Calendar No. 703

106TH CONGRESS
2D SESSION

H.R. 4690

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 SENATE OF THE UNITED STATES

JUNE 27, 2000

Received; read twice and referred to the Committee on Appropriations

JULY 21, 2000

Reported by Mr. Gregg, with an amendment

[Strike all after the enacting clause and insert the part printed in italic]

AN ACT

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.
Be it enacted by the Senate and House of Representa-
tives of the United States of America in Congress assembled,
That the following sums are appropriated, out of any
money in the Treasury not otherwise appropriated, for the
fiscal year ending September 30, 2001, and for other pur-
poses, namely:

TITLE I—DEPARTMENT OF JUSTICE

GENERAL ADMINISTRATION

SALARIES AND EXPENSES

For expenses necessary for the administration of the
Department of Justice, $84,177,000, of which not to ex-
ceed $3,317,000 is for the Facilities Program 2000, to
remain available until expended: Provided, That not to ex-
ceed 43 permanent positions and 44 full-time equivalent
workyears and $8,136,000 shall be expended for the De-
partment Leadership Program exclusive of augmentation
that occurred in these offices in fiscal year 2000: Provided
further, That not to exceed 41 permanent positions and
48 full-time equivalent workyears and $4,811,000 shall be
expended for the Offices of Legislative Affairs and Public
Affairs: Provided further, That the latter two aforemen-
tioned offices may utilize non-reimbursable details of ca-
reer employees within the caps described in the aforemen-
tioned proviso: Provided further, That the Attorney Gen-
eral is authorized to transfer, under such terms and condi-

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tions as the Attorney General shall specify, forfeited real
or personal property of limited or marginal value, as such
value is determined by guidelines established by the Attor-
ney General, to a State or local government agency, or
its designated contractor or transferee, for use to support
drug abuse treatment, drug and crime prevention and edu-
cation, housing, job skills, and other community-based
public health and safety programs: Provided further, That
any transfer under the preceding proviso shall not create
or confer any private right of action in any person against
the United States, and shall be treated as a reprogram-
ning under section 605 of this Act.

JOINT AUTOMATED BOOKING SYSTEM

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

NARROWBAND COMMUNICATIONS

For the costs of conversion to narrowband commu-
nications as mandated by section 104 of the National
Telecommunications and Information Administration Or-
ganization Act (47 U.S.C. 903(d)(1)), including the cost
for operation and maintenance of Land Mobile Radio leg-
acy systems, $177,445,000 (reduced by $82,000,000), to
remain available until expended.
For necessary expenses, as determined by the Attorney General, $10,000,000; to remain available until expended, to reimburse any Department of Justice organization for: (1) the costs incurred in reestablishing the operational capability of an office or facility which has been damaged or destroyed as a result of any domestic or international terrorist incident; and (2) the costs of providing support to counter, investigate or prosecute domestic or international terrorism; including payment of rewards in connection with these activities. Provided, That any Federal agency may be reimbursed for the costs of detaining in foreign countries individuals accused of acts of terrorism that violate the laws of the United States. Provided further, That funds provided under this paragraph shall be available only after the Attorney General notifies the Committees on Appropriations of the House of Representatives and the Senate in accordance with section 605 of this Act.

For payments authorized by section 109 of the Communications Assistance for Law Enforcement Act (47 U.S.C. 1008), $282,500,000 (reduced by $4,479,000), to remain available until expended.
ADMINISTRATIVE REVIEW AND APPEALS

For expenses necessary for the administration of pardon and clemency petitions and immigration related activities, $159,570,000.

DETENTION TRUSTEE

For necessary expenses to establish a Federal Detention Trustee who shall exercise all power and functions authorized by law relating to the detention of Federal prisoners in non-Federal institutions or otherwise in the custody of the United States Marshals Service; and the detention of aliens in the custody of the Immigration and Naturalization Service; $1,000,000. Provided, That the Trustee shall be responsible for construction of detention facilities or for housing related to such detention; the management of funds appropriated to the Department for the exercise of any detention functions; and the direction of the United States Marshals Service and Immigration and Naturalization Service with respect to the exercise of detention policy setting and operations for the Department.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, $41,825,000; including not to exceed $10,000 to meet unforeseen emergencies of a confidential character; to be expended under the direction of; and to be accounted for solely under the certificate
of, the Attorney General; and for the acquisition, lease, maintenance, and operation of motor vehicles, without regard to the general purchase price limitation for the current fiscal year.

United States Parole Commission

Salaries and Expenses

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

Legal Activities

Salaries and Expenses; General Legal Activities

For expenses necessary for the legal activities of the Department of Justice, not otherwise provided for, including not to exceed $20,000 for expenses of collecting evidence, to be expended under the direction of, and to be accounted for solely under the certificate of, the Attorney General; and rent of private or Government-owned space in the District of Columbia, $523,228,000; of which not to exceed $10,000,000 for litigation support contracts shall remain available until expended: Provided, That of the funds available in this appropriation, not to exceed $18,877,000 shall remain available until expended for office automation systems for the legal divisions covered by this appropriation, and for the United States Attorneys, the Antitrust Division, the Executive Office for Immigration Review, the Community Relations Service, and offices
funded through “Salaries and Expenses”, General Administration. Provided further, That of the total amount appropriated, not to exceed $1,000 shall be available to the United States National Central Bureau, INTERPOL, for official reception and representation expenses.

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

SALARIES AND EXPENSES; ANTITRUST DIVISION

For expenses necessary for the enforcement of antitrust and kindred laws, $77,171,000: Provided, That, notwithstanding section 3302(b) of title 31, United States Code, not to exceed $77,171,000 of offsetting collections derived from fees collected in fiscal year 2001 for premerger notification filings under the Hart-Scott-Rodino Antitrust Improvements Act of 1976 (15 U.S.C. 18a) shall be retained and used for necessary expenses in this appropriation, and shall remain available until expended. Provided further, That the sum herein appropriated from the general fund shall be reduced as such offsetting collections are received during fiscal year 2001, so as to result in a final fiscal year 2001 appropriation from the general fund estimated at not more than $0.
For necessary expenses of the Offices of the United States Attorneys, including inter-governmental and cooperative agreements, $1,247,416,000; of which not to exceed $2,500,000 shall be available until September 30, 2002, for: (1) training personnel in debt collection; (2) locating debtors and their property; (3) paying the net costs of selling property; and (4) tracking debts owed to the United States Government: Provided, That of the total amount appropriated, not to exceed $8,000 shall be available for official reception and representation expenses: Provided further, That not to exceed $10,000,000 of those funds available for automated litigation support contracts shall remain available until expended: Provided further, That, in addition to reimbursable full-time equivalent workyears available to the Offices of the United States Attorneys, not to exceed 9,381 positions and 9,529 full-time equivalent workyears shall be supported from the funds appropriated in this Act for the United States Attorneys.

UNITED STATES TRUSTEE SYSTEM FUND

For necessary expenses of the United States Trustee Program, as authorized by 28 U.S.C. 589a(a), $126,242,000, to remain available until expended and to be derived from the United States Trustee System Fund: Provided, That, notwithstanding any other provision of law, deposits to the Fund shall be available in such
amounts as may be necessary to pay refunds due depositors: Provided further, That, notwithstanding any other provision of law, $126,242,000 of offsetting collections collected pursuant to 28 U.S.C. 589a(h) shall be retained and used for necessary expenses in this appropriation and remain available until expended: Provided further, That the sum herein appropriated from the Fund shall be reduced as such offsetting collections are received during fiscal year 2001, so as to result in a final fiscal year 2001 appropriation from the Fund estimated at $0.

SALARIES AND EXPENSES; FOREIGN CLAIMS SETTLEMENT COMMISSION

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

SALARIES AND EXPENSES, UNITED STATES MARSHALS SERVICE

For necessary expenses of the United States Marshals Service, including the acquisition, lease, maintenance, and operation of vehicles, and the purchase of passenger motor vehicles for police-type use, without regard to the general purchase price limitation for the current fiscal year, $560,438,000, as authorized by 28 U.S.C. 561(i); of which not to exceed $6,000 shall be available for official reception and representation expenses; and of which not to exceed $4,000,000 for development, imple-
mentation, maintenance and support, and training for an automated prisoner information system shall remain available until expended: Provided, That, in addition to reimbursable full-time equivalent workyears available to the United States Marshals Service, not to exceed 4,168 positions and 3,892 full-time equivalent workyears shall be supported from the funds appropriated in this Act for the United States Marshals Service.

CONSTRUCTION

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

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

Beginning in fiscal year 2000 and thereafter, payment shall be made from the Justice Prisoner and Alien Transportation System Fund for necessary expenses related to the scheduling and transportation of United States prisoners and illegal and criminal aliens in the custody of the United States Marshals Service, as authorized in 18 U.S.C. 4013, including, without limitation, salaries and expenses, operations, and the acquisition, lease, and maintenance of aircraft and support facilities: Provided,
That the Fund shall be reimbursed or credited with advance payments from amounts available to the Department of Justice, other Federal agencies, and other sources at rates that will recover the expenses of Fund operations, including, without limitation, accrual of annual leave and depreciation of plant and equipment of the Fund. Provided further, That proceeds from the disposal of Fund aircraft shall be credited to the Fund. Provided further, That amounts in the Fund shall be available without fiscal year limitation, and may be used for operating equipment lease agreements that do not exceed 10 years.

FEDERAL PRISONER DETENTION

For expenses, related to United States prisoners in the custody of the United States Marshals Service as authorized in 18 U.S.C. 4013, but not including expenses otherwise provided for in appropriations available to the Attorney General, $597,402,000, as authorized by 28 U.S.C. 561(i), to remain available until expended. Provided, That the United States Marshals Service may enter into multi-year contracts with private entities for the confinement of Federal prisoners: Provided further, That hereafter amounts appropriated for Federal Prisoner Detention shall be available to reimburse the Federal Bureau of Prisons for salaries and expenses of transporting, guarding and providing medical care outside of Federal
penal and correctional institutions to prisoners awaiting trial or sentencing.

FEES AND EXPENSES OF WITNESSES

For expenses, mileage, compensation, and per diems of witnesses, for expenses of contracts for the procurement and supervision of expert witnesses, for private counsel expenses, and for per diems in lieu of subsistence, as authorized by law, including advances, $95,000,000, to remain available until expended; of which not to exceed $6,000,000 may be made available for planning, construction; renovations, maintenance, remodeling, and repair of buildings; and the purchase of equipment incident thereto; for protected witness safesites; of which not to exceed $1,000,000 may be made available for the purchase and maintenance of armored vehicles for transportation of protected witnesses; and of which not to exceed $5,000,000 may be made available for the purchase, installation, and maintenance of secure telecommunications equipment and a secure automated information network to store and retrieve the identities and locations of protected witnesses.

SALARIES AND EXPENSES, COMMUNITY RELATIONS SERVICE

For necessary expenses of the Community Relations Service, established by title X of the Civil Rights Act of 1964, $7,479,000 and, in addition, up to $1,000,000 of funds made available to the Department of Justice in this
Act may be transferred by the Attorney General to this account. Provided, That notwithstanding any other provision of law, upon a determination by the Attorney General that emergent circumstances require additional funding for conflict prevention and resolution activities of the Community Relations Service, the Attorney General may transfer such amounts to the Community Relations Service; from available appropriations for the current fiscal year for the Department of Justice, as may be necessary to respond to such circumstances: Provided further, That any transfer pursuant to the previous proviso shall be treated as a reprogramming under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

ASSETS FORFEITURE FUND

For expenses authorized by 28 U.S.C. 524(a)(1)(A)(ii), (B), (F), and (G), as amended, $23,000,000 (reduced by $23,000,000), to be derived from the Department of Justice Assets Forfeiture Fund.

RADIATION EXPOSURE COMPENSATION

ADMINISTRATIVE EXPENSES

For necessary administrative expenses in accordance with the Radiation Exposure Compensation Act, $2,000,000.
PAYMENT TO RADIATION EXPOSURE COMPENSATION

TRUST FUND

For payments to the Radiation Exposure Compensation Trust Fund, $3,200,000.

