the aforementioned offices, ex-
cluding the Office of the General Counsel, shall not be
augmented by personnel details, temporary transfers of
personnel on either a reimbursable or nonreimbursable
basis or any other type of formal or informal transfer or
reimbursement of personnel or funds on either a tem-
porary or long-term basis above the level of 33 personnel:
Provided further, That no general administrative charge
shall be applied against an assigned activity included in
this Act and, further, that any direct administrative ex-
penses applied against an assigned activity shall be limited
to 5 percent of the funds provided for that assigned activ-
ity: *Provided further*, That any use of deobligated balances
of funds provided under this heading in previous years
shall be subject to the procedures set forth in section 605
of this Act.

1 In addition, for necessary retired pay expenses under
2 the Retired Serviceman's Family Protection and Survivor
3 Benefits Plan, and for payments for medical care of re-
4 tired personnel and their dependents under the Depend-
5 ents Medical Care Act (10 U.S.C. ch. 55), such sums as
6 may be necessary.

7 PROCUREMENT, ACQUISITION AND CONSTRUCTION
8 (INCLUDING TRANSFERS OF FUNDS)

9 For procurement, acquisition and construction of
10 capital assets, including alteration and modification costs,
11 of the National Oceanic and Atmospheric Administration,
12 \$564,656,000, to remain available until expended: *Pro-*
13 *vided*, That unexpended balances of amounts previously
14 made available in the "Operations, Research, and Facili-
15 ties" account for activities funded under this heading may
16 be transferred to and merged with this account, to remain
17 available until expended for the purposes for which the
18 funds were originally appropriated.

19 PACIFIC COASTAL SALMON RECOVERY

20 For necessary expenses associated with the restora-
21 tion of Pacific salmon populations and the implementation
22 of the 1999 Pacific Salmon Treaty Agreement between the
23 United States and Canada, \$58,000,000, subject to ex-
24 press authorization.

1 COASTAL ZONE MANAGEMENT FUND

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

7 FISHERMEN'S CONTINGENCY FUND

8 For carrying out the provisions of title IV of Public
9 Law 95-372, not to exceed \$951,000, to be derived from
10 receipts collected pursuant to that Act, to remain available
11 until expended.

12 FOREIGN FISHING OBSERVER FUND

13 For expenses necessary to carry out the provisions
14 of the Atlantic Tunas Convention Act of 1975, as amend-
15 ed (Public Law 96-339), and the Magnuson-Stevens Fish-
16 ery Conservation and Management Act of 1976, as
17 amended (Public Law 100-627), and the American Fish-
18 eries Promotion Act (Public Law 96-561), to be derived
19 from the fees imposed under the foreign fishery observer
20 program authorized by these Acts, not to exceed
21 \$189,000, to remain available until expended.

22 FISHERIES FINANCE PROGRAM ACCOUNT

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

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

6 GENERAL ADMINISTRATION

7 SALARIES AND EXPENSES

8 For expenses necessary for the general administra-
9 tion of the Department of Commerce provided for by law,
10 including not to exceed \$3,000 for official entertainment,
11 \$31,392,000.

12 OFFICE OF INSPECTOR GENERAL

13 For necessary expenses of the Office of Inspector
14 General in carrying out the provisions of the Inspector
15 General Act of 1978, as amended (5 U.S.C. App. 1–11,
16 as amended by Public Law 100–504), \$21,000,000.

17 GENERAL PROVISIONS—DEPARTMENT OF COMMERCE

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

1 Secretary of Commerce that such payments are in the
2 public interest.

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

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

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

24 SEC. 205. Not to exceed 5 percent of any appropria-
25 tion made available for the current fiscal year for the De-

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

9 SEC. 206. (a) Should legislation be enacted to dis-
10 mantle or reorganize the Department of Commerce, or any
11 portion thereof, the Secretary of Commerce, no later than
12 90 days thereafter, shall submit to the Committees on Ap-
13 propriations of the House of Representatives and the Sen-
14 ate a plan for transferring funds provided in this Act to
15 the appropriate successor organizations: *Provided*, That
16 the plan shall include a proposal for transferring or re-
17 scinding funds appropriated herein for agencies or pro-
18 grams terminated under such legislation: *Provided further*,
19 That such plan shall be transmitted in accordance with
20 section 605 of this Act.

21 (b) The Secretary of Commerce or the appropriate
22 head of any successor organization(s) may use any avail-
23 able funds to carry out legislation dismantling or reorga-
24 nizing the Department of Commerce, or any portion there-
25 of, to cover the costs of actions relating to the abolish-

1 ment, reorganization, or transfer of functions and any re-
2 lated personnel action, including voluntary separation in-
3 centives if authorized by such legislation: *Provided*, That
4 the authority to transfer funds between appropriations ac-
5 counts that may be necessary to carry out this section is
6 provided in addition to authorities included under section
7 205 of 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. 207. Any costs incurred by a department or
13 agency funded under this title resulting from personnel
14 actions taken in response to funding reductions included
15 in this title or from actions taken for the care and protec-
16 tion of loan collateral or grant property shall be absorbed
17 within the total budgetary resources available to such De-
18 partment or agency: *Provided*, That the authority to trans-
19 fer funds between appropriations accounts as may be nec-
20 essary to carry out this section is provided in addition to
21 authorities included elsewhere in this Act: *Provided fur-*
22 *ther*, That use of funds to carry out this section shall be
23 treated as a reprogramming of funds under section 605
24 of this Act and shall not be available for obligation or ex-

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

3 SEC. 208. The Secretary of Commerce may award
4 contracts for hydrographic, geodetic, and photo-
5 grammetric surveying and mapping services in accordance
6 with title IX of the Federal Property and Administrative
7 Services Act of 1949 (40 U.S.C. 541 et seq.).

8 SEC. 209. The Secretary of Commerce may use the
9 Commerce franchise fund for expenses and equipment nec-
10 essary for the maintenance and operation of such adminis-
11 trative services as the Secretary determines may be per-
12 formed more advantageously as central services, pursuant
13 to section 403 of Public Law 103–356: *Provided*, That any
14 inventories, equipment, and other assets pertaining to the
15 services to be provided by such fund, either on hand or
16 on order, less the related liabilities or unpaid obligations,
17 and any appropriations made for the purpose of providing
18 capital shall be used to capitalize such fund: *Provided fur-*
19 *ther*, That such fund shall be paid in advance from funds
20 available to the Department and other Federal agencies
21 for which such centralized services are performed, at rates
22 which will return in full all expenses of operation, includ-
23 ing accrued leave, depreciation of fund plant and equip-
24 ment, amortization of automated data processing (ADP)
25 software and systems (either acquired or donated), and

1 an amount necessary to maintain a reasonable operating
2 reserve, as determined by the Secretary: *Provided further*,
3 That such fund shall provide services on a competitive
4 basis: *Provided further*, That an amount not to exceed 4
5 percent of the total annual income to such fund may be
6 retained in the fund for fiscal year 2001 and each fiscal
7 year thereafter, to remain available until expended, to be
8 used for the acquisition of capital equipment, and for the
9 improvement and implementation of department financial
10 management, ADP, and other support systems: *Provided*
11 *further*, That such amounts retained in the fund for fiscal
12 year 2001 and each fiscal year thereafter shall be available
13 for obligation and expenditure only in accordance with sec-
14 tion 605 of this Act: *Provided further*, That no later than
15 30 days after the end of each fiscal year, amounts in ex-
16 cess of this reserve limitation shall be deposited as mis-
17 cellaneous receipts in the Treasury: *Provided further*, That
18 such franchise fund pilot program shall terminate pursu-
19 ant to section 403(f) of Public Law 103–356.