INTERAGENCY LAW ENFORCEMENT

INTERAGENCY CRIME AND DRUG ENFORCEMENT

For necessary expenses for the detection, investigation, and prosecution of individuals involved in organized crime drug trafficking not otherwise provided for, to include inter-governmental agreements with State and local law enforcement agencies engaged in the investigation and prosecution of individuals involved in organized crime drug trafficking, $328,898,000, of which $50,000,000 shall remain available until expended: Provided, That any amounts obligated from appropriations under this heading may be used under authorities available to the organizations reimbursed from this appropriation: Provided further, That any unobligated balances remaining available at the end of the fiscal year shall revert to the Attorney General for reallocation among participating organizations in succeeding fiscal years, subject to the reprogramming procedures described in section 605 of this Act.
FEDERAL BUREAU OF INVESTIGATION

SALARIES AND EXPENSES

For necessary expenses of the Federal Bureau of Investigation for detection, investigation, and prosecution of crimes against the United States; including purchase for police-type use of not to exceed 1,236 passenger motor vehicles, of which 1,142 will be for replacement only, without regard to the general purchase price limitation for the current fiscal year; and hire of passenger motor vehicles; acquisition, lease, maintenance, and operation of aircraft; and not to exceed $70,000 to meet unforeseen emergencies of a confidential character, to be expended under the direction of, and to be accounted for solely under the certificate of, the Attorney General, $3,229,505,000; of which not to exceed $50,000,000 for automated data processing and telecommunications and technical investigative equipment and not to exceed $1,000,000 for undercover operations shall remain available until September 30, 2002; of which not less than $159,223,000 shall be for counterterrorism investigations, foreign counterintelligence, and other activities related to our national security, of which not to exceed $10,000,000 is authorized to be made available for making advances for expenses arising out of contractual or reimbursable agreements with State and local law enforcement agencies while engaged
in cooperative activities related to violent crime, terrorism, organized crime, and drug investigations: Provided, That not to exceed $45,000 shall be available for official reception and representation expenses: Provided further, That, in addition to reimbursable full-time equivalent workyears available to the Federal Bureau of Investigation, not to exceed 25,384 positions and 25,049 full-time equivalent workyears shall be supported from the funds appropriated in this Act for the Federal Bureau of Investigation: Provided further, That no funds in this Act may be used to provide ballistics imaging equipment to any State or local authority which has obtained similar equipment through a Federal grant or subsidy unless the State or local authority agrees to return that equipment or to repay that grant or subsidy to the Federal Government.

CONSTRUCTION

For necessary expenses to construct or acquire buildings and sites by purchase, or as otherwise authorized by law (including equipment for such buildings); conversion and extension of federally-owned buildings; and preliminary planning and design of projects; $1,287,000, to remain available until expended:

DRUG ENFORCEMENT ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses of the Drug Enforcement Administra-

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foreseen emergencies of a confidential character, to be ex-
ferred under the direction of, and to be accounted for
solely under the certificate of, the Attorney General; ex-
penses for conducting drug education and training pro-
grams; including travel and related expenses for partici-
pants in such programs and the distribution of items of
token value that promote the goals of such programs; pur-
chase of not to exceed 1,358 passenger motor vehicles, of
which 1,079 will be for replacement only, for police-type
use without regard to the general purchase price limitation
for the current fiscal year; and acquisition, lease, mainte-
nance, and operation of aircraft, $1,362,309,000; of which
not to exceed $1,800,000 for research shall remain avail-
able until expended, and of which not to exceed
$4,000,000 for purchase of evidence and payments for in-
formation, not to exceed $10,000,000 for contracting for
automated data processing and telecommunications equip-
ment, and not to exceed $2,000,000 for laboratory equip-
ment, $4,000,000 for technical equipment, and
$2,000,000 for aircraft replacement retrofit and parts,
shall remain available until September 30, 2002; of which
not to exceed $50,000 shall be available for official recep-
tion and representation expenses: Provided, That, in addi-
tion to reimbursable full-time equivalent workyears avail-
able to the Drug Enforcement Administration, not to ex-
ceed 7,484 positions and 7,394 full-time equivalent workyears shall be supported from the funds appropriated in this Act for the Drug Enforcement Administration.

CONSTRUCTION

For necessary expenses to construct or acquire buildings and sites by purchase; or as otherwise authorized by law (including equipment for such buildings); conversion and extension of federally-owned buildings; and preliminary planning and design of projects, $5,500,000, to remain available until expended.

IMMIGRATION AND NATURALIZATION SERVICE

SALARIES AND EXPENSES

For expenses necessary for the administration and enforcement of the laws relating to immigration, naturalization, and alien registration, as follows:

ENFORCEMENT AND BORDER AFFAIRS

For salaries and expenses for the Border Patrol program, the detention and deportation program, the intelligence program, the investigations program, and the inspections program, including not to exceed $50,000 to meet unforeseen emergencies of a confidential character, to be expended under the direction of, and to be accounted for solely under the certificate of, the Attorney General; purchase for police-type use (not to exceed 3,165 passenger motor vehicles, of which 2,211 are for replacement only), without regard to the general purchase price limita-
tion for the current fiscal year, and hire of passenger
motor vehicles; acquisition, lease, maintenance and oper-
ATION of aircraft; research related to immigration enforce-
MENT; for protecting and maintaining the integrity of the
borders of the United States including, without limitation,
equipping, maintaining, and making improvements to the
infrastructure; and for the care and housing of Federal
detainees held in the joint Immigration and Naturalization
Service and United States Marshals Service’s Buffalo De-
tention Facility, $2,547,899,000; of which not to exceed
$10,000,000 shall be available for costs associated with
the training program for basic officer training, and
$5,000,000 is for payments or advances arising out of con-
tractual or reimbursable agreements with State and local
law enforcement agencies while engaged in cooperative ac-
tivities related to immigration; of which not to exceed
$5,000,000 is to fund or reimburse other Federal agencies
for the costs associated with the care, maintenance, and
repatriation of smuggled illegal aliens: Provided, That
none of the funds available to the Immigration and Natu-
ralization Service shall be available to pay any employee
overtime pay in an amount in excess of $30,000 during
the calendar year beginning January 1, 2001: Provided
further, That uniforms may be purchased without regard
to the general purchase price limitation for the current
Provided further, That, in addition to reimbursable full-time equivalent workyears available to the Immigration and Naturalization Service, not to exceed 19,766 positions and 19,183 full-time equivalent workyears shall be supported from the funds appropriated under this heading in this Act for the Immigration and Naturalization Service. Provided further, That none of the funds provided in this or any other Act shall be used for the continued operation of the San Clemente and Temecula checkpoints unless the checkpoints are open and traffic is being checked on a continuous 24-hour basis.

For all programs of the Immigration and Naturalization Service not included under the heading “Enforcement and Border Affairs”, $573,314,000, of which not to exceed $400,000 for research shall remain available until expended: Provided, That not to exceed $5,000 shall be available for official reception and representation expenses: Provided further, That the Attorney General may transfer any funds appropriated under this heading and the heading “Enforcement and Border Affairs” between said appropriations notwithstanding any percentage transfer limitations imposed under this appropriation Act and may direct such fees as are collected by the Immigration and Naturalization Service to the activities funded under
this heading and the heading "Enforcement and Border Affairs" for performance of the functions for which the fees legally may be expended: Provided further, That not to exceed 40 permanent positions and 40 full-time equivalent workyears and $4,300,000 shall be expended for the Offices of Legislative Affairs and Public Affairs: Provided further, That the latter two aforementioned offices shall not be augmented by personnel details, temporary transfers of personnel on either a reimbursable or non-reimbursable basis, or any other type of formal or informal transfer or reimbursement of personnel or funds on either a temporary or long-term basis: Provided further, That the number of positions filled through non-career appointment at the Immigration and Naturalization Service, for which funding is provided in this Act or is otherwise made available to the Immigration and Naturalization Service, shall not exceed four permanent positions and four full-time equivalent workyears: Provided further, That none of the funds available to the Immigration and Naturalization Service shall be used to pay any employee overtime pay in an amount in excess of $30,000 during the calendar year beginning January 1, 2001: Provided further, That funds may be used, without limitation, for equipping, maintaining, and making improvements to the infrastructure and the purchase of vehicles for police-type use within
the limits of the Enforcement and Border Affairs appropriation: Provided further, That, in addition to reimbursable full-time equivalent workyears available to the Immigration and Naturalization Service, not to exceed 3,182 positions and 3,279 full-time equivalent workyears shall be supported from the funds appropriated under this heading in this Act for the Immigration and Naturalization Service: Provided further, That, notwithstanding any other provision of law, during fiscal year 2001, the Attorney General is authorized and directed to impose disciplinary action, including termination of employment, pursuant to policies and procedures applicable to employees of the Federal Bureau of Investigation, for any employee of the Immigration and Naturalization Service who violates policies and procedures set forth by the Department of Justice relative to the granting of citizenship or who willfully deceives the Congress or department leadership on any matter.

CONSTRUCTION

For planning, construction, renovation, equipping, and maintenance of buildings and facilities necessary for the administration and enforcement of the laws relating to immigration, naturalization, and alien registration, not otherwise provided for, $110,664,000, to remain available until expended: Provided, That no funds shall be available
for the site acquisition, design, or construction of any Border Patrol checkpoint in the Tucson sector.

**Federal Prison System**

**Salaries and Expenses**

For expenses necessary for the administration, operation, and maintenance of Federal penal and correctional institutions, including purchase (not to exceed 70% of which 60% are for replacement only) and hire of law enforcement and passenger motor vehicles, and for the provision of technical assistance and advice on corrections related issues to foreign governments, $3,475,769,000 (reduced by $45,000,000) (reduced by $173,480): Provided, That the Attorney General may transfer to the Health Resources and Services Administration such amounts as may be necessary for direct expenditures by that Administration for medical relief for inmates of Federal penal and correctional institutions: Provided further, That the Director of the Federal Prison System (FPS), where necessary, may enter into contracts with a fiscal agent/fiscal intermediary claims processor to determine the amounts payable to persons who, on behalf of FPS, furnish health services to individuals committed to the custody of FPS: Provided further, That not to exceed $6,000 shall be available for official reception and representation expenses: Provided further, That not to exceed $90,000,000 shall re-
main available for necessary operations until September 30, 2002: Provided further, That, of the amounts provided for Contract Confinement, not to exceed $20,000,000 shall remain available until expended to make payments in advance for grants, contracts and reimbursable agreements, and other expenses authorized by section 501(c) of the Refugee Education Assistance Act of 1980, as amended, for the care and security in the United States of Cuban and Haitian entrants: Provided further, That, notwithstanding section 4(d) of the Service Contract Act of 1965 (41 U.S.C. 352(d)), FPS may enter into contracts and other agreements with private entities for periods of not to exceed 3 years and seven additional option years for the confinement of Federal prisoners.

BUILDINGS AND FACILITIES

For planning, acquisition of sites and construction of new facilities; leasing the Oklahoma City Airport Trust Facility; purchase and acquisition of facilities and remodeling, and equipping of such facilities for penal and correctional use, including all necessary expenses incident thereto, by contract or force account; and constructing, remodeling, and equipping necessary buildings and facilities at existing penal and correctional institutions, including all necessary expenses incident thereto, by contract or force account, $835,660,000, to remain available until expended, of which not to exceed $14,000,000 shall be avail-
able to construct areas for inmate work programs. Provided, That labor of United States prisoners may be used for work performed under this appropriation: Provided further, That not to exceed 10 percent of the funds appropriated to "Buildings and Facilities" in this or any other Act may be transferred to "Salaries and Expenses", Federal Prison System, upon notification by the Attorney General to the Committees on Appropriations of the House of Representatives and the Senate in compliance with provisions set forth in section 605 of this Act.

FEDERAL PRISON INDUSTRIES, INCORPORATED

Federal Prison Industries, Incorporated, is hereby authorized to make such expenditures, within the limits of funds and borrowing authority available, and in accord with the law, and to make such contracts and commitments, without regard to fiscal year limitations as provided by section 9104 of title 31, United States Code, as may be necessary in carrying out the program set forth in the budget for the current fiscal year for such corporation, including purchase (not to exceed five for replacement only) and hire of passenger motor vehicles.

LIMITATION ON ADMINISTRATIVE EXPENSES, FEDERAL PRISON INDUSTRIES, INCORPORATED

Not to exceed $3,429,000 of the funds of the corporation shall be available for its administrative expenses, and for services as authorized by 5 U.S.C. 3109, to be com-
puted on an accrual basis to be determined in accordance with the corporation's current prescribed accounting system, and such amounts shall be exclusive of depreciation, payment of claims, and expenditures which the said accounting system requires to be capitalized or charged to cost of commodities acquired or produced, including selling and shipping expenses, and expenses in connection with acquisition, construction, operation, maintenance, improvement, protection, or disposition of facilities and other property belonging to the corporation or in which it has an interest.

**Office of Justice Programs**

**Justice Assistance**

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

STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE

For assistance (including amounts for administrative costs for management and administration, which amounts shall be transferred to and merged with the “Justice Assistance” account) authorized by the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103–322), as amended (“the 1994 Act”); the Omnibus Crime Control and Safe Streets Act of 1968, as amended (“the 1968 Act”); and the Victims of Child Abuse Act of 1990, as amended (“the 1990 Act”), $2,823,950,000, to remain available until expended; of which $523,000,000 shall be for Local Law Enforcement Block Grants, pursuant to H.R. 728 as passed by the House of Representatives on February 14, 1995, except that for purposes of this Act, Guam shall be considered a “State”; the Commonwealth of Puerto Rico shall be considered a “unit of local government” as well as a “State”, for the purposes set forth in paragraphs (A), (B), (D), (F), and (I) of section 101(a)(2) of H.R. 728 and for establishing crime prevention programs involving cooperation between community residents and law enforcement personnel in order to control, detect, or investigate crime or the prosecution of
criminals: Provided, That no funds provided under this heading may be used as matching funds for any other Federal grant program: Provided further, That $50,000,000 of this amount shall be for Boys and Girls Clubs in public housing facilities and other areas in cooperation with State and local law enforcement: Provided further, That funds may also be used to defray the costs of indemnification insurance for law enforcement officers: Provided further, That $20,000,000 shall be available to carry out section 102(2) of H.R. 728; of which $420,000,000 shall be for the State Criminal Alien Assistance Program, as authorized by section 242(j) of the Immigration and Nationality Act, as amended; of which $686,500,000 shall be for Violent Offender Incarceration and Truth in Sentencing Incentive Grants pursuant to subtitle A of title H of the 1994 Act, of which $165,000,000 shall be available for payments to States for incarceration of criminal aliens; and of which $35,000,000 shall be available for the Cooperative Agreement Program; of which $552,000,000 shall be for grants, contracts, cooperative agreements, and other assistance authorized by part E of title I of the 1968 Act, for State and Local Narcotics Control and Justice Assistance Improvements; notwithstanding the provisions of section 511 of said Act, as authorized by section 1001 of title I of said Act, as
amended by Public Law 102–534 (106 Stat. 3524), of which $52,000,000 shall be available to carry out the provisions of chapter A of subpart 2 of part E of title I of said Act, for discretionary grants under the Edward Byrne Memorial State and Local Law Enforcement Assistance Programs; of which $9,000,000 shall be for the Court Appointed Special Advocate Program, as authorized by section 218 of the 1990 Act, of which $2,000,000 shall be for Child Abuse Training Programs for Judicial Personnel and Practitioners, as authorized by section 224 of the 1990 Act; of which $207,750,000 shall be for Grants to Combat Violence Against Women, to States, units of local government, and Indian tribal governments, as authorized by section 1001(a)(18) of the 1968 Act, including $35,250,000 which shall be used exclusively for the purpose of strengthening civil legal assistance programs for victims of domestic violence. Provided, That, of these funds, $5,200,000 shall be provided to the National Institute of Justice for research and evaluation of violence against women, and $10,000,000 shall be available to the Office of Juvenile Justice and Delinquency Prevention for the Safe Start Program, to be administered as authorized by part C of the Juvenile Justice and Delinquency Act of 1974, as amended; of which $34,000,000 shall be for Grants to Encourage Arrest Policies to States, units of
local government, and Indian tribal governments, as au-
thorized by section 1001(a)(19) of the 1968 Act; of which
$25,000,000 shall be for Rural Domestic Violence and
Child Abuse Enforcement Assistance Grants, as author-
ized by section 40295 of the 1994 Act; of which
$5,000,000 shall be for training programs to assist proba-
tion and parole officers who work with released sex offend-
ers; as authorized by section 40152(c) of the 1994 Act;
and for local demonstration projects; of which $1,000,000
shall be for grants for televised testimony; as authorized
by section 1001(a)(7) of the 1968 Act; of which
$63,000,000 shall be for grants for residential substance
abuse treatment for State prisoners; as authorized by sec-
tion 1001(a)(17) of the 1968 Act; of which $900,000 shall
be for the Missing Alzheimer’s Disease Patient Alert Pro-
gram; as authorized by section 240001(c) of the 1994 Act;
of which $1,300,000 shall be for Motor Vehicle Theft Pre-
vention Programs; as authorized by section 220002(h) of
the 1994 Act; of which $40,000,000 shall be for Drug
Courts, as authorized by title V of the 1994 Act; of which
$1,500,000 shall be for Law Enforcement Family Support
Programs; as authorized by section 1001(a)(21) of the
1968 Act; of which $2,000,000 shall be for public aware-
ness programs addressing marketing scams aimed at sen-
or citizens; as authorized by section 250005(3) of the
1994 Act; and of which $250,000,000 shall be for Juvenile Accountability Incentive Block Grants, except that such funds shall be subject to the same terms and conditions as set forth in the provisions under this heading for this program in Public Law 105–119, but all references in such provisions to 1998 shall be deemed to refer instead to 2001 and Guam shall be considered a “State” for the purposes of title III of H.R. 3, as passed by the House of Representatives on May 8, 1977: Provided further: That funds made available in fiscal year 2001 under subpart 1 of part E of title I of the 1968 Act may be obligated for programs to assist States in the litigation processing of death penalty Federal habeas corpus petitions and for drug testing initiatives: Provided further: That, if a unit of local government uses any of the funds made available under this title to increase the number of law enforcement officers, the unit of local government will achieve a net gain in the number of law enforcement officers who perform nonadministrative public safety service.

WEED AND SEED PROGRAM FUND

For necessary expenses, including salaries and related expenses of the Executive Office for Weed and Seed, to implement “Weed and Seed” program activities, $33,500,000, to remain available until expended, for intergovernmental agreements, including grants, cooperative agreements, and contracts, with State and local law en-
enforcement agencies engaged in the investigation and pros-
ecution of violent crimes and drug offenses in “Weed and
Seed” designated communities, and for either reimburse-
ments or transfers to appropriation accounts of the De-
partment of Justice and other Federal agencies which
shall be specified by the Attorney General to execute the
“Weed and Seed” program strategy. Provided, That funds
designated by Congress through language for other De-
partment of Justice appropriation accounts for “Weed and
Seed” program activities shall be managed and executed
by the Attorney General through the Executive Office for
Weed and Seed. Provided further, That the Attorney Gen-
eral may direct the use of other Department of Justice
funds and personnel in support of “Weed and Seed” pro-
gram activities only after the Attorney General notifies the
Committees on Appropriations of the House of Represen-
tatives and the Senate in accordance with section 605 of
this Act.

COMMUNITY ORIENTED POLICING SERVICES

For activities authorized by title I of the Violent
Crime Control and Law Enforcement Act of 1994, Public
Law 103–322 ("the 1994 Act") (including administrative
costs), $595,000,000, to remain available until expended,
of which $384,500,000 is for Public Safety and Commu-
nity Policing Grants pursuant to title I of the 1994 Act,
including up to $180,000,000 to be used to combat violence in schools; and of which $210,500,000 is for innovative community policing programs; of which $45,675,000 shall be used for policing initiatives to combat methamphetamine production and trafficking and to enhance policing initiatives in drug “hot spots”, $5,000,000 shall be used to combat violence in schools; $130,000,000 shall be used for grants, as authorized by section 102(e) of the Crime Identification Technology Act of 1998, and section 4(b) of the National Child Protection Act of 1993, as amended, and $25,000,000 shall be expended for program management and administration. Provided, That of the unobligated balances available in this program, $150,000,000 shall be used for innovative policing programs, of which $25,000,000 shall be used for the Matching Grant Program for Law Enforcement Armor Vests pursuant to section 2501 of part Y of the Omnibus Crime Control and Safe Streets Act of 1968 (“the 1968 Act”), as amended, $100,000,000 shall be used for a law enforcement technology program, $15,000,000 shall be used for Police Corps education, training, and service as set forth in sections 200101-200113 of the 1994 Act, and $10,000,000 shall be used to combat violence in schools.

**JUVENILE JUSTICE PROGRAMS**

For grants, contracts, cooperative agreements, and other assistance authorized by the Juvenile Justice and
Delinquency Prevention Act of 1974, as amended, including salaries and expenses in connection therewith to be transferred to and merged with the appropriations for Justice Assistance, $267,597,000, to remain available until expended: Provided, That these funds shall be available for obligation and expenditure upon enactment of reAuthorization legislation for the Juvenile Justice and Delinquency Prevention Act of 1974 (title XIII of H.R. 1501 or comparable legislation).

In addition, for grants, contracts, cooperative agreements, and other assistance, $11,000,000 to remain available until expended, for developing, testing, and demonstrating programs designed to reduce drug use among juveniles.

In addition, for grants, contracts, cooperative agreements, and other assistance authorized by the Victims of Child Abuse Act of 1990, as amended, $8,500,000, to remain available until expended, as authorized by section 214B of the Act.

PUBLIC SAFETY OFFICERS BENEFITS

To remain available until expended, for payments authorized by part L of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796), as amended, such sums as are necessary, as authorized by section 6093 of Public Law 100–690 (102 Stat. 4339–4340).
General Provisions—Department of Justice

Sec. 101. In addition to amounts otherwise made available in this title for official reception and representation expenses, a total of not to exceed $45,000 from funds appropriated to the Department of Justice in this title shall be available to the Attorney General for official reception and representation expenses in accordance with distributions, procedures, and regulations established by the Attorney General.

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

Sec. 103. None of the funds appropriated by this title shall be available to pay for an abortion, except where the life of the mother would be endangered if the fetus were carried to term, or in the case of rape: Provided, That should this prohibition be declared unconstitutional by a court of competent jurisdiction, this section shall be null and void.
SEC. 104. None of the funds appropriated under this title shall be used to require any person to perform, or facilitate in any way the performance of, any abortion.

SEC. 105. Nothing in the preceding section shall remove the obligation of the Director of the Bureau of Prisons to provide escort services necessary for a female inmate to receive such service outside the Federal facility: Provided, That nothing in this section in any way diminishes the effect of section 104 intended to address the philosophical beliefs of individual employees of the Bureau of Prisons.

SEC. 106. Notwithstanding any other provision of law, not to exceed $10,000,000 of the funds made available in this Act may be used to establish and publicize a program under which publicly advertised, extraordinary rewards may be paid, which shall not be subject to spending limitations contained in sections 3059 and 3072 of title 18, United States Code: Provided, That any reward of $100,000 or more, up to a maximum of $2,000,000, may not be made without the personal approval of the President or the Attorney General and such approval may not be delegated.

SEC. 107. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Department of Justice in this Act, including those derived
from the Violent Crime Reduction Trust Fund, may be transferred between such appropriations, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 10 percent by any such transfers. Provided, That any transfer pursuant to this section shall be treated as a reprogramming of funds under section 605 of this Act and shall not be available for obligation except in compliance with the procedures set forth in that section.

Sec. 108. Section 108(a) of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 2000 (as enacted into law by section 1000(a)(1) of Public Law 106–113) shall apply for fiscal year 2001 and thereafter.


Sec. 110. For fiscal year 2001 and thereafter, section 109 of Public Law 103–317 (28 U.S.C. 509 note) shall apply only to litigation in which the United States, or an agency or officer of the United States, is a defendant. The preceding sentence shall not apply to litigation filed before January 1, 2000, that has received funding under section 109 of Public Law 103–317 (28 U.S.C. 509 note).
Section 111. Section 115 of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 2000 (as enacted into law by section 1000(a)(1) of Public Law 106–113) shall apply for fiscal year 2001:

Section 112. Section 286 of the Immigration and Nationality Act (8 U.S.C. 1356) is amended by adding at the end the following new subsections:

"(t) Genealogy Fee.—(1) There is hereby established the Genealogy Fee for providing genealogy research and information services. This fee shall be deposited as offsetting collections into the Examinations Fee Account. Fees for such research and information services may be set at a level that will ensure the recovery of the full costs of providing all such services.

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

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

"(u) Premium Fee for Employment-Based Petitions and Applications.—The Attorney General is authorized to establish and collect a premium fee for employ-
ment-based petitions and applications. This fee shall be used to provide certain premium-processing services to business customers; and to make infrastructure improvements in the adjudications and customer-service processes.

For approval of the benefit applied for, the petitioner/applicant must meet the legal criteria for such benefit. This fee shall be set at $1,000, shall be paid in addition to any normal petition/application fee that may be applicable; and shall be deposited as offsetting collections in the Immigration Examinations Fee Account. The Attorney General may adjust this fee according to the Consumer Price Index.”

Sec. 113. During the current fiscal year, the Attorney General may not certify any amount for appropriation under section 1817(k)(3)(A)(i) of the Social Security Act (42 U.S.C. 1395i(k)(3)(A)(i)) to the Health Care Fraud and Abuse Control Account for any purpose of the Department of Justice, unless the Attorney General has notified the Committees on Appropriations, at least 15 days in advance, of the amount and purpose involved.

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

For necessary expenses of the Office of the United States Trade Representative, including the hire of passenger motor vehicles and the employment of experts and consultants as authorized by 5 U.S.C. 3109, $26,433,000 (increased by $3,000,000), of which $1,000,000 shall remain available until expended: Provided, That not to exceed $98,000 shall be available for official reception and representation expenses.