20 This title may be cited as the “Department of Com-
21 merce and Related Agencies Appropriations Act, 2001”.

1 TITLE III—THE JUDICIARY
2 SUPREME COURT OF THE UNITED STATES
3 SALARIES AND EXPENSES

4 For expenses necessary for the operation of the Su-
5 preme Court, as required by law, excluding care of the
6 building and grounds, including purchase or hire, driving,
7 maintenance, and operation of an automobile for the Chief
8 Justice, not to exceed \$10,000 for the purpose of trans-
9 porting Associate Justices, and hire of passenger motor
10 vehicles as authorized by 31 U.S.C. 1343 and 1344; not
11 to exceed \$10,000 for official reception and representation
12 expenses; and for miscellaneous expenses, to be expended
13 as the Chief Justice may approve; \$36,782,000.

14 CARE OF THE BUILDING AND GROUNDS
15 For such expenditures as may be necessary to enable
16 the Architect of the Capitol to carry out the duties im-
17 posed upon the Architect by the Act approved May 7,
18 1934 (40 U.S.C. 13a–13b), \$7,530,000, of which
19 \$4,460,000 shall remain available until expended.

20 UNITED STATES COURT OF APPEALS FOR THE FEDERAL
21 CIRCUIT

22 SALARIES AND EXPENSES

23 For salaries of the chief judge, judges, and other offi-
24 cers and employees, and for necessary expenses of the
25 court, as authorized by law, \$17,846,000.

1 UNITED STATES COURT OF INTERNATIONAL TRADE
2 SALARIES AND EXPENSES

3 For salaries of the chief judge and eight judges, sala-
4 ries of the officers and employees of the court, services
5 as authorized by 5 U.S.C. 3109, and necessary expenses
6 of the court, as authorized by law, \$12,299,000.

7 COURTS OF APPEALS, DISTRICT COURTS, AND OTHER
8 JUDICIAL SERVICES
9 SALARIES AND EXPENSES

10 For the salaries of circuit and district judges (includ-
11 ing judges of the territorial courts of the United States),
12 justices and judges retired from office or from regular ac-
13 tive service, judges of the United States Court of Federal
14 Claims, bankruptcy judges, magistrate judges, and all
15 other officers and employees of the Federal Judiciary not
16 otherwise specifically provided for, and necessary expenses
17 of the courts, as authorized by law, \$3,328,778,000 (in-
18 cluding the purchase of firearms and ammunition); of
19 which not to exceed \$17,817,000 shall remain available
20 until expended for space alteration projects; and of which
21 not to exceed \$10,000,000 shall remain available until ex-
22 pended for furniture and furnishings related to new space
23 alteration and construction projects.

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

1 the National Childhood Vaccine Injury Act of 1986, not
2 to exceed \$2,600,000, to be appropriated from the Vaccine
3 Injury Compensation Trust Fund.

4 DEFENDER SERVICES

5 For the operation of Federal Public Defender and
6 Community Defender organizations; the compensation and
7 reimbursement of expenses of attorneys appointed to rep-
8 resent persons under the Criminal Justice Act of 1964,
9 as amended; the compensation and reimbursement of ex-
10 penses of persons furnishing investigative, expert and
11 other services under the Criminal Justice Act of 1964 (18
12 U.S.C. 3006A(e)); the compensation (in accordance with
13 Criminal Justice Act maximums) and reimbursement of
14 expenses of attorneys appointed to assist the court in
15 criminal cases where the defendant has waived representa-
16 tion by counsel; the compensation and reimbursement of
17 travel expenses of guardians ad litem acting on behalf of
18 financially eligible minor or incompetent offenders in con-
19 nection with transfers from the United States to foreign
20 countries with which the United States has a treaty for
21 the execution of penal sentences; and the compensation of
22 attorneys appointed to represent jurors in civil actions for
23 the protection of their employment, as authorized by 28
24 U.S.C. 1875(d), \$420,338,000, to remain available until
25 expended as authorized by 18 U.S.C. 3006A(i).

FEES OF JURORS AND COMMISSIONERS

For fees and expenses of jurors as authorized by 28 U.S.C. 1871 and 1876; compensation of jury commissioners as authorized by 28 U.S.C. 1863; and compensation of commissioners appointed in condemnation cases pursuant to rule 71A(h) of the Federal Rules of Civil Procedure (28 U.S.C. Appendix Rule 71A(h)), \$60,821,000, to remain available until expended: *Provided*, That the compensation of land commissioners shall not exceed the daily equivalent of the highest rate payable under section 5332 of title 5, United States Code.

COURT SECURITY

For necessary expenses, not otherwise provided for, incident to providing protective guard services and the procurement, installation, and maintenance of security equipment for the United States Courts in courtrooms and adjacent areas, including building ingress-egress control, inspection of packages, directed security patrols, and other similar activities as authorized by section 1010 of the Judicial Improvement and Access to Justice Act (Public Law 100–702), \$198,265,000, of which not to exceed \$10,000,000 shall remain available until expended for security systems, to be expended directly or transferred to the United States Marshals Service, which shall be responsible for administering elements of the Judicial Security Program consistent with standards or guidelines agreed

1 to by the Director of the Administrative Office of the
2 United States Courts and the Attorney General.

3 ADMINISTRATIVE OFFICE OF THE UNITED STATES

4 COURTS

5 SALARIES AND EXPENSES

6 For necessary expenses of the Administrative Office
7 of the United States Courts as authorized by law, includ-
8 ing travel as authorized by 31 U.S.C. 1345, hire of a pas-
9 senger motor vehicle as authorized by 31 U.S.C. 1343(b),
10 advertising and rent in the District of Columbia and else-
11 where, \$58,340,000, of which not to exceed \$8,500 is au-
12 thorized for official reception and representation expenses.

13 FEDERAL JUDICIAL CENTER

14 SALARIES AND EXPENSES

15 For necessary expenses of the Federal Judicial Cen-
16 ter, as authorized by Public Law 90–219, \$18,777,000;
17 of which \$1,800,000 shall remain available through Sep-
18 tember 30, 2002, to provide education and training to
19 Federal court personnel; and of which not to exceed
20 \$1,000 is authorized for official reception and representa-
21 tion expenses.

22 JUDICIAL RETIREMENT FUNDS

23 PAYMENT TO JUDICIARY TRUST FUNDS

24 For payment to the Judicial Officers' Retirement
25 Fund, as authorized by 28 U.S.C. 377(o), \$25,700,000;

1 to the Judicial Survivors' Annuities Fund, as authorized
2 by 28 U.S.C. 376(c), \$8,100,000; and to the United
3 States Court of Federal Claims Judges' Retirement Fund,
4 as authorized by 28 U.S.C. 178(l), \$1,900,000.

5 UNITED STATES SENTENCING COMMISSION

6 SALARIES AND EXPENSES

7 For the salaries and expenses necessary to carry out
8 the provisions of chapter 58 of title 28, United States
9 Code, \$9,615,000, of which not to exceed \$1,000 is au-
10 thorized for official reception and representation expenses.