For necessary expenses of the International Trade Commission, including hire of passenger motor vehicles, and services as authorized by 5 U.S.C. 3109, and not to exceed $2,500 for official reception and representation expenses, $46,995,000, to remain available until expended.
For necessary expenses for international trade activities of the Department of Commerce provided for by law, and engaging in trade promotional activities abroad, including expenses of grants and cooperative agreements for the purpose of promoting exports of United States firms, without regard to 44 U.S.C. 3702 and 3703; full medical coverage for dependent members of immediate families of employees stationed overseas and employees temporarily posted overseas; travel and transportation of employees of the United States and Foreign Commercial Service between two points abroad, without regard to 49 U.S.C. 1517; employment of Americans and aliens by contract for services; rental of space abroad for periods not exceeding 10 years; and expenses of alteration, repair, or improvement; purchase or construction of temporary demountable exhibition structures for use abroad; payment of tort claims, in the manner authorized in the first paragraph of 28 U.S.C. 2672 when such claims arise in foreign countries; not to exceed $327,000 for official representation expenses abroad; purchase of passenger motor vehicles for official use abroad; not to exceed $30,000 per vehicle; obtaining insurance on official motor vehicles; and rental of
tie lines and teletype equipment, $321,448,000, to remain available until expended, of which $3,000,000 is to be derived from fees to be retained and used by the International Trade Administration, notwithstanding 31 U.S.C. 3302: Provided, That $62,376,000 shall be for Trade Development, $19,755,000 shall be for Market Access and Compliance, $32,473,000 shall be for the Import Administration, $194,638,000 shall be for the United States and Foreign Commercial Service, and $12,206,000 shall be for Executive Direction and Administration: Provided further, That the provisions of the first sentence of section 105(f) and all of section 108(e) of the Mutual Educational and Cultural Exchange Act of 1961 (22 U.S.C. 2455(f) and 2458(e)) shall apply in carrying out these activities without regard to section 5412 of the Omnibus Trade and Competitiveness Act of 1988 (15 U.S.C. 4912); and that for the purpose of this Act, contributions under the provisions of the Mutual Educational and Cultural Exchange Act shall include payment for assessments for services provided as part of these activities.

Export Administration

Operations and Administration

For necessary expenses for export administration and national security activities of the Department of Commerce, including costs associated with the performance of
export administration field activities both domestically and
abroad; full medical coverage for dependent members of
immediate families of employees stationed overseas; em-
ployment of Americans and aliens by contract for services
abroad; payment of tort claims, in the manner authorized
in the first paragraph of 28 U.S.C. 2672 when such claims
arise in foreign countries; not to exceed $15,000 for offici-
al representation expenses abroad; awards of compensa-
tion to informers under the Export Administration Act of
1979; and as authorized by 22 U.S.C. 401(b); purchase
of passenger motor vehicles for official use and motor vehi-

des for law enforcement use with special requirement vehi-
cles eligible for purchase without regard to any price limi-
tation otherwise established by law; $53,833,000, to re-
main available until expended, of which $1,870,000 shall
be for inspections and other activities related to national
security: Provided, That the provisions of the first sen-
tence of section 105(f) and all of section 108(c) of the
Mutual Educational and Cultural Exchange Act of 1961
(22 U.S.C. 2455(f) and 2458(c)) shall apply in carrying
out these activities: Provided further, That payments and
contributions collected and accepted for materials or serv-
ices provided as part of such activities may be retained
for use in covering the cost of such activities; and for pro-
viding information to the public with respect to the export

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administration and national security activities of the Department of Commerce and other export control programs of the United States and other governments: Provided further, That no funds may be obligated or expended for processing licenses for the export of satellites of United States origin (including commercial satellites and satellite components) to the People’s Republic of China, unless, at least 45 days in advance, the Committees on Appropriations of the House of Representatives and the Senate and other appropriate committees of the Congress are notified of such proposed action.

ECONOMIC DEVELOPMENT ADMINISTRATION

ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

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

SALARIES AND EXPENSES

For necessary expenses of administering the economic development assistance programs as provided for by law, $26,499,000: Provided, That these funds may be used to monitor projects approved pursuant to title I of the Public Works Employment Act of 1976, as amended, title II of the Trade Act of 1974, as amended, and the Community Emergency Drought Relief Act of 1977.
MINORITY BUSINESS DEVELOPMENT AGENCY

MINORITY BUSINESS DEVELOPMENT

For necessary expenses of the Department of Commerce in fostering, promoting, and developing minority business enterprise, including expenses of grants, contracts, and other agreements with public or private organizations, $27,314,000.

Economic and Information Infrastructure

Economic and Statistical Analysis

SALARIES AND EXPENSES

For necessary expenses, as authorized by law, of economic and statistical analysis programs of the Department of Commerce, $49,499,000, to remain available until September 30, 2002.

BUREAU OF THE CENSUS

SALARIES AND EXPENSES

For expenses necessary for collecting, compiling, analyzing, preparing, and publishing statistics, provided for by law, $140,000,000.

PERIODIC CENSUSES AND PROGRAMS

For necessary expenses to conduct the decennial census, $392,898,000 to remain available until expended; of which $24,055,000 is for Program Development and Management; of which $57,096,000 is for Data Content and Products; of which $122,000,000 is for Field Data Collection and Support Systems; of which $1,500,000 is for Ad-
dress List Development, of which $115,038,000 is for Automated Data Processing and Telecommunications Support; of which $55,000,000 is for Testing and Evaluation; of which $5,512,000 is for activities related to Puerto Rico, the Virgin Islands and Pacific Areas; of which $9,197,000 is for Marketing, Communications and Partnerships activities; and of which $3,500,000 is for the Census Monitoring Board, as authorized by section 210 of Public Law 105–119.

In addition, for expenses to collect and publish statistics for other periodic censuses and programs provided for by law, $137,969,000, to remain available until expended.

NATIONAL TELECOMMUNICATIONS AND INFORMATION ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses, as provided for by law, of the National Telecommunications and Information Administration (NTIA), $10,975,000, to remain available until expended: Provided, That, notwithstanding 31 U.S.C. 1535(d), the Secretary of Commerce shall charge Federal agencies for costs incurred in spectrum management, analysis, and operations, and related services and such fees shall be retained and used as offsetting collections for costs of such spectrum services, to remain available until expended: Provided further, That hereafter, not-
withstanding any other provision of law, NTIA shall not authorize spectrum use or provide any spectrum functions pursuant to the National Telecommunications and Information Administration Organization Act, 47 U.S.C. 902-903, to any Federal entity without reimbursement as required by NTIA for such spectrum management costs, and Federal entities withholding payment of such cost shall not use spectrum; Provided further, That the Secretary of Commerce is authorized to retain and use as offsetting collections all funds transferred, or previously transferred, from other Government agencies for all costs incurred in telecommunications research, engineering, and related activities by the Institute for Telecommunication Sciences of NTIA, in furtherance of its assigned functions under this paragraph, and such funds received from other Government agencies shall remain available until expended.

PUBLIC TELECOMMUNICATIONS FACILITIES, PLANNING AND CONSTRUCTION

For grants authorized by section 392 of the Communications Act of 1934, as amended, $31,000,000, to remain available until expended as authorized by section 391 of the Act, as amended: Provided, That not to exceed $1,800,000 shall be available for program administration as authorized by section 391 of the Act: Provided further, That notwithstanding the provisions of section 391 of the Act, the prior year unobligated balances may be made
available for grants for projects for which applications have been submitted and approved during any fiscal year.

INFORMATION INFRASTRUCTURE GRANTS

For grants authorized by section 392 of the Communications Act of 1934, as amended, $15,500,000, to remain available until expended as authorized by section 394 of the Act, as amended: Provided, That not to exceed $3,000,000 shall be available for program administration and other support activities as authorized by section 394:

Provided further, That, of the funds appropriated herein, not to exceed 5 percent may be available for telecommunications research activities for projects related directly to the development of a national information infrastructure:

Provided further, That, notwithstanding the requirements of sections 392(a) and 392(e) of the Act, these funds may be used for the planning and construction of telecommunications networks for the provision of educational, cultural, health care, public information, public safety, or other social services: Provided further, That notwithstanding any other provision of law, no entity that receives telecommunications services at preferential rates under section 254(h) of the Act (47 U.S.C. 254(h)) or receives assistance under the regional information sharing systems grant program of the Department of Justice under part M of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796h) may use funds
under a grant under this heading to cover any costs of
the entity that would otherwise be covered by such pref-
erential rates or such assistance, as the case may be.

Patent and Trademark Office
Salaries and Expenses

For necessary expenses of the Patent and Trademark
Office provided for by law, including defense of suits insti-
tuted against the Director of Patents and Trademarks;
$650,035,000, to remain available until expended: Pro-
vided, That of this amount, $650,035,000 shall be derived
from offsetting collections assessed and collected pursuant
to 15 U.S.C. 1113 and 35 U.S.C. 41 and 376, and shall
be retained and used for necessary expenses in this appro-
priation: Provided further, That the sum herein appro-
priated from the general fund shall be reduced as such
offsetting collections are received during fiscal year 2001,
so as to result in a final fiscal year 2001 appropriation
from the general fund estimated at $0: Provided further,
That, during fiscal year 2001, should the total amount
of offsetting fee collections be less than $650,035,000, the
total amounts available to the Patent and Trademark Of-

fice shall be reduced accordingly: Provided further, That
any amount received in excess of $650,035,000 in fiscal
year 2001 shall not be available for obligation: Provided
further, That not to exceed $254,889,000 from fees col-

Science and Technology Administration

Under Secretary for Technology/Office of Technology Policy

Salaries and Expenses

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

National Institute of Standards and Technology Scientific and Technical Research and Services

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

Industrial Technology Services

For necessary expenses of the Manufacturing Extension Partnership of the National Institute of Standards and Technology, $104,836,000, to remain available until expended.

Construction of Research Facilities

For construction of new research facilities, including architectural and engineering design, and for renovation of existing facilities, not otherwise provided for the National Institute of Standards and Technology, as author-
ized by 15 U.S.C. 278e-278e, $26,000,000, to remain available until expended.

NATIONAL OCEANIC AND ATMOSPHERIC
ADMINISTRATION

OPERATIONS, RESEARCH, AND FACILITIES

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of activities authorized by law for the National Oceanic and Atmospheric Administration, including maintenance, operation, and hire of aircraft; grants, contracts, or other payments to nonprofit organizations for the purposes of conducting activities pursuant to cooperative agreements; and relocation of facilities as authorized by 33 U.S.C. 883i, $1,606,925,000 (increased by $1,200,000); to remain available until expended: Provided, That fees and donations received by the National Ocean Service for the management of the national marine sanctuaries may be retained and used for the salaries and expenses associated with those activities, notwithstanding 31 U.S.C. 3302: Provided further, That in addition, $68,000,000 shall be derived by transfer from the fund entitled “Promote and Develop Fishery Products and Research Pertaining to American Fisheries”: Provided further, That grants to States pursuant to sections 306 and 306A of the Coastal Zone Management Act of 1972, as amended, shall not exceed $2,000,000: Provided further, That, of the $1,734,925,000 (increased by $1,200,000)
provided for in direct obligations under this heading (of which $1,606,925,000 (increased by $1,200,000) is appropriated from the General Fund; $92,000,000 is provided by transfer, and $36,000,000 is derived from deobligations from prior years), $260,561,000 shall be for the National Ocean Service, $405,383,000 (increased by $1,200,000) shall be for the National Marine Fisheries Service, $264,561,000 shall be for Oceanic and Atmospheric Research, $621,726,000 shall be for the National Weather Service, $106,585,000 shall be for the National Environmental Satellite, Data, and Information 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 consists 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 Counsel. Provided further, That the aforementioned offices, excluding 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 temporary 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 expenses applied against an assigned activity shall be limited to 5 percent of the funds provided for that assigned activity: 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.

In addition, for necessary retired pay expenses under the Retired Serviceman’s Family Protection and Survivor Benefits Plan, and for payments for medical care of retired personnel and their dependents under the Dependents Medical Care Act (10 U.S.C. ch. 55), such sums as may be necessary.

PROCUREMENT, ACQUISITION AND CONSTRUCTION
(INCLUDING TRANSFERS OF FUNDS)

For procurement, acquisition and construction of capital assets, including alteration and modification costs, of the National Oceanic and Atmospheric Administration, $564,656,000 (reduced by $1,200,000), to remain available until expended: Provided, That unexpended balances of amounts previously made available in the “Operations, Research, and Facilities” account for activities funded under this heading may be transferred to and merged with
this account, to remain available until expended for the purposes for which the funds were originally appropriated.

**PACIFIC COASTAL SALMON RECOVERY**

For necessary expenses associated with the restoration of Pacific salmon populations and the implementation of the 1999 Pacific Salmon Treaty Agreement between the United States and Canada, $58,000,000, subject to express authorization.

**COASTAL ZONE MANAGEMENT FUND**

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

**FISHERMEN’S CONTINGENCY FUND**

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

**FOREIGN FISHING OBSERVER FUND**

For expenses necessary to carry out the provisions of the Atlantic Tunas Convention Act of 1975, as amended (Public Law 96–339), and the Magnuson-Stevens Fishery Conservation and Management Act of 1976, as amended (Public Law 100–627), and the American Fisheries Promotion Act (Public Law 96–561), to be derived
from the fees imposed under the foreign fishery observer program authorized by these Acts, not to exceed $189,000, to remain available until expended.

FISHERIES FINANCE PROGRAM ACCOUNT

For the cost of direct loans, $238,000, as authorized by the Merchant Marine Act of 1936, as amended; Provided: That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974; Provided further: That none of the funds made available under this heading may be used for direct loans for any new fishing vessel that will increase the harvesting capacity in any United States fishery.

GENERAL ADMINISTRATION

SALARIES AND EXPENSES

For expenses necessary for the general administration of the Department of Commerce provided for by law, including not to exceed $3,000 for official entertainment, $31,392,000 (reduced by $3,000,000).

OFFICE OF INSPECTOR GENERAL

GENERAL PROVISIONS—DEPARTMENT OF COMMERCE

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

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

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

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

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

Sec. 206. (a) Should legislation be enacted to dis-
mantle or reorganize the Department of Commerce, or any
portion thereof, the Secretary of Commerce, no later than
90 days thereafter, shall submit to the Committees on Ap-
propriations of the House of Representatives and the Sen-
ate a plan for transferring funds provided in this Act to
the appropriate successor organizations: Provided, That
the plan shall include a proposal for transferring or re-
scinding funds appropriated herein for agencies or programs terminated under such legislation; Provided further, That such plan shall be transmitted in accordance with section 605 of this Act.

(b) The Secretary of Commerce or the appropriate head of any successor organization(s) may use any available funds to carry out legislation dismantling or reorganizing the Department of Commerce, or any portion thereof, to cover the costs of actions relating to the abolition, reorganization, or transfer of functions and any related personnel action, including voluntary separation incentives if authorized by such legislation; Provided, That the authority to transfer funds between appropriations accounts that may be necessary to carry out this section is provided in addition to authorities included under section 205 of this Act; Provided further, That use of funds to carry out this section shall be treated as a reprogramming of funds under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

SEC. 207. Any costs incurred by a department or agency funded under this title resulting from personnel actions taken in response to funding reductions included in this title or from actions taken for the care and protection of loan collateral or grant property shall be absorbed
within the total budgetary resources available to such Department or agency. Provided, That the authority to transfer funds between appropriations accounts as may be necessary to carry out this section is provided in addition to authorities included elsewhere in this Act. Provided further, That use of funds to carry out this section shall be treated as a reprogramming of funds under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

Sec. 208. The Secretary of Commerce may award contracts for hydrographic, geodetic, and photogrammetric surveying and mapping services in accordance with title IX of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 541 et seq.).

Sec. 209. The Secretary of Commerce may use the Commerce franchise fund for expenses and equipment necessary for the maintenance and operation of such administrative services as the Secretary determines may be performed more advantageously as central services, pursuant to section 403 of Public Law 103–356. Provided; That any inventories, equipment, and other assets pertaining to the services to be provided by such fund, either on hand or on order, less the related liabilities or unpaid obligations, and any appropriations made for the purpose of providing
capital shall be used to capitalize such fund. Provided further, That such fund shall be paid in advance from funds available to the Department and other Federal agencies for which such centralized services are performed, at rates which will return in full all expenses of operation, including accrued leave, depreciation of fund plant and equipment, amortization of automated data processing (ADP) software and systems (either acquired or donated), and an amount necessary to maintain a reasonable operating reserve, as determined by the Secretary. Provided further, That such fund shall provide services on a competitive basis. Provided further, That an amount not to exceed 4 percent of the total annual income to such fund may be retained in the fund for fiscal year 2001 and each fiscal year thereafter, to remain available until expended; to be used for the acquisition of capital equipment, and for the improvement and implementation of department financial management, ADP, and other support systems. Provided further, That such amounts retained in the fund for fiscal year 2001 and each fiscal year thereafter shall be available for obligation and expenditure only in accordance with section 605 of this Act. Provided further, That no later than 30 days after the end of each fiscal year, amounts in excess of this reserve limitation shall be deposited as miscellaneous receipts in the Treasury. Provided further, That
such franchise fund pilot program shall terminate pursuant to section 403(f) of Public Law 103–356.

This title may be cited as the "Department of Commerce and Related Agencies Appropriations Act, 2001".

TITLE III—THE JUDICIARY

SUPREME COURT OF THE UNITED STATES

SALARIES AND EXPENSES

For expenses necessary for the operation of the Supreme Court, as required by law, excluding care of the building and grounds; including purchase or hire, driving, maintenance, and operation of an automobile for the Chief Justice, not to exceed $10,000 for the purpose of transporting Associate Justices; and hire of passenger motor vehicles as authorized by 31 U.S.C. 1343 and 1344; not to exceed $10,000 for official reception and representation expenses; and for miscellaneous expenses, to be expended as the Chief Justice may approve; $36,782,000.

CARE OF THE BUILDING AND GROUNDS

For such expenditures as may be necessary to enable the Architect of the Capitol to carry out the duties imposed upon the Architect by the Act approved May 7, 1934 (40 U.S.C. 13a–13b); $7,530,000, of which $4,460,000 shall remain available until expended.
For salaries of the chief judge, judges, and other officers and employees, and for necessary expenses of the court, as authorized by law, $17,846,000.

For salaries of the chief judge and eight judges, salaries of the officers and employees of the court, services as authorized by 5 U.S.C. 3109, and necessary expenses of the court, as authorized by law, $12,209,000.

For the salaries of circuit and district judges (including judges of the territorial courts of the United States), justices and judges retired from office or from regular active service, judges of the United States Court of Federal Claims, bankruptcy judges, magistrate judges, and all other officers and employees of the Federal Judiciary not otherwise specifically provided for, and necessary expenses of the courts, as authorized by law, $3,328,778,000 (including the purchase of firearms and ammunition); of which not to exceed $17,817,000 shall remain available
until expended for space alteration projects; and of which not to exceed $10,000,000 shall remain available until expended for furniture and furnishings related to new space alteration and construction projects.

In addition, for expenses of the United States Court of Federal Claims associated with processing cases under the National Childhood Vaccine Injury Act of 1986; not to exceed $2,600,000; to be appropriated from the Vaccine Injury Compensation Trust Fund.

DEFENDER SERVICES

For the operation of Federal Public Defender and Community Defender organizations; the compensation and reimbursement of expenses of attorneys appointed to represent persons under the Criminal Justice Act of 1964, as amended; the compensation and reimbursement of expenses of persons furnishing investigative, expert and other services under the Criminal Justice Act of 1964 (18 U.S.C. 3006A(e)); the compensation (in accordance with Criminal Justice Act maximums) and reimbursement of expenses of attorneys appointed to assist the court in criminal cases where the defendant has waived representation by counsel; the compensation and reimbursement of travel expenses of guardians ad litem acting on behalf of financially eligible minor or incompetent offenders in connection with transfers from the United States to foreign countries with which the United States has a treaty for
the execution of penal sentences; and the compensation of attorneys appointed to represent jurors in civil actions for the protection of their employment, as authorized by 28 U.S.C. 1875(d), $420,338,000, to remain available until 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 to by the Director of the Administrative Office of the United States Courts and the Attorney General.

ADMINISTRATIVE OFFICE OF THE UNITED STATES COURTS

SALARIES AND EXPENSES

For necessary expenses of the Administrative Office of the United States Courts as authorized by law, including travel as authorized by 31 U.S.C. 1345, hire of a passenger motor vehicle as authorized by 31 U.S.C. 1343(b), advertising and rent in the District of Columbia and elsewhere, $58,340,000, of which not to exceed $8,500 is authorized for official reception and representation expenses.

FEDERAL JUDICIAL CENTER

SALARIES AND EXPENSES

For necessary expenses of the Federal Judicial Center, as authorized by Public Law 90–219, $18,777,000; of which $1,800,000 shall remain available through September 30, 2002, to provide education and training to Federal court personnel; and of which not to exceed
$1,000 is authorized for official reception and representation expenses.

Judicial Retirement Funds

Payment to Judiciary Trust Funds

For payment to the Judicial Officers' Retirement Fund, as authorized by 28 U.S.C. 377(o), $25,700,000; to the Judicial Survivors' Annuities Fund, as authorized by 28 U.S.C. 376(c), $8,100,000; and to the United States Court of Federal Claims Judges' Retirement Fund, as authorized by 28 U.S.C. 178(l), $1,900,000.

United States Sentencing Commission

Salaries and Expenses

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

General Provisions—The Judiciary

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

Sec. 302. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Judiciary in this Act may be transferred between such appropriations; but no such appropriation, except "Courts of Appeals, District Courts, and Other Judicial Services, De-
fender Services’’ and ‘‘Courts of Appeals, District Courts, and Other Judicial Services; Fees of Jurors and Commissioners’’, shall be increased by more than 10 percent by any such transfers: Provided, That any transfer pursuant to this section shall be treated as a reprogramming of funds under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

Sec. 303. Notwithstanding any other provision of law, the salaries and expenses appropriation for district courts; courts of appeals; and other judicial services shall be available for official reception and representation expenses of the Judicial Conference of the United States: Provided, That such available funds shall not exceed $11,000 and shall be administered by the Director of the Administrative Office of the United States Courts in the capacity as Secretary of the Judicial Conference.

Sec. 304. (a) The Director of the Administrative Office of the United States Courts (the Director) may designate in writing officers and employees of the judicial branch of the United States Government, including the courts as defined in section 610 of title 28, United States Code, but excluding the Supreme Court, to be disbursing officers in such numbers and locations as the Director considers necessary. These disbursing officers will: (1) dis-
burse moneys appropriated to the judicial branch and
other funds only in strict accordance with payment re-
quests certified by the Director or in accordance with sub-
section (b) of this section; (2) examine payment requests
as necessary to ascertain whether they are in proper form,
certified, and approved; and (3) be held accountable as
provided by law. However, a disbursing officer will not be
held accountable or responsible for any illegal, improper,
or incorrect payment resulting from any false, inaccurate,
or misleading certificate for which a certifying officer is
responsible under subsection (b) of this section:

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

(2) The liability of a certifying officer will be enforced
in the same manner and to the same extent as provided
by law with respect to the enforcement of the liability of
disbursing and other accountable officers. A certifying of-
ficer shall be required to make restitution to the United
States for the amount of any illegal, improper, or incorrect
payment resulting from any false, inaccurate, or mis-
leading certificates made by the certifying officer, as well
as for any payment prohibited by law or which did not
represent a legal obligation under the appropriation or
fund involved.

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

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

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

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

This title may be cited as the "Judiciary Appropri-
ations Act, 2001".
For necessary expenses of the Department of State and the Foreign Service not otherwise provided for, including expenses authorized by the State Department Basic Authorities Act of 1956, as amended, the Mutual Educational and Cultural Exchange Act of 1961, as amended, and the United States Information and Educational Exchange Act of 1948, as amended, including employment, without regard to civil service and classification laws, of persons on a temporary basis (not to exceed $700,000 of this appropriation), as authorized by section 801 of such Act; expenses authorized by section 9 of the Act of August 31, 1964, as amended; representation to certain international organizations in which the United States participates pursuant to treaties, ratified pursuant to the advice and consent of the Senate, or specific Acts of Congress; arms control, nonproliferation and disarmament activities as authorized by the Arms Control and Disarmament Act of September 26, 1961, as amended; acquisition by exchange or purchase of passenger motor vehicles as authorized by law; and for expenses of general administration,
$2,689,825,000 (reduced by $10,000,000)(reduced by $500,000). Provided, That, of the amount made available under this heading, not to exceed $4,000,000 may be transferred to, and merged with, funds in the "Emergencies in the Diplomatic and Consular Service" appropriations account, to be available only for emergency evacuations and terrorism rewards: Provided further, That, in fiscal year 2001, all receipts collected from individuals for assistance in the preparation and filing of an affidavit of support pursuant to section 213A of the Immigration and Nationality Act shall be deposited into this account as an offsetting collection and shall remain available until expended: Provided further, That, of the amount made available under this heading, $246,644,000 shall be available only for public diplomacy international information programs: Provided further, That, notwithstanding any other provision of law, not to exceed $342,667,000 of offsetting collections derived from fees collected under the authority of section 140(a)(1) of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (Public Law 103–236) during fiscal year 2001 shall be retained and used for authorized expenses in this appropriation and shall remain available until expended: Provided further, That any fees received in excess of $342,667,000 in fiscal year 2001 shall remain available until expended, but shall not be
available for obligation until October 1, 2001: Provided further, That advances for services authorized by 22 U.S.C. 3620(c) may be credited to this account, to remain available until expended for such services.