11 GENERAL PROVISIONS—THE JUDICIARY

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

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

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

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

12 SEC. 304. (a) The Director of the Administrative Of-
13 fice of the United States Courts (the Director) may des-
14 ignate in writing officers and employees of the judicial
15 branch of the United States Government, including the
16 courts as defined in section 610 of title 28, United States
17 Code, but excluding the Supreme Court, to be disbursing
18 officers in such numbers and locations as the Director con-
19 siders necessary. These disbursing officers will (1) dis-
20 burse moneys appropriated to the judicial branch and
21 other funds only in strict accordance with payment re-
22 quests certified by the Director or in accordance with sub-
23 section (b) of this section, (2) examine payment requests
24 as necessary to ascertain whether they are in proper form,
25 certified, and approved, and (3) be held accountable as

1 provided by law. However, a disbursing officer will not be
2 held accountable or responsible for any illegal, improper,
3 or incorrect payment resulting from any false, inaccurate,
4 or misleading certificate for which a certifying officer is
5 responsible under subsection (b) of this section.

6 (b)(1) The Director may designate in writing officers
7 and employees of the judicial branch of the United States
8 Government, including the courts as defined in section 610
9 of title 28, United States Code, but excluding the Supreme
10 Court, to certify payment requests payable from appro-
11 priations and funds. These certifying officers will be re-
12 sponsible and accountable for (A) the existence and cor-
13 rectness of the facts recited in the certificate or other re-
14 quest for payment or its supporting papers, (B) the legal-
15 ity of the proposed payment under the appropriation or
16 fund involved, and (C) the correctness of the computations
17 of certified payment requests.

18 (2) The liability of a certifying officer will be enforced
19 in the same manner and to the same extent as provided
20 by law with respect to the enforcement of the liability of
21 disbursing and other accountable officers. A certifying of-
22 ficer shall be required to make restitution to the United
23 States for the amount of any illegal, improper, or incorrect
24 payment resulting from any false, inaccurate, or mis-
25 leading certificates made by the certifying officer, as well

1 as for any payment prohibited by law or which did not
2 represent a legal obligation under the appropriation or
3 fund involved.

4 (c) A certifying or disbursing officer (1) has the right
5 to apply for and obtain a decision by the Comptroller Gen-
6 eral on any question of law involved in a payment request
7 presented for certification, and (2) is entitled to relief
8 from liability arising under this section as provided by law.

9 (d) The Director shall disburse, directly or through
10 officials designated pursuant to this section, appropria-
11 tions and other funds for the maintenance and operation
12 of the courts.

13 (e) Nothing in this section affects the authority of
14 the courts to receive or disburse moneys in accordance
15 with chapter 129 of title 28, United States Code.

16 (f) This section shall be effective for fiscal year 2001
17 and hereafter.

18 This title may be cited as the “Judiciary Appropria-
19 tions Act, 2001”.

1 TITLE IV—DEPARTMENT OF STATE AND
2 RELATED AGENCY

3 DEPARTMENT OF STATE

4 ADMINISTRATION OF FOREIGN AFFAIRS

5 DIPLOMATIC AND CONSULAR PROGRAMS

6 For necessary expenses of the Department of State
7 and the Foreign Service not otherwise provided for, includ-
8 ing expenses authorized by the State Department Basic
9 Authorities Act of 1956, as amended, the Mutual Edu-
10 cational and Cultural Exchange Act of 1961, as amended,
11 and the United States Information and Educational Ex-
12 change Act of 1948, as amended, including employment,
13 without regard to civil service and classification laws, of
14 persons on a temporary basis (not to exceed \$700,000 of
15 this appropriation), as authorized by section 801 of such
16 Act; expenses authorized by section 9 of the Act of August
17 31, 1964, as amended; representation to certain inter-
18 national organizations in which the United States partici-
19 pates pursuant to treaties, ratified pursuant to the advice
20 and consent of the Senate, or specific Acts of Congress;
21 arms control, nonproliferation and disarmament activities
22 as authorized by the Arms Control and Disarmament Act
23 of September 26, 1961, as amended; acquisition by ex-
24 change or purchase of passenger motor vehicles as author-
25 ized by law; and for expenses of general administration,

1 \$2,689,825,000: *Provided*, That, of the amount made
2 available under this heading, not to exceed \$4,000,000
3 may be transferred to, and merged with, funds in the
4 “Emergencies in the Diplomatic and Consular Service”
5 appropriations account, to be available only for emergency
6 evacuations and terrorism rewards: *Provided further*,
7 That, in fiscal year 2001, all receipts collected from indi-
8 viduals for assistance in the preparation and filing of an
9 affidavit of support pursuant to section 213A of the Immi-
10 gration and Nationality Act shall be deposited into this
11 account as an offsetting collection and shall remain avail-
12 able until expended: *Provided further*, That, of the amount
13 made available under this heading, \$246,644,000 shall be
14 available only for public diplomacy international informa-
15 tion programs: *Provided further*, That, notwithstanding
16 any other provision of law, not to exceed \$342,667,000
17 of offsetting collections derived from fees collected under
18 the authority of section 140(a)(1) of the Foreign Relations
19 Authorization Act, Fiscal Years 1994 and 1995 (Public
20 Law 103–236) during fiscal year 2001 shall be retained
21 and used for authorized expenses in this appropriation and
22 shall remain available until expended: *Provided further*,
23 That any fees received in excess of \$342,667,000 in fiscal
24 year 2001 shall remain available until expended, but shall
25 not be available for obligation until October 1, 2001: *Pro-*

1 *vided further*, That advances for services authorized by 22
2 U.S.C. 3620(c) may be credited to this account, to remain
3 available until expended for such services.

4 In addition, not to exceed \$1,252,000 shall be derived
5 from fees collected from other executive agencies for lease
6 or use of facilities located at the International Center in
7 accordance with section 4 of the International Center Act,
8 as amended; in addition, as authorized by section 5 of such
9 Act, \$490,000, to be derived from the reserve authorized
10 by that section, to be used for the purposes set out in
11 that section; in addition, as authorized by section 810 of
12 the United States Information and Educational Exchange
13 Act, not to exceed \$6,000,000, to remain available until
14 expended, may be credited to this appropriation from fees
15 or other payments received from English teaching, library,
16 motion pictures, and publication programs, and from fees
17 from educational advising and counseling, and exchange
18 visitor programs; and, in addition, not to exceed \$15,000,
19 which shall be derived from reimbursements, surcharges,
20 and fees for use of Blair House facilities in accordance
21 with section 46 of the State Department Basic Authorities
22 Act of 1956 (22 U.S.C. 2718(a)).

23 In addition, for the costs of worldwide security up-
24 grades, \$410,000,000, to remain available until expended.

1 CAPITAL INVESTMENT FUND

2 For necessary expenses of the Capital Investment
3 Fund, \$79,670,000, to remain available until expended,
4 as authorized in Public Law 103–236, as amended: *Pro-*
5 *vided*, That section 135(e) of Public Law 103–236 shall
6 not apply to funds available under this heading.

7 OFFICE OF INSPECTOR GENERAL

8 For necessary expenses of the Office of Inspector
9 General in carrying out the provisions of the Inspector
10 General Act of 1978, as amended (5 U.S.C. App.),
11 \$28,490,000, notwithstanding section 209(a)(1) of the
12 Foreign Service Act of 1980, as amended (Public Law 96–
13 465), as it relates to post inspections.