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

In addition, for the costs of worldwide security upgrades, $410,000,000, to remain available until expended.
CAPITAL INVESTMENT FUND

For necessary expenses of the Capital Investment Fund, $79,670,000, to remain available until expended, as authorized in Public Law 103–236, as amended: Provided, That section 135(c) of Public Law 103–236 shall not apply to funds available under this heading.

OFFICE OF INSPECTOR GENERAL


EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS

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

REPRESENTATION ALLOWANCES

For representation allowances as authorized by section 905 of the Foreign Service Act of 1980, as amended (22 U.S.C. 4085), $5,826,000.

PROTECTION OF FOREIGN MISSIONS AND OFFICIALS

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

EMBASSY SECURITY, CONSTRUCTION, AND MAINTENANCE

For necessary expenses for carrying out the Foreign Service Buildings Act of 1926, as amended (22 U.S.C. 292-300), preserving, maintaining, repairing, and planning for, buildings that are owned or directly leased by the Department of State; renovating, in addition to funds otherwise available, the Main State Building; and carrying out the Diplomatic Security Construction Program as authorized by title IV of the Omnibus Diplomatic Security and Antiterrorism Act of 1986 (22 U.S.C. 4851), $416,976,000, to remain available until expended as authorized by section 24(c) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2696(c)), of which not
to exceed $25,000 may be used for domestic and overseas representation as authorized by section 905 of the Foreign Service Act of 1980, as amended (22 U.S.C. 4085): Provided, That none of the funds appropriated in this paragraph shall be available for acquisition of furniture and furnishings and generators for other departments and agencies.

In addition, for the costs of worldwide security upgrades, acquisition, and construction as authorized by the Secure Embassy Construction and Counterterrorism Act of 1999, $648,000,000, to remain available until expended.

EMERGENCIES IN THE DIPLOMATIC AND CONSULAR SERVICE

For expenses necessary to enable the Secretary of State to meet unforeseen emergencies arising in the Diplomatic and Consular Service pursuant to the requirement of 31 U.S.C. 3526(e), and as authorized by section 804(3) of the United States Information and Educational Exchange Act of 1948, as amended, $5,477,000, to remain available until expended as authorized by section 24(c) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2696(c)), of which not to exceed $1,000,000 may be transferred to and merged with the Repatriation Loans Program Account, subject to the same terms and conditions.
REPATRIATION LOANS PROGRAM ACCOUNT

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

PAYMENT TO THE AMERICAN INSTITUTE IN TAIWAN

For necessary expenses to carry out the Taiwan Relations Act, Public Law 96–8, $16,345,000.

PAYMENT TO THE FOREIGN SERVICE RETIREMENT AND DISABILITY FUND

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

INTERNATIONAL ORGANIZATIONS AND CONFERENCES

CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

For expenses, not otherwise provided for, necessary to meet annual obligations of membership in international multilateral organizations, pursuant to treaties ratified pursuant to the advice and consent of the Senate, conventions or specific Acts of Congress, $880,505,000: Provided, That any payment of arrearages under this title

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shall be directed toward special activities that are mutually agreed upon by the United States and the respective international organization. Provided further, That none of the funds appropriated in this paragraph shall be available for a United States contribution to an international organization for the United States share of interest costs made known to the United States Government by such organization for loans incurred on or after October 1, 1984, through external borrowings. Provided further, That, of the funds appropriated in this paragraph, $100,000,000 may be made available only on a semi-annual basis pursuant to a certification by the Secretary of State on a semi-annual basis, that the United Nations has taken no action during the preceding 6 months to increase funding for any United Nations program without identifying an offsetting decrease during that 6-month period elsewhere in the United Nations budget and cause the United Nations to exceed the budget for the biennium 2000–2001 of $2,535,700,000. Provided further, That funds appropriated under this paragraph may be obligated and expended to pay the full United States assessment to the civil budget of the North Atlantic Treaty Organization.

CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING ACTIVITIES

For necessary expenses to pay assessed and other expenses of international peacekeeping activities directed to
the maintenance or restoration of international peace and
security, $498,100,000: Provided, That none of the funds
made available under this Act shall be obligated or ex-
pended for any new or expanded United Nations peace-
keeping mission unless, at least 15 days in advance of vot-
ing for the new or expanded mission in the United Nations
Security Council (or in an emergency, as far in advance
as is practicable): (1) the Committees on Appropriations
of the House of Representatives and the Senate and other
appropriate committees of the Congress are notified of the
estimated cost and length of the mission; the vital national
interest that will be served; and the planned exit strategy;
and (2) a reprogramming of funds pursuant to section 605
of this Act is submitted, and the procedures therein fol-
lowed, setting forth the source of funds that will be used
to pay for the cost of the new or expanded mission: Pro-
vided further, That funds shall be available for peace-
keeping expenses only upon a certification by the Sec-
retary of State to the appropriate committees of the Con-
gress that American manufacturers and suppliers are
being given opportunities to provide equipment, services,
and material for United Nations peacekeeping activities
equal to those being given to foreign manufacturers and
suppliers: Provided further, That none of the funds made
available under this heading are available to pay the
1 United States share of the cost of court monitoring that
is part of any United Nations peacekeeping mission.

INTERNATIONAL COMMISSIONS

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

INTERNATIONAL BOUNDARY AND WATER COMMISSION,

UNITED STATES AND MEXICO

9 For necessary expenses for the United States Section
of the International Boundary and Water Commission,
United States and Mexico, and to comply with laws appli-
cable to the United States Section, including not to exceed

$6,000 for representation; as follows:

SALARIES AND EXPENSES

14 For salaries and expenses, not otherwise provided for,
$19,470,000.

CONSTRUCTION

18 For detailed plan preparation and construction of au-
19 thorized projects, $5,915,000 (increased by $500,000), to
20 remain available until expended, as authorized by section
21 24(e) of the State Department Basic Authorities Act of
22 1956 (22 U.S.C. 2696(e)).

AMERICAN SECTIONS, INTERNATIONAL COMMISSIONS

24 For necessary expenses; not otherwise provided for
the International Joint Commission and the International
Boundary Commission, United States and Canada, as au-
authorized by treaties between the United States and Can-
ada or Great Britain, and for the Border Environment
Cooperation Commission as authorized by Public Law
103–182, $5,710,000, of which not to exceed $9,000 shall
be available for representation expenses incurred by the
International Joint Commission.

INTERNATIONAL FISHERIES COMMISSIONS
For necessary expenses for international fisheries
commissions, not otherwise provided for, as authorized by
law, $15,485,000: Provided, That the United States' share
of such expenses may be advanced to the respective com-
misions, pursuant to 31 U.S.C. 3324.

OTHER
PAYMENT TO THE ASIA FOUNDATION
For a grant to the Asia Foundation, as authorized
by section 501 of Public Law 101–246, $8,216,000, to
remain available until expended, as authorized by section
24(c) of the State Department Basic Authorities Act of
1956 (22 U.S.C. 2696(c)).

EISENHOWER EXCHANGE FELLOWSHIP PROGRAM TRUST
FUND
For necessary expenses of Eisenhower Exchange Fel-
lowships, Incorporated, as authorized by sections 4 and
5 of the Eisenhower Exchange Fellowship Act of 1990 (20
U.S.C. 5204–5205), all interest and earnings accruing to
the Eisenhower Exchange Fellowship Program Trust
Fund on or before September 30, 2001, to remain available until expended: Provided, That none of the funds appropriated herein shall be used to pay any salary or other compensation, or to enter into any contract providing for the payment thereof, in excess of the rate authorized by 5 U.S.C. 5376; or for purposes which are not in accordance with OMB Circulars A-110 (Uniform Administrative Requirements) and A-122 (Cost Principles for Non-profit Organizations), including the restrictions on compensation for personal services.

ISRAELI ARAB SCHOLARSHIP PROGRAM

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

NATIONAL ENDOWMENT FOR DEMOCRACY

For grants made by the Department of State to the National Endowment for Democracy as authorized by the National Endowment for Democracy Act, $30,872,000 to remain available until expended.
For expenses necessary to enable the Broadcasting Board of Governors, as authorized by the United States Information and Educational Exchange Act of 1948, as amended, the United States International Broadcasting Act of 1994, as amended, Reorganization Plan No. 2 of 1977, as amended, and the Foreign Affairs Reform and Restructuring Act of 1998, to carry out international communication activities, including the purchase, installation, rent, construction, and improvement of facilities for radio and television transmission and reception to Cuba, $419,777,000, of which not to exceed $16,000 may be used for official receptions within the United States as authorized by section 804(3) of such Act of 1948 (22 U.S.C. 1747(3)), not to exceed $35,000 may be used for representation abroad as authorized by section 302 of such Act of 1948 (22 U.S.C. 1452) and section 905 of the Foreign Service Act of 1980 (22 U.S.C. 4085), and not to exceed $39,000 may be used for official reception and representation expenses of Radio Free Europe/Radio Liberty; and in addition, notwithstanding any other provision of law, not to exceed $2,000,000 in receipts from advertising and revenue from business ventures, not to exceed $500,000
in receipts from cooperating international organizations, and not to exceed $1,000,000 in receipts from privatization efforts of the Voice of America and the International Broadcasting Bureau, to remain available until expended for carrying out authorized purposes.

BROADCASTING CAPITAL IMPROVEMENTS

For the purchase, rent, construction, and improvement of facilities for radio transmission and reception, and purchase and installation of necessary equipment for radio and television transmission and reception as authorized by section 801 of the United States Information and Educational Exchange Act of 1948 (22 U.S.C. 1471), $18,358,000, to remain available until expended, as authorized by section 704(a) of such Act of 1948 (22 U.S.C. 1477b(a)).

GENERAL PROVISIONS—DEPARTMENT OF STATE AND RELATED AGENCY

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

Sec. 402. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Department of State in this Act may be transferred between
such appropriations, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 10 percent by any such transfers: Provided, That not to exceed 5 percent of any appropriation made available for the current fiscal year for the Broadcasting Board of Governors in this Act may be transferred between such appropriations, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 10 percent by any such transfers: Provided further, That any transfer pursuant to this section shall be treated as a reprogramming of funds under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

**Sec. 403.** There shall be in the Department of State not more than 71 Deputy Assistant Secretaries of State.

**Sec. 404.** None of the funds made available in this Act may be used by the Department of State or the Broadcasting Board of Governors to provide equipment, technical support, consulting services, or any other form of assistance to the Palestinian Broadcasting Corporation.

**Sec. 405.** (a) Section 1(a)(2) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2654a(a)(2)) is amended by striking “and the Deputy Secretary of State” and inserting “, the Deputy Secretary of State.”
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
10 TITLE V—RELATED AGENCIES
11 DEPARTMENT OF TRANSPORTATION
12 MARITIME ADMINISTRATION
13 MARITIME SECURITY PROGRAM
14 For necessary expenses to maintain and preserve a
15 U.S.-flag merchant fleet to serve the national security
16 needs of the United States, $98,700,000, to remain avail-
17 able until expended:
18 OPERATIONS AND TRAINING
19 For necessary expenses of operations and training ac-
20 tivities authorized by law, $84,799,000.
21 MARITIME GUARANTEED LOAN (TITLE XI) PROGRAM
22 ACCOUNT
23 For the cost of guaranteed loans, as authorized by
24 the Merchant Marine Act, 1936, $10,621,000, to remain
25 available until expended: Provided, That such costs, in-
26 cluding the cost of modifying such loans, shall be as de-
27 fined in section 502 of the Congressional Budget Act of
1974, as amended. Provided further, That these funds are available to subsidize total loan principal, any part of which is to be guaranteed, not to exceed $1,000,000,000.

In addition, for administrative expenses to carry out the guaranteed loan program, not to exceed $3,795,000, which shall be transferred to and merged with the appropriation for Operations and Training.

ADMINISTRATIVE PROVISIONS—MARITIME ADMINISTRATION

Notwithstanding any other provision of this Act, the Maritime Administration is authorized to furnish utilities and services and make necessary repairs in connection with any lease, contract, or occupancy involving Government property under control of the Maritime Administration, and payments received therefore shall be credited to the appropriation charged with the cost thereof. Provided, That rental payments under any such lease, contract, or occupancy for items other than such utilities, services, or repairs shall be covered into the Treasury as miscellaneous receipts.

No obligations shall be incurred during the current fiscal year from the construction fund established by the Merchant Marine Act, 1936, or otherwise, in excess of the appropriations and limitations contained in this Act or in any prior appropriation Act.
Commission for the Preservation of America's Heritage Abroad

Salaries and Expenses

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

Commission on Civil Rights

Salaries and Expenses

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

Commission on Security and Cooperation in Europe

Salaries and Expenses

For necessary expenses of the Commission on Security and Cooperation in Europe, as authorized by Public
Law 94–304, $1,182,000, to remain available until expended as authorized by section 3 of Public Law 99–7.