14 EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS

15 For expenses of educational and cultural exchange
16 programs, as authorized by the Mutual Educational and
17 Cultural Exchange Act of 1961, as amended (22 U.S.C.
18 2451 et seq.), and Reorganization Plan No. 2 of 1977,
19 as amended (91 Stat. 1636), \$213,771,000, to remain
20 available until expended as authorized by section 105 of
21 such Act of 1961 (22 U.S.C. 2455): *Provided*, That not
22 to exceed \$800,000, to remain available until expended,
23 may be credited to this appropriation from fees or other
24 payments received from or in connection with English
25 teaching and educational advising and counseling pro-
26 grams as authorized by section 810 of the United States

1 Information and Educational Exchange Act of 1948 (22
2 U.S.C. 1475e).

3 REPRESENTATION ALLOWANCES

4 For representation allowances as authorized by sec-
5 tion 905 of the Foreign Service Act of 1980, as amended
6 (22 U.S.C. 4085), \$5,826,000.

7 PROTECTION OF FOREIGN MISSIONS AND OFFICIALS

8 For expenses, not otherwise provided, to enable the
9 Secretary of State to provide for extraordinary protective
10 services in accordance with the provisions of section 214
11 of the State Department Basic Authorities Act of 1956
12 (22 U.S.C. 4314) and 3 U.S.C. 208, \$8,067,000, to re-
13 main available until September 30, 2002.

14 EMBASSY SECURITY, CONSTRUCTION, AND MAINTENANCE

15 For necessary expenses for carrying out the Foreign
16 Service Buildings Act of 1926, as amended (22 U.S.C.
17 292–300), preserving, maintaining, repairing, and plan-
18 ning for, buildings that are owned or directly leased by
19 the Department of State, renovating, in addition to funds
20 otherwise available, the Main State Building, and carrying
21 out the Diplomatic Security Construction Program as au-
22 thorized by title IV of the Omnibus Diplomatic Security
23 and Antiterrorism Act of 1986 (22 U.S.C. 4851),
24 \$416,976,000, to remain available until expended as au-
25 thorized by section 24(c) of the State Department Basic
26 Authorities Act of 1956 (22 U.S.C. 2696(c)), of which not

1 to exceed \$25,000 may be used for domestic and overseas
2 representation as authorized by section 905 of the Foreign
3 Service Act of 1980, as amended (22 U.S.C. 4085): *Pro-*
4 *vided*, That none of the funds appropriated in this para-
5 graph shall be available for acquisition of furniture and
6 furnishings and generators for other departments and
7 agencies.

8 In addition, for the costs of worldwide security up-
9 grades, acquisition, and construction as authorized by the
10 Secure Embassy Construction and Counterterrorism Act
11 of 1999, \$648,000,000, to remain available until ex-
12 pended.

13 EMERGENCIES IN THE DIPLOMATIC AND CONSULAR
14 SERVICE

15 For expenses necessary to enable the Secretary of
16 State to meet unforeseen emergencies arising in the Diplo-
17 matic and Consular Service pursuant to the requirement
18 of 31 U.S.C. 3526(e), and as authorized by section 804(3)
19 of the United States Information and Educational Ex-
20 change Act of 1948, as amended, \$5,477,000, to remain
21 available until expended as authorized by section 24(c) of
22 the State Department Basic Authorities Act of 1956 (22
23 U.S.C. 2696(c)), of which not to exceed \$1,000,000 may
24 be transferred to and merged with the Repatriation Loans
25 Program Account, subject to the same terms and condi-
26 tions.

1 REPATRIATION LOANS PROGRAM ACCOUNT

2 For the cost of direct loans, \$591,000, as authorized
3 by section 4 of the State Department Basic Authorities
4 Act of 1956 (22 U.S.C. 2671): *Provided*, That such costs,
5 including the cost of modifying such loans, shall be as de-
6 fined in section 502 of the Congressional Budget Act of
7 1974. In addition, for administrative expenses necessary
8 to carry out the direct loan program, \$604,000, which may
9 be transferred to and merged with the Diplomatic and
10 Consular Programs account under Administration of For-
11 eign Affairs.

12 PAYMENT TO THE AMERICAN INSTITUTE IN TAIWAN

13 For necessary expenses to carry out the Taiwan Rela-
14 tions Act, Public Law 96–8, \$16,345,000.

15 PAYMENT TO THE FOREIGN SERVICE RETIREMENT AND

16 DISABILITY FUND

17 For payment to the Foreign Service Retirement and
18 Disability Fund, as authorized by law, \$131,224,000.

19 INTERNATIONAL ORGANIZATIONS AND CONFERENCES

20 CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

21 For expenses, not otherwise provided for, necessary
22 to meet annual obligations of membership in international
23 multilateral organizations, pursuant to treaties ratified
24 pursuant to the advice and consent of the Senate, conven-
25 tions or specific Acts of Congress, \$880,505,000: *Pro-*
26 *vided*, That any payment of arrearages under this title

1 shall be directed toward special activities that are mutually
2 agreed upon by the United States and the respective inter-
3 national organization: *Provided further*, That none of the
4 funds appropriated in this paragraph shall be available for
5 a United States contribution to an international organiza-
6 tion for the United States share of interest costs made
7 known to the United States Government by such organiza-
8 tion for loans incurred on or after October 1, 1984,
9 through external borrowings: *Provided further*, That, of
10 the funds appropriated in this paragraph, \$100,000,000
11 may be made available only on a semi-annual basis pursu-
12 ant to a certification by the Secretary of State on a semi-
13 annual basis, that the United Nations has taken no action
14 during the preceding 6 months to increase funding for any
15 United Nations program without identifying an offsetting
16 decrease during that 6-month period elsewhere in the
17 United Nations budget and cause the United Nations to
18 exceed the budget for the biennium 2000–2001 of
19 \$2,535,700,000: *Provided further*, That funds appro-
20 priated under this paragraph may be obligated and ex-
21 pended to pay the full United States assessment to the
22 civil budget of the North Atlantic Treaty Organization.

23 CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING
24 ACTIVITIES

25 For necessary expenses to pay assessed and other ex-
26 penses of international peacekeeping activities directed to

1 the maintenance or restoration of international peace and
2 security, \$498,100,000: *Provided*, That none of the funds
3 made available under this Act shall be obligated or ex-
4 pended for any new or expanded United Nations peace-
5 keeping mission unless, at least 15 days in advance of vot-
6 ing for the new or expanded mission in the United Nations
7 Security Council (or in an emergency, as far in advance
8 as is practicable): (1) the Committees on Appropriations
9 of the House of Representatives and the Senate and other
10 appropriate committees of the Congress are notified of the
11 estimated cost and length of the mission, the vital national
12 interest that will be served, and the planned exit strategy;
13 and (2) a reprogramming of funds pursuant to section 605
14 of this Act is submitted, and the procedures therein fol-
15 lowed, setting forth the source of funds that will be used
16 to pay for the cost of the new or expanded mission: *Pro-*
17 *vided further*, That funds shall be available for peace-
18 keeping expenses only upon a certification by the Sec-
19 retary of State to the appropriate committees of the Con-
20 gress that American manufacturers and suppliers are
21 being given opportunities to provide equipment, services,
22 and material for United Nations peacekeeping activities
23 equal to those being given to foreign manufacturers and
24 suppliers: *Provided further*, That none of the funds made
25 available under this heading are available to pay the

1 United States share of the cost of court monitoring that
2 is part of any United Nations peacekeeping mission.

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 \$6,000 for representation; as follows:

14 SALARIES AND EXPENSES

15 For salaries and expenses, not otherwise provided for,
16 \$19,470,000.

17 CONSTRUCTION

18 For detailed plan preparation and construction of au-
19 thorized projects, \$5,915,000, 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, \$5,710,000, of which not to exceed \$9,000 shall
 5 be available for representation expenses incurred by the
 6 International Joint Commission.

7 INTERNATIONAL FISHERIES COMMISSIONS

8 For necessary expenses for international fisheries
 9 commissions, not otherwise provided for, as authorized by
 10 law, \$15,485,000: *Provided*, That the United States' share
 11 of such expenses may be advanced to the respective com-
 12 missions, pursuant to 31 U.S.C. 3324.

13 OTHER

14 PAYMENT TO THE ASIA FOUNDATION

15 For a grant to the Asia Foundation, as authorized
 16 by section 501 of Public Law 101–246, \$8,216,000, to
 17 remain available until expended, as authorized by section
 18 24(c) of the State Department Basic Authorities Act of
 19 1956 (22 U.S.C. 2696(c)).

20 EISENHOWER EXCHANGE FELLOWSHIP PROGRAM TRUST

21 FUND

22 For necessary expenses of Eisenhower Exchange Fel-
 23 lowships, Incorporated, as authorized by sections 4 and
 24 5 of the Eisenhower Exchange Fellowship Act of 1990 (20
 25 U.S.C. 5204–5205), all interest and earnings accruing to
 26 the Eisenhower Exchange Fellowship Program Trust

1 Fund on or before September 30, 2001, to remain avail-
2 able until expended: *Provided*, That none of the funds ap-
3 propriated herein shall be used to pay any salary or other
4 compensation, or to enter into any contract providing for
5 the payment thereof, in excess of the rate authorized by
6 5 U.S.C. 5376; or for purposes which are not in accord-
7 ance with OMB Circulars A-110 (Uniform Administrative
8 Requirements) and A-122 (Cost Principles for Non-profit
9 Organizations), including the restrictions on compensation
10 for personal services.

11 ISRAELI ARAB SCHOLARSHIP PROGRAM

12 For necessary expenses of the Israeli Arab Scholar-
13 ship Program as authorized by section 214 of the Foreign
14 Relations Authorization Act, Fiscal Years 1992 and 1993
15 (22 U.S.C. 2452), all interest and earnings accruing to
16 the Israeli Arab Scholarship Fund on or before September
17 30, 2001, to remain available until expended.

18 NATIONAL ENDOWMENT FOR DEMOCRACY

19 For grants made by the Department of State to the
20 National Endowment for Democracy as authorized by the
21 National Endowment for Democracy Act, \$30,872,000 to
22 remain available until expended.

1 RELATED AGENCY
2 BROADCASTING BOARD OF GOVERNORS
3 INTERNATIONAL BROADCASTING OPERATIONS

4 For expenses necessary to enable the Broadcasting
5 Board of Governors, as authorized by the United States
6 Information and Educational Exchange Act of 1948, as
7 amended, the United States International Broadcasting
8 Act of 1994, as amended, Reorganization Plan No. 2 of
9 1977, as amended, and the Foreign Affairs Reform and
10 Restructuring Act of 1998, to carry out international com-
11 munication activities, including the purchase, installation,
12 rent, construction, and improvement of facilities for radio
13 and television transmission and reception to Cuba,
14 \$419,777,000, of which not to exceed \$16,000 may be
15 used for official receptions within the United States as au-
16 thorized by section 804(3) of such Act of 1948 (22 U.S.C.
17 1747(3)), not to exceed \$35,000 may be used for represen-
18 tation abroad as authorized by section 302 of such Act
19 of 1948 (22 U.S.C. 1452) and section 905 of the Foreign
20 Service Act of 1980 (22 U.S.C. 4085), and not to exceed
21 \$39,000 may be used for official reception and representa-
22 tion expenses of Radio Free Europe/Radio Liberty; and
23 in addition, notwithstanding any other provision of law,
24 not to exceed \$2,000,000 in receipts from advertising and
25 revenue from business ventures, not to exceed \$500,000

1 in receipts from cooperating international organizations,
2 and not to exceed \$1,000,000 in receipts from privatiza-
3 tion efforts of the Voice of America and the International
4 Broadcasting Bureau, to remain available until expended
5 for carrying out authorized purposes.

6 BROADCASTING CAPITAL IMPROVEMENTS

7 For the purchase, rent, construction, and improve-
8 ment of facilities for radio transmission and reception, and
9 purchase and installation of necessary equipment for radio
10 and television transmission and reception as authorized by
11 section 801 of the United States Information and Edu-
12 cational Exchange Act of 1948 (22 U.S.C. 1471),
13 \$18,358,000, to remain available until expended, as au-
14 thorized by section 704(a) of such Act of 1948 (22 U.S.C.
15 1477b(a)).

16 GENERAL PROVISIONS—DEPARTMENT OF STATE AND
17 RELATED AGENCY

18 SEC. 401. Funds appropriated under this title shall
19 be available, except as otherwise provided, for allowances
20 and differentials as authorized by subchapter 59 of title
21 5, United States Code; for services as authorized by 5
22 U.S.C. 3109; and hire of passenger transportation pursu-
23 ant to 31 U.S.C. 1343(b).

24 SEC. 402. Not to exceed 5 percent of any appropria-
25 tion made available for the current fiscal year for the De-
26 partment of State in this Act may be transferred between

1 such appropriations, but no such appropriation, except as
2 otherwise specifically provided, shall be increased by more
3 than 10 percent by any such transfers: *Provided*, That not
4 to exceed 5 percent of any appropriation made available
5 for the current fiscal year for the Broadcasting Board of
6 Governors in this Act may be transferred between such
7 appropriations, but no such appropriation, except as oth-
8 erwise specifically provided, shall be increased by more
9 than 10 percent by any such transfers: *Provided further*,
10 That any transfer pursuant to this section shall be treated
11 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 SEC. 403. There shall be in the Department of State
16 not more than 71 Deputy Assistant Secretaries of State.

17 SEC. 404. None of the funds made available in this
18 Act may be used by the Department of State or the Broad-
19 casting Board of Governors to provide equipment, tech-
20 nical support, consulting services, or any other form of
21 assistance to the Palestinian Broadcasting Corporation.

22 SEC. 405. (a) Section 1(a)(2) of the State Depart-
23 ment Basic Authorities Act of 1956 (22 U.S.C.
24 2651a(a)(2)) is amended by striking “and the Deputy Sec-
25 retary of State” and inserting “, the Deputy Secretary of

1 State, and the Deputy Secretary of State for Management
2 and Resources”.

3 (b) Section 5313 of title 5, United States Code, is
4 amended by inserting “Deputy Secretary of State for
5 Management and Resources.” after the item relating to
6 the “Deputy Secretary of State”.

7 This title may be cited as the “Department of State
8 and Related Agency Appropriations Act, 2001”.

9 TITLE V—RELATED AGENCIES

10 DEPARTMENT OF TRANSPORTATION

11 MARITIME ADMINISTRATION

12 MARITIME SECURITY PROGRAM

13 For necessary expenses to maintain and preserve a
14 U.S.-flag merchant fleet to serve the national security
15 needs of the United States, \$98,700,000, to remain avail-
16 able until expended.