**Equal Employment Opportunity Commission**

**Salaries and Expenses**

For necessary expenses of the Equal Employment Opportunity Commission as authorized by title VII of the Civil Rights Act of 1964, as amended (29 U.S.C. 206(d) and 621–634); the Americans with Disabilities Act of 1990, and the Civil Rights Act of 1991, including services as authorized by 5 U.S.C. 3109; hire of passenger motor vehicles as authorized by 31 U.S.C. 1343(b); non-monetary awards to private citizens; and not to exceed $29,000,000 for payments to State and local enforcement agencies for services to the Commission pursuant to title VII of the Civil Rights Act of 1964, as amended, sections 6 and 14 of the Age Discrimination in Employment Act, the Americans with Disabilities Act of 1990, and the Civil Rights Act of 1991, $290,928,000: Provided, That the Commission is authorized to make available for official reception and representation expenses not to exceed $2,500 from available funds.

**Federal Communications Commission**

**Salaries and Expenses**

For necessary expenses of the Federal Communications Commission, as authorized by law, including uni-
forms and allowances therefor, as authorized by 5 U.S.C. 5901–5902; not to exceed $600,000 for land and structure; not to exceed $500,000 for improvement and care of grounds and repair to buildings; not to exceed $4,000 for official reception and representation expenses; purchase (not to exceed 16) and hire of motor vehicles; special counsel fees; and services as authorized by 5 U.S.C. 3109. $207,909,000, of which not to exceed $300,000 shall remain available until September 30, 2002, for research and policy studies: Provided, That $200,146,000 of offsetting collections shall be assessed and collected pursuant to section 9 of title I of the Communications Act of 1934, as amended, and shall be retained and used for necessary expenses in this appropriation, and shall remain available until expended: Provided further, That the sum herein appropriated shall be reduced as such offsetting collections are received during fiscal year 2001 so as to result in a final fiscal year 2001 appropriation estimated at $7,763,000: Provided further, That any offsetting collections received in excess of $200,146,000 in fiscal year 2001 shall remain available until expended, but shall not be available for obligation until October 1, 2001.
FEDERAL MARITIME COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Federal Maritime Commission as authorized by section 201(d) of the Merchant Marine Act, 1936, as amended (46 U.S.C. App. 1111), including services as authorized by 5 U.S.C. 3109; hire of passenger motor vehicles as authorized by 31 U.S.C. 1343(b); and uniforms or allowances therefor, as authorized by 5 U.S.C. 5901-5902; $14,097,000: Provided, That not to exceed $2,000 shall be available for official reception and representation expenses.

FEDERAL TRADE COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Federal Trade Commission, including uniforms or allowances therefor, as authorized by 5 U.S.C. 5901-5902; services as authorized by 5 U.S.C. 3109; hire of passenger motor vehicles; not to exceed $2,000 for official reception and representation expenses; $121,098,000: Provided, That not to exceed $300,000 shall be available for use to contract with a person or persons for collection services in accordance with the terms of 31 U.S.C. 3718, as amended: Provided further, That, notwithstanding section 3302(b) of title 31, United States Code, not to exceed $121,098,000 of offsetting collections derived from fees collected for premerger
notification filings under the Hart-Scott-Rodino Antitrust Improvements Act of 1976 (15 U.S.C. 18(a)) shall be retained and used for necessary expenses in this appropriation, and shall remain available until expended. Provided further, That the sum herein appropriated from the general fund shall be reduced as such offsetting collections are received during fiscal year 2001, so as to result in a final fiscal year 2001 appropriation from the general fund estimated at not more than $0, to remain available until expended. Provided further, That section 605 of Public Law 101–162 (15 U.S.C. 18a note), as amended, is further amended by striking "$45,000 which" and inserting: "(1) $45,000, if as a result of the acquisition, the acquiring person would hold an aggregate total amount of the voting securities and assets of the acquired person in excess of $35,000,000 but not exceeding $99,999,999; (2) $100,000, if as a result of the acquisition, the acquiring person would hold an aggregate total amount of the voting securities and assets of the acquired person equal to or in excess of $100,000,000 but not exceeding $199,999,999; or (3) $200,000, if as a result of the acquisition, the acquiring person would hold an aggregate total amount of the voting securities and assets of the acquired person equal to or in excess of $200,000,000. Such fees": Provided further, That none of the funds made available
to the Federal Trade Commission shall be available for
obligation for expenses authorized by section 151 of the
Federal Deposit Insurance Corporation Improvement Act

LEGAL SERVICES CORPORATION

PAYMENT TO THE LEGAL SERVICES CORPORATION

For payment to the Legal Services Corporation to
carry out the purposes of the Legal Services Corporation
Act of 1974, as amended, $141,000,000 (increased by
$134,000,000), of which $134,575,000 (increased by
$130,425,000) is for basic field programs and required
independent audits; $1,125,000 (increased by $975,000)
is for the Office of Inspector General, of which such
amounts as may be necessary may be used to conduct ad-
ditional audits of recipients; and $5,300,000 (increased by
$2,600,000) is for management and administration.

ADMINISTRATIVE PROVISION—LEGAL SERVICES
CORPORATION

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

**MARINE MAMMAL COMMISSION**

**SALARIES AND EXPENSES**

For necessary expenses of the Marine Mammal Commission as authorized by title II of Public Law 92–522, as amended, $1,700,000.

**SECURITIES AND EXCHANGE COMMISSION**

**SALARIES AND EXPENSES**

For necessary expenses for the Securities and Exchange Commission, including services as authorized by 5 U.S.C. 3109, the rental of space (to include multiple year leases) in the District of Columbia and elsewhere, and not to exceed $3,000 for official reception and representation expenses, $252,624,000 from fees collected in fiscal year 2001 to remain available until expended; and from fees collected in fiscal year 1999, $140,000,000, to remain available until expended; of which not to exceed $10,000 may be used toward funding a permanent secretariat for the International Organization of Securities Commissions; and of which not to exceed $100,000 shall be available for expenses for consultations and meetings hosted by the Commission with foreign governmental and other regulatory officials, members of their delegations, appropriate representatives and staff to exchange views concerning de-
developments relating to securities matters, development and implementation of cooperation agreements concerning securities matters and provision of technical assistance for the development of foreign securities markets; such expenses to include necessary logistic and administrative expenses and the expenses of Commission staff and foreign invitees in attendance at such consultations and meetings including: (1) such incidental expenses as meals taken in the course of such attendance; (2) any travel and transportation to or from such meetings; and (3) any other related lodging or subsistence: Provided, That fees and charges authorized by sections 6(b)(4) of the Securities Act of 1933 (15 U.S.C. 77f(b)(4)) and 31(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78ee(d)) shall be credited to this account as offsetting collections.

**Small Business Administration**

**Salaries and Expenses**

For necessary expenses, not otherwise provided for, of the Small Business Administration as authorized by Public Law 105–135, including hire of passenger motor vehicles as authorized by 31 U.S.C. 1343 and 1344, and not to exceed $3,500 for official reception and representation expenses; $299,615,000 (increased by $4,479,000):

*Provided*, That the Administrator is authorized to charge fees to cover the cost of publications developed by the
Small Business Administration, and certain loan servicing activities. Provided further, That, notwithstanding 31 U.S.C. 3302, revenues received from all such activities shall be credited to this account, to be available for carrying out these purposes without further appropriations: Provided further, That, of the funds made available under this heading, $4,000,000 shall be for the National Veterans Business Development Corporation established under section 33(a) of the Small Business Act (15 U.S.C. 657c).

OFFICE OF INSPECTOR GENERAL


BUSINESS LOANS PROGRAM ACCOUNT

For the cost of direct loans, $2,500,000, to be available until expended; and for the cost of guaranteed loans, $137,800,000, as authorized by 15 U.S.C. 631 note, of which $45,000,000 shall remain available until September 30, 2002: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: Provided further, That during fiscal year 2001, commitments to guarantee loans under section 503 of the Small Business Investment Act of 1958, as amended, shall not
exceed $3,750,000,000: Provided further, That during fis-

cal year 2001, commitments for general business loans au-
thorized under section 7(a) of the Small Business Act, as
amended, shall not exceed $10,000,000,000 without prior
notification of the Committees on Appropriations of the
House of Representatives and Senate in accordance with
section 605 of this Act: Provided further, That during fis-
cal year 2001, commitments to guarantee loans under sec-
tion 303(b) of the Small Business Investment Act of 1958,
as amended, shall not exceed $500,000,000.

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

DISASTER LOANS PROGRAM ACCOUNT

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

In addition, for administrative expenses to carry out
the direct loan program, $136,000,000, which may be
transferred to and merged with appropriations for Salaries
and Expenses, of which $500,000 is for the Office of In-
spector General of the Small Business Administration for
audits and reviews of disaster loans and the disaster loan program and shall be transferred to and merged with appropriations for the Office of Inspector General; of which $125,646,000 is for direct administrative expenses of loan making and servicing to carry out the direct loan program; and of which $9,854,000 is for indirect administrative expenses. Provided, That any amount in excess of $9,854,000 to be transferred to and merged with appropriations for Salaries and Expenses for indirect administrative expenses shall be treated as a reprogramming of funds under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

ADMINISTRATIVE PROVISION—SMALL BUSINESS ADMINISTRATION

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

SALARIES AND EXPENSES

For necessary expenses of the State Justice Institute, as authorized by the State Justice Institute Authorization Act of 1992 (Public Law 102–572 (106 Stat. 4515–4516)), $4,500,000, to remain available until expended: Provided, That not to exceed $2,500 shall be available for official reception and representation expenses.

TITLE VI—GENERAL PROVISIONS

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

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

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

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

SEC. 605. (a) None of the funds provided under this Act, or provided under previous appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in fiscal year 2001, or provided from any accounts in the Treasury of the United States available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds which: (1) creates new programs; (2) eliminates a program, project, or activity; (3) increases funds or personnel by any means for any project or activity for which funds have been denied or restricted; (4) relocates an office or employees; (5) reorganizes offices, programs, or activities; or (6) contracts out or privatizes any functions, or activities presently performed by Federal employees; unless the Appropriations Committees of both Houses of Congress are notified 15 days in advance of such re-
programming of funds.

(b) None of the funds provided under this Act, or provided under previous appropriations Acts to the agen-
cies funded by this Act that remain available for obligation or expenditure in fiscal year 2001, or provided from any accounts in the Treasury of the United States available
to the agencies funded by this Act, shall be available for obligation or expenditure for activities, programs, or projects through a reprogramming of funds in excess of $500,000 or 10 percent, whichever is less, that: (1) augments existing programs, projects, or activities; (2) reduces by 10 percent funding for any existing program, project, or activity, or numbers of personnel by 10 percent as approved by Congress; or (3) results from any general savings from a reduction in personnel which would result in a change in existing programs, activities, or projects as approved by Congress; unless the Appropriations Committees of both Houses of Congress are notified 15 days in advance of such reprogramming of funds.

Sec. 606. None of the funds made available in this Act may be used for the construction, repair (other than emergency repair), overhaul, conversion, or modernization of vessels for the National Oceanic and Atmospheric Administration in shipyards located outside of the United States.

Sec. 607. (a) Purchase of American-Made Equipment and Products.—It is the sense of the Congress that, to the greatest extent practicable, all equipment and products purchased with funds made available in this Act should be American-made.
(b) NOTICE REQUIREMENT.—In providing financial assistance to, or entering into any contract with, any entity using funds made available in this Act, the head of each Federal agency, to the greatest extent practicable, shall provide to such entity a notice describing the statement made in subsection (a) by the Congress.

(c) PROHIBITION OF CONTRACTS WITH PERSONS FALSELY LABELING PRODUCTS AS MADE IN AMERICA.—If it has been finally determined by a court or Federal agency that any person intentionally affixed a label bearing a “Made in America” inscription, or any inscription with the same meaning, to any product sold in or shipped to the United States that is not made in the United States, the person shall be ineligible to receive any contract or subcontract made with funds made available in this Act, pursuant to the debarment, suspension, and ineligibility procedures described in sections 9.400 through 9.409 of title 48, Code of Federal Regulations.

Sec. 608. None of the funds made available in this Act may be used to implement, administer, or enforce any guidelines of the Equal Employment Opportunity Commission covering harassment based on religion, when it is made known to the Federal entity or official to which such funds are made available that such guidelines do not differ in any respect from the proposed guidelines published by

Sec. 609. None of the funds made available by this Act may be used for any United Nations undertaking when it is made known to the Federal official having authority to obligate or expend such funds: (1) that the United Nations undertaking is a peacekeeping mission; (2) that such undertaking will involve United States Armed Forces under the command or operational control of a foreign national; and (3) that the President’s military advisors have not submitted to the President a recommendation that such involvement is in the national security interests of the United States and the President has not submitted to the Congress such a recommendation.