17 OPERATIONS AND TRAINING

18 For necessary expenses of operations and training ac-
19 tivities authorized by law, \$84,799,000.

20 MARITIME GUARANTEED LOAN (TITLE XI) PROGRAM

21 ACCOUNT

22 For the cost of guaranteed loans, as authorized by
23 the Merchant Marine Act, 1936, \$10,621,000, to remain
24 available until expended: *Provided*, That such costs, in-
25 cluding the cost of modifying such loans, shall be as de-
26 fined in section 502 of the Congressional Budget Act of

1 1974, as amended: *Provided further*, That these funds are
2 available to subsidize total loan principal, any part of
3 which is to be guaranteed, not to exceed \$1,000,000,000.

4 In addition, for administrative expenses to carry out
5 the guaranteed loan program, not to exceed \$3,795,000,
6 which shall be transferred to and merged with the appro-
7 priation for Operations and Training.

8 ADMINISTRATIVE PROVISIONS—MARITIME

9 ADMINISTRATION

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

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

1 COMMISSION FOR THE PRESERVATION OF AMERICA'S
2 HERITAGE ABROAD
3 SALARIES AND EXPENSES

4 For expenses for the Commission for the Preservation
5 of America's Heritage Abroad, \$390,000, as authorized by
6 section 1303 of Public Law 99-83.

7 COMMISSION ON CIVIL RIGHTS
8 SALARIES AND EXPENSES

9 For necessary expenses of the Commission on Civil
10 Rights, including hire of passenger motor vehicles,
11 \$8,866,000: *Provided*, That not to exceed \$50,000 may
12 be used to employ consultants: *Provided further*, That
13 none of the funds appropriated in this paragraph shall be
14 used to employ in excess of four full-time individuals under
15 Schedule C of the Excepted Service exclusive of one special
16 assistant for each Commissioner: *Provided further*, That
17 none of the funds appropriated in this paragraph shall be
18 used to reimburse Commissioners for more than 75
19 billable days, with the exception of the chairperson, who
20 is permitted 125 billable days.

21 COMMISSION ON SECURITY AND COOPERATION IN
22 EUROPE
23 SALARIES AND EXPENSES

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

1 Law 94–304, \$1,182,000, to remain available until ex-
2 pended as authorized by section 3 of Public Law 99–7.

3 EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

4 SALARIES AND EXPENSES

5 For necessary expenses of the Equal Employment
6 Opportunity Commission as authorized by title VII of the
7 Civil Rights Act of 1964, as amended (29 U.S.C. 206(d)
8 and 621–634), the Americans with Disabilities Act of
9 1990, and the Civil Rights Act of 1991, including services
10 as authorized by 5 U.S.C. 3109; hire of passenger motor
11 vehicles as authorized by 31 U.S.C. 1343(b); non-mone-
12 tary awards to private citizens; and not to exceed
13 \$29,000,000 for payments to State and local enforcement
14 agencies for services to the Commission pursuant to title
15 VII of the Civil Rights Act of 1964, as amended, sections
16 6 and 14 of the Age Discrimination in Employment Act,
17 the Americans with Disabilities Act of 1990, and the Civil
18 Rights Act of 1991, \$290,928,000: *Provided*, That the
19 Commission is authorized to make available for official re-
20 ception and representation expenses not to exceed \$2,500
21 from available funds.

22 FEDERAL COMMUNICATIONS COMMISSION

23 SALARIES AND EXPENSES

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

1 forms and allowances therefor, as authorized by 5 U.S.C.
2 5901–5902; not to exceed \$600,000 for land and struc-
3 ture; not to exceed \$500,000 for improvement and care
4 of grounds and repair to buildings; not to exceed \$4,000
5 for official reception and representation expenses; pur-
6 chase (not to exceed 16) and hire of motor vehicles; special
7 counsel fees; and services as authorized by 5 U.S.C. 3109,
8 \$207,909,000, of which not to exceed \$300,000 shall re-
9 main available until September 30, 2002, for research and
10 policy studies: *Provided*, That \$200,146,000 of offsetting
11 collections shall be assessed and collected pursuant to sec-
12 tion 9 of title I of the Communications Act of 1934, as
13 amended, and shall be retained and used for necessary ex-
14 penses in this appropriation, and shall remain available
15 until expended: *Provided further*, That the sum herein ap-
16 propriated shall be reduced as such offsetting collections
17 are received during fiscal year 2001 so as to result in a
18 final fiscal year 2001 appropriation estimated at
19 \$7,763,000: *Provided further*, That any offsetting collec-
20 tions received in excess of \$200,146,000 in fiscal year
21 2001 shall remain available until expended, but shall not
22 be available for obligation until October 1, 2001.

1 FEDERAL MARITIME COMMISSION

2 SALARIES AND EXPENSES

3 For necessary expenses of the Federal Maritime
4 Commission as authorized by section 201(d) of the Mer-
5 chant Marine Act, 1936, as amended (46 U.S.C. App.
6 1111), including services as authorized by 5 U.S.C. 3109;
7 hire of passenger motor vehicles as authorized by 31
8 U.S.C. 1343(b); and uniforms or allowances therefor, as
9 authorized by 5 U.S.C. 5901–5902, \$14,097,000: *Pro-*
10 *vided*, That not to exceed \$2,000 shall be available for offi-
11 cial reception and representation expenses.

12 FEDERAL TRADE COMMISSION

13 SALARIES AND EXPENSES

14 For necessary expenses of the Federal Trade Com-
15 mission, including uniforms or allowances therefor, as au-
16 thorized by 5 U.S.C. 5901–5902; services as authorized
17 by 5 U.S.C. 3109; hire of passenger motor vehicles; not
18 to exceed \$2,000 for official reception and representation
19 expenses, \$121,098,000: *Provided*, That not to exceed
20 \$300,000 shall be available for use to contract with a per-
21 son or persons for collection services in accordance with
22 the terms of 31 U.S.C. 3718, as amended: *Provided fur-*
23 *ther*, That, notwithstanding section 3302(b) of title 31,
24 United States Code, not to exceed \$121,098,000 of offset-
25 ting collections derived from fees collected for premerger

1 notification filings under the Hart-Scott-Rodino Antitrust
2 Improvements Act of 1976 (15 U.S.C. 18(a)) shall be re-
3 tained and used for necessary expenses in this appropria-
4 tion, and shall remain available until expended: *Provided*
5 *further*, That the sum herein appropriated from the gen-
6 eral fund shall be reduced as such offsetting collections
7 are received during fiscal year 2001, so as to result in
8 a final fiscal year 2001 appropriation from the general
9 fund estimated at not more than \$0, to remain available
10 until expended: *Provided further*, That section 605 of Pub-
11 lic Law 101–162 (15 U.S.C. 18a note), as amended, is
12 further amended by striking “\$45,000 which” and insert-
13 ing: “(1) \$45,000, if as a result of the acquisition, the
14 acquiring person would hold an aggregate total amount
15 of the voting securities and assets of the acquired person
16 in excess of \$35,000,000 but not exceeding \$99,999,999;
17 (2) \$100,000, if as a result of the acquisition, the acquir-
18 ing person would hold an aggregate total amount of the
19 voting securities and assets of the acquired person equal
20 to or in excess of \$100,000,000 but not exceeding
21 \$199,999,999; or (3) \$200,000, if as a result of the acqui-
22 sition, the acquiring person would hold an aggregate total
23 amount of the voting securities and assets of the acquired
24 person equal to or in excess of \$200,000,000. Such fees”:
25 *Provided further*, That none of the funds made available

1 to the Federal Trade Commission shall be available for
2 obligation for expenses authorized by section 151 of the
3 Federal Deposit Insurance Corporation Improvement Act
4 of 1991 (Public Law 102–242; 105 Stat. 2282–2285).

5 LEGAL SERVICES CORPORATION

6 PAYMENT TO THE LEGAL SERVICES CORPORATION

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

15 ADMINISTRATIVE PROVISION—LEGAL SERVICES

16 CORPORATION

17 None of the funds appropriated in this Act to the
18 Legal Services Corporation shall be expended for any pur-
19 pose prohibited or limited by, or contrary to any of the
20 provisions of, sections 501, 502, 503, 504, 505, and 506
21 of Public Law 105–119, and all funds appropriated in this
22 Act to the Legal Services Corporation shall be subject to
23 the same terms and conditions set forth in such sections,
24 except that all references in sections 502 and 503 to 1997
25 and 1998 shall be deemed to refer instead to 2000 and
26 2001, respectively.

1 MARINE MAMMAL COMMISSION

2 SALARIES AND EXPENSES

3 For necessary expenses of the Marine Mammal Com-
4 mission as authorized by title II of Public Law 92-522,
5 as amended, \$1,700,000.

6 SECURITIES AND EXCHANGE COMMISSION

7 SALARIES AND EXPENSES

8 For necessary expenses for the Securities and Ex-
9 change Commission, including services as authorized by
10 5 U.S.C. 3109, the rental of space (to include multiple
11 year leases) in the District of Columbia and elsewhere, and
12 not to exceed \$3,000 for official reception and representa-
13 tion expenses, \$252,624,000 from fees collected in fiscal
14 year 2001 to remain available until expended, and from
15 fees collected in fiscal year 1999, \$140,000,000, to remain
16 available until expended; of which not to exceed \$10,000
17 may be used toward funding a permanent secretariat for
18 the International Organization of Securities Commissions;
19 and of which not to exceed \$100,000 shall be available
20 for expenses for consultations and meetings hosted by the
21 Commission with foreign governmental and other regu-
22 latory officials, members of their delegations, appropriate
23 representatives and staff to exchange views concerning de-
24 velopments relating to securities matters, development and
25 implementation of cooperation agreements concerning se-

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

14 SMALL BUSINESS ADMINISTRATION

15 SALARIES AND EXPENSES

16 For necessary expenses, not otherwise provided for,
17 of the Small Business Administration as authorized by
18 Public Law 105–135, including hire of passenger motor
19 vehicles as authorized by 31 U.S.C. 1343 and 1344, and
20 not to exceed \$3,500 for official reception and representa-
21 tion expenses, \$299,615,000: *Provided*, That the Adminis-
22 trator is authorized to charge fees to cover the cost of pub-
23 lications developed by the Small Business Administration,
24 and certain loan servicing activities: *Provided further*,
25 That, notwithstanding 31 U.S.C. 3302, revenues received

1 from all such activities shall be credited to this account,
2 to be available for carrying out these purposes without fur-
3 ther appropriations.

4 OFFICE OF INSPECTOR GENERAL

5 For necessary expenses of the Office of Inspector
6 General in carrying out the provisions of the Inspector
7 General Act of 1978, as amended (5 U.S.C. App.),
8 \$10,905,000.

9 BUSINESS LOANS PROGRAM ACCOUNT

10 For the cost of direct loans, \$2,500,000, to be avail-
11 able until expended; and for the cost of guaranteed loans,
12 \$137,800,000, as authorized by 15 U.S.C. 631 note, of
13 which \$45,000,000 shall remain available until September
14 30, 2002: *Provided*, That such costs, including the cost
15 of modifying such loans, shall be as defined in section 502
16 of the Congressional Budget Act of 1974, as amended:
17 *Provided further*, That during fiscal year 2001, commit-
18 ments to guarantee loans under section 503 of the Small
19 Business Investment Act of 1958, as amended, shall not
20 exceed \$3,750,000,000: *Provided further*, That during fis-
21 cal year 2001, commitments for general business loans au-
22 thorized under section 7(a) of the Small Business Act, as
23 amended, shall not exceed \$10,000,000,000 without prior
24 notification of the Committees on Appropriations of the
25 House of Representatives and Senate in accordance with
26 section 605 of this Act: *Provided further*, That during fis-

1 cal year 2001, commitments to guarantee loans under sec-
2 tion 303(b) of the Small Business Investment Act of 1958,
3 as amended, shall not exceed \$500,000,000.

4 In addition, for administrative expenses to carry out
5 the direct and guaranteed loan programs, \$129,000,000,
6 which may be transferred to and merged with the appro-
7 priations for Salaries and Expenses.

8 DISASTER LOANS PROGRAM ACCOUNT

9 For the cost of direct loans authorized by section 7(b)
10 of the Small Business Act, as amended, \$140,400,000, to
11 remain available until expended: *Provided*, That such
12 costs, including the cost of modifying such loans, shall be
13 as defined in section 502 of the Congressional Budget Act
14 of 1974, as amended.

15 In addition, for administrative expenses to carry out
16 the direct loan program, \$136,000,000, which may be
17 transferred to and merged with appropriations for Salaries
18 and Expenses, of which \$500,000 is for the Office of In-
19 spector General of the Small Business Administration for
20 audits and reviews of disaster loans and the disaster loan
21 program and shall be transferred to and merged with ap-
22 propriations for the Office of Inspector General; of which
23 \$125,646,000 is for direct administrative expenses of loan
24 making and servicing to carry out the direct loan program;
25 and of which \$9,854,000 is for indirect administrative ex-
26 penses: *Provided*, That any amount in excess of

1 \$9,854,000 to be transferred to and merged with appro-
2 priations for Salaries and Expenses for indirect adminis-
3 trative expenses shall be treated as a reprogramming of
4 funds under section 605 of this Act and shall not be avail-
5 able for obligation or expenditure except in compliance
6 with the procedures set forth in that section.

7 ADMINISTRATIVE PROVISION—SMALL BUSINESS

8 ADMINISTRATION

9 Not to exceed 5 percent of any appropriation made
10 available for the current fiscal year for the Small Business
11 Administration in this Act may be transferred between
12 such appropriations, but no such appropriation shall be
13 increased by more than 10 percent by any such transfers:
14 *Provided*, That any transfer pursuant to this paragraph
15 shall be treated as a reprogramming of funds under sec-
16 tion 605 of this Act and shall not be available for obliga-
17 tion or expenditure except in compliance with the proce-
18 dures 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)), \$4,500,000, 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 2001, or provided from
25 any accounts in the Treasury of the United States avail-

1 able to the agencies funded by this Act, shall be available
2 for obligation or expenditure through a reprogramming of
3 funds which: (1) creates new programs; (2) eliminates a
4 program, project, or activity; (3) increases funds or per-
5 sonnel by any means for any project or activity for which
6 funds have been denied or restricted; (4) relocates an of-
7 fice or employees; (5) reorganizes offices, programs, or ac-
8 tivities; or (6) contracts out or privatizes any functions,
9 or activities presently performed by Federal employees;
10 unless the Appropriations Committees of both Houses of
11 Congress are notified 15 days in advance of such re-
12 programming 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 2001, or provided from any
17 accounts in the Treasury of the United States available
18 to the agencies funded by this Act, shall be available for
19 obligation or expenditure for activities, programs, or
20 projects through a reprogramming of funds in excess of
21 \$500,000 or 10 percent, whichever is less, that: (1) aug-
22 ments existing programs, projects, or activities; (2) re-
23 duces by 10 percent funding for any existing program,
24 project, or activity, or numbers of personnel by 10 percent
25 as approved by Congress; or (3) results from any general

1 savings from a reduction in personnel which would result
2 in a change in existing programs, activities, or projects
3 as approved by Congress; unless the Appropriations Com-
4 mittees of both Houses of Congress are notified 15 days
5 in advance of such reprogramming of funds.