Sec. 610. (a) None of the funds appropriated or otherwise made available by this Act shall be expended for any purpose for which appropriations are prohibited by section 609 of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1999.

(b) The requirements in subparagraphs (A) and (B) of section 609 of that Act shall continue to apply during fiscal year 2001.
SEC. 611. None of the funds made available in this Act shall be used to provide the following amenities or personal comforts in the Federal prison system—

(1) in-cell television viewing except for prisoners who are segregated from the general prison population for their own safety;

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

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

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

(5) the use or possession of any electric or electronic musical instrument.

SEC. 612. None of the funds made available in title H for the National Oceanic and Atmospheric Administration (NOAA) under the headings “Operations, Research, and Facilities” and “Procurement, Acquisition and Construction” may be used to implement sections 603, 604, and 605 of Public Law 102-567: Provided, That NOAA may develop a modernization plan for its fisheries research vessels that takes fully into account opportunities for contracting for fisheries surveys.
Sec. 613. Any costs incurred by a department or agency funded under this Act resulting from personnel actions taken in response to funding reductions included in this Act shall be absorbed within the total budgetary resources available to such department or agency: Provided, That the authority to transfer funds between appropriations accounts as may be necessary to carry out this section is provided in addition to authorities included elsewhere in this Act: Provided further, That use of funds to carry out this section shall be treated as a reprogramming of funds under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

Sec. 614. None of the funds made available in this Act to the Federal Bureau of Prisons may be used to distribute or make available any commercially published information or material to a prisoner when it is made known to the Federal official having authority to obligate or expend such funds that such information or material is sexually explicit or features nudity.

Sec. 615. Of the funds appropriated in this Act under the heading "Office of Justice Programs—State and Local Law Enforcement Assistance", not more than 90 percent of the amount to be awarded to an entity under the Local Law Enforcement Block Grant shall be made
available to such an entity when it is made known to the Federal official having authority to obligate or expend such funds that the entity that employs a public safety officer (as such term is defined in section 1204 of title I of the Omnibus Crime Control and Safe Streets Act of 1968) does not provide such a public safety officer who retires or is separated from service due to injury suffered as the direct and proximate result of a personal injury sustained in the line of duty while responding to an emergency situation or a hot pursuit (as such terms are defined by State law) with the same or better level of health insurance benefits at the time of retirement or separation as they received while on duty.

Sec. 616. None of the funds provided by this Act shall be available to promote the sale or export of tobacco or tobacco products, or to seek the reduction or removal by any foreign country of restrictions on the marketing of tobacco or tobacco products, except for restrictions which are not applied equally to all tobacco or tobacco products of the same type.

Sec. 617. None of the funds appropriated pursuant to this Act or any other provision of law may be used for:

(1) the implementation of any tax or fee in connection with the implementation of 18 U.S.C. 922(t); and (2) any system to implement 18 U.S.C. 922(t) that does not re-
quire and result in the destruction of any identifying infor-
mation submitted by or on behalf of any person who has
been determined not to be prohibited from owning a fire-
arm.

Sec. 618. Notwithstanding any other provision of
law, amounts deposited in the Fund established under 42
U.S.C. 10601 in fiscal year 2000 in excess of
$575,000,000 shall not be available for obligation until
October 1, 2001.

Sec. 619. None of the funds made available to the
Department of Justice in this Act may be used to discrimi-
nate against or denigrate the religious or moral beliefs of
students who participate in programs for which financial
assistance is provided from those funds, or of the parents
or legal guardians of such students.

Sec. 620. None of the funds appropriated in this Act
shall be available for the purpose of granting either immi-
grant or nonimmigrant visas, or both, consistent with the
Secretary’s determination under section 243(d) of the Im-
migration and Nationality Act, to citizens, subjects, na-
tionals, or residents of countries that the Attorney General
has determined deny or unreasonably delay accepting the
return of citizens, subjects, nationals, or residents under
that section.
Sec. 621. None of the funds made available to the Department of Justice in this Act may be used for the purpose of transporting an individual who is a prisoner pursuant to conviction for crime under State or Federal law and is classified as a maximum or high security prisoner, other than to a prison or other facility certified by the Federal Bureau of Prisons as appropriately secure for housing such a prisoner.

Sec. 622. None of the funds appropriated by this Act shall be used to propose or issue rules, regulations, decrees, or orders for the purpose of implementation, or in preparation for implementation, of the Kyoto Protocol which was adopted on December 11, 1997, in Kyoto, Japan, at the Third Conference of the Parties to the United Nations Framework Convention on Climate Change, which has not been submitted to the Senate for advice and consent to ratification pursuant to article II, section 2, clause 2, of the United States Constitution, and which has not entered into force pursuant to article 25 of the Protocol: Provided, That any limitation imposed under this Act on funds made available by this Act shall not apply to activities specified in the previous proviso related to the Kyoto Protocol which are otherwise authorized by law.
Sec. 623. None of the funds appropriated or otherwise made available by this Act may be used for participation by United States delegates to the Standing Consultative Commission in any activity of the Commission to implement the Memorandum of Understanding Relating to the Treaty Between the United States of America and the Union of Soviet Socialist Republics on the Limitation of Anti-Ballistic Missile Systems of May 26, 1972, entered into in New York on September 26, 1997, by the United States, Russia, Kazakhstan, Belarus, and Ukraine.

Sec. 624. None of the funds appropriated in this Act may be available to the Department of State to approve the purchase of property in Arlington, Virginia by the Xinhua News Agency.

Title VII—Rescission

Related Agencies

Department of Transportation

Maritime Administration

Maritime Guaranteed Loan (Title XI) Program Account (Rescission)

Sec. 701. Of the funds provided under this heading in Public Law 104–208, $7,644,000 are rescinded.

Title VIII—Limitations

Sec. 801. Of the funds appropriated in this Act under the heading “Federal Communications Commis-
1 section”; not more than $640,000 shall be available for the
2 Office of Media Relations of the Federal Communications
3 Commission.
4
5 TITLE IX—PROPERTY AND SERVICES
6 DONATIONS TO THE BUREAU OF PRISONS
7 Sec. 901. The Director of the Bureau of Prisons may
8 accept donated property and services relating to the oper-
9 ation of the Prison Card Program from a not-for-profit
10 entity which has operated such program in the past, de-
11 spite the fact such not-for-profit entity furnishes services
12 under contract to the Bureau relating to the operation of
13 prerelease services, halfway houses, or other custodial fa-
14 cilities.
15 This Act may be cited as the “Departments of Com-
16 mercial, Justice, and State, the Judiciary, and Related
17 Agencies Appropriations Act, 2001”.
18 That the following sums are appropriated, out of any
19 money in the Treasury not otherwise appropriated, for the
20 fiscal year ending September 30, 2001, and for other pur-
21 poses, namely:
22
23 TITLE I—DEPARTMENT OF JUSTICE
24 GENERAL ADMINISTRATION
25 SALARIES AND EXPENSES
26 For expenses necessary for the administration of the
27 Department of Justice, $83,713,000, of which not to exceed
$3,317,000 is for the Facilities Program 2000, to remain available until expended: Provided, That the Attorney General is authorized to transfer, under such terms and conditions as the Attorney General shall specify, forfeited real or personal property of limited or marginal value, as such value is determined by guidelines established by the Attorney General, to a State or local government agency, or its designated contractor or transferee, for use to support drug abuse treatment, drug and crime prevention and education, housing, job skills, and other community-based public health and safety programs: Provided further, That any transfer under the preceding proviso shall not create or confer any private right of action in any person against the United States, and shall be treated as a reprogramming under section 605 of this Act.

JOINT AUTOMATED BOOKING SYSTEM

For expenses necessary for the nationwide deployment of a Joint Automated Booking System including automated capability to transmit fingerprint and image data, $15,915,000, to remain available until expended.

NARROWBAND COMMUNICATIONS

For the costs of conversion to narrowband communications, including the costs for operation and maintenance of Land Mobile Radio legacy systems, $205,000,000, to remain available until expended.
COUNTERTERRORISM FUND

For necessary expenses, as determined by the Deputy Attorney General for National Security and Intelligence, $5,000,000, to remain available until expended, to reimburse any Department of Justice organization for: (1) the costs incurred in reestablishing the operational capability of an office or facility which has been damaged or destroyed as a result of any domestic or international terrorist incident; and (2) the costs of providing support to counter, investigate or prosecute domestic or international terrorism, including payment of rewards in connection with these activities: Provided, That any Federal agency may be reimbursed for the costs of detaining in foreign countries individuals accused of acts of terrorism that violate the laws of the United States: Provided further, That funds provided under this paragraph shall be available only after the Deputy Attorney General for National Security and Intelligence notifies the Committees on Appropriations of the House of Representatives and the Senate in accordance with section 605 of this Act.

ADMINISTRATIVE REVIEW AND APPEALS

For expenses necessary for the administration of pardon and clemency petitions and immigration related activities, $112,814,000.
OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, $42,192,000; including not to exceed $10,000 to meet unforeseen emergencies of a confidential character, to be expended under the direction of, and to be accounted for solely under the certificate of, the Attorney General; and for the acquisition, lease, maintenance, and operation of motor vehicles, without regard to the general purchase price limitation for the current fiscal year.

UNITED STATES PAROLE COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the United States Parole Commission as authorized by law, $7,380,000.

LEGAL ACTIVITIES

SALARIES AND EXPENSES, GENERAL LEGAL ACTIVITIES

For expenses necessary for the legal activities of the Department of Justice, not otherwise provided for, including not to exceed $20,000 for expenses of collecting evidence, to be expended under the direction of, and to be accounted for solely under the certificate of, the Attorney General; and rent of private or Government-owned space in the District of Columbia, $494,310,000; of which not to exceed $10,000,000 for litigation support contracts shall remain available until expended: Provided, That of the funds avail-
able in this appropriation, $18,571,000 shall remain available until expended only for office automation systems for the legal divisions covered by this appropriation, and for the United States Attorneys, the Antitrust Division, the United States Trustee Program, the Executive Office for Immigration Review, the Community Relations Service, and offices funded through “Salaries and Expenses”, General Administration: Provided further, That, notwithstanding any other provision of law, funds transferred to this account as reimbursements shall be treated as a reprogramming under section 605 of this Act and shall not be available for obligation or expenditure except in accordance with the procedures set forth in that section: Provided further, That of the total amount appropriated, not to exceed $1,000 shall be available to the United States National Central Bureau, INTERPOL, for official reception and representation expenses.

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

SALARIES AND EXPENSES, ANTITRUST DIVISION

For expenses necessary for the enforcement of antitrust and kindred laws, $95,838,000: Provided, That, notwith-
standing section 3302(b) of title 31, United States Code, not to exceed $95,838,000 of offsetting collections derived from fees collected in fiscal year 2001 for premerger notification filings under the Hart-Scott-Rodino Antitrust Improvements Act of 1976 (15 U.S.C. 18a) shall be retained and used for necessary expenses in this appropriation, and shall remain available until expended: Provided further, That the sum herein appropriated from the general fund shall be reduced as such offsetting collections are received during fiscal year 2001, so as to result in a final fiscal year 2001 appropriation from the general fund estimated at not more than $0.

SALARIES AND EXPENSES, UNITED STATES ATTORNEYS

For necessary expenses of the Offices of the United States Attorneys, including inter-governmental and cooperative agreements, $1,159,014,000; of which not to exceed $2,500,000 shall be available until September 30, 2002, for: (1) training personnel in debt collection; (2) locating debtors and their property; (3) paying the net costs of selling property; and (4) tracking debts owed to the United States Government: Provided, That of the total amount appropriated, not to exceed $8,000 shall be available for official reception and representation expenses: Provided further, That not to exceed $10,000,000 of those funds available for automated litigation support contracts shall remain available until expended: Provided further, That not more than
$579,507,000 of the funds appropriated under this heading shall be available for obligation or expenditure until the Attorney General establishes by plain rule that it shall be punishable conduct for any Department of Justice employee, in the discharge of his or her official duties, intentionally to engage in any of the actions listed in section 114(a) of S. 1217 of the 106th Congress, as passed by the Senate on July 22, 1999, and certifies to Congress that rules of conduct and penalties have been established: Provided further, That not to exceed $2,500,000 for the operation of the National Advocacy Center shall remain available until expended: Provided further, That the fourth proviso under the heading “Salaries and Expenses, United States Attorneys” in title I of H.R. 3421 of the 106th Congress, as enacted by section 1000(a)(1) of Public Law 106–113 shall apply to amounts made available under this heading for fiscal year 2001: Provided further, That, in addition to reimbursable