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

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

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

23 (c) PROHIBITION OF CONTRACTS WITH PERSONS
24 FALSELY LABELING PRODUCTS AS MADE IN AMERICA.—
25 If it has been finally determined by a court or Federal

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

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

19 SEC. 609. None of the funds made available by this
20 Act may be used for any United Nations undertaking
21 when it is made known to the Federal official having au-
22 thority to obligate or expend such funds: (1) that the
23 United Nations undertaking is a peacekeeping mission; (2)
24 that such undertaking will involve United States Armed
25 Forces under the command or operational control of a for-

1 eign national; and (3) that the President's military advi-
2 sors have not submitted to the President a recommenda-
3 tion that such involvement is in the national security inter-
4 ests of the United States and the President has not sub-
5 mitted to the Congress such a recommendation.

6 SEC. 610. (a) None of the funds appropriated or oth-
7 erwise made available by this Act shall be expended for
8 any purpose for which appropriations are prohibited by
9 section 609 of the Departments of Commerce, Justice, and
10 State, the Judiciary, and Related Agencies Appropriations
11 Act, 1999.

12 (b) The requirements in subparagraphs (A) and (B)
13 of section 609 of that Act shall continue to apply during
14 fiscal year 2001.

15 SEC. 611. Earmarks, limitations, or minimum fund-
16 ing requirements contained in any other Act shall not be
17 applicable to funds appropriated under this Act.

18 SEC. 612. None of the funds made available in this
19 Act shall be used to provide the following amenities or per-
20 sonal comforts in the Federal prison system—

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

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

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

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

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

9 SEC. 613. None of the funds made available in title
10 II for the National Oceanic and Atmospheric Administra-
11 tion (NOAA) under the headings “Operations, Research,
12 and Facilities” and “Procurement, Acquisition and Con-
13 struction” may be used to implement sections 603, 604,
14 and 605 of Public Law 102–567: *Provided*, That NOAA
15 may develop a modernization plan for its fisheries research
16 vessels that takes fully into account opportunities for con-
17 tracting for fisheries surveys.

18 SEC. 614. Any costs incurred by a department or
19 agency funded under this Act resulting from personnel ac-
20 tions taken in response to funding reductions included in
21 this Act shall be absorbed within the total budgetary re-
22 sources available to such department or agency: *Provided*,
23 That the authority to transfer funds between appropria-
24 tions accounts as may be necessary to carry out this sec-
25 tion 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 procedures set forth in that section.

6 SEC. 615. None of the funds made available in this
7 Act to the Federal Bureau of Prisons may be used to dis-
8 tribute or make available any commercially published in-
9 formation or material to a prisoner when it is made known
10 to the Federal official having authority to obligate or ex-
11 pend such funds that such information or material is sexu-
12 ally explicit or features nudity.

13 SEC. 616. Of the funds appropriated in this Act
14 under the heading “Office of Justice Programs—State
15 and Local Law Enforcement Assistance”, not more than
16 90 percent of the amount to be awarded to an entity under
17 the Local Law Enforcement Block Grant shall be made
18 available to such an entity when it is made known to the
19 Federal official having authority to obligate or expend
20 such funds that the entity that employs a public safety
21 officer (as such term is defined in section 1204 of title
22 I of the Omnibus Crime Control and Safe Streets Act of
23 1968) does not provide such a public safety officer who
24 retires or is separated from service due to injury suffered
25 as the direct and proximate result of a personal injury

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

6 SEC. 617. None of the funds provided by this Act
7 shall be available to promote the sale or export of tobacco
8 or tobacco products, or to seek the reduction or removal
9 by any foreign country of restrictions on the marketing
10 of tobacco or tobacco products, except for restrictions
11 which are not applied equally to all tobacco or tobacco
12 products of the same type.

13 SEC. 618. None of the funds appropriated pursuant
14 to this Act or any other provision of law may be used for:
15 (1) the implementation of any tax or fee in connection
16 with the implementation of 18 U.S.C. 922(t); and (2) any
17 system to implement 18 U.S.C. 922(t) that does not re-
18 quire and result in the destruction of any identifying infor-
19 mation submitted by or on behalf of any person who has
20 been determined not to be prohibited from owning a fire-
21 arm.

22 SEC. 619. Notwithstanding any other provision of
23 law, amounts deposited in the Fund established under 42
24 U.S.C. 10601 in fiscal year 2000 in excess of

1 \$575,000,000 shall not be available for obligation until
2 October 1, 2001.

3 SEC. 620. None of the funds made available to the
4 Department of Justice in this Act may be used to discrimi-
5 nate against or denigrate the religious or moral beliefs of
6 students who participate in programs for which financial
7 assistance is provided from those funds, or of the parents
8 or legal guardians of such students.

9 SEC. 621. None of the funds appropriated in this Act
10 shall be available for the purpose of granting either immi-
11 grant or nonimmigrant visas, or both, consistent with the
12 Secretary's determination under section 243(d) of the Im-
13 migration and Nationality Act, to citizens, subjects, na-
14 tionals, or residents of countries that the Attorney General
15 has determined deny or unreasonably delay accepting the
16 return of citizens, subjects, nationals, or residents under
17 that section.

18 SEC. 622. None of the funds made available to the
19 Department of Justice in this Act may be used for the
20 purpose of transporting an individual who is a prisoner
21 pursuant to conviction for crime under State or Federal
22 law and is classified as a maximum or high security pris-
23 oner, other than to a prison or other facility certified by
24 the Federal Bureau of Prisons as appropriately secure for
25 housing such a prisoner.

1 SEC. 623. None of the funds appropriated by this Act
2 shall be used to propose or issue rules, regulations, de-
3 crees, or orders for the purpose of implementation, or in
4 preparation for implementation, of the Kyoto Protocol
5 which was adopted on December 11, 1997, in Kyoto,
6 Japan, at the Third Conference of the Parties to the
7 United Nations Framework Convention on Climate
8 Change, which has not been submitted to the Senate for
9 advice and consent to ratification pursuant to article II,
10 section 2, clause 2, of the United States Constitution, and
11 which has not entered into force pursuant to article 25
12 of the Protocol.

13 TITLE VII—RESCISSION

14 RELATED AGENCIES

15 DEPARTMENT OF TRANSPORTATION

16 MARITIME ADMINISTRATION

17 MARITIME GUARANTEED LOAN (TITLE XI) PROGRAM

18 ACCOUNT

19 (RESCISSION)

20 Of the funds provided under this heading in Public
21 Law 104–208, \$7,644,000 are rescinded.

22 This Act may be cited as the “Departments of Com-
23 merce, Justice, and State, the Judiciary, and Related
24 Agencies Appropriations Act, 2001”.

Union Calendar No. 383

106TH CONGRESS
2D SESSION

H. R. 4690

[Report No. 106–680]

A BILL

Making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 2001, and for other purpose.

JUNE 19, 2000

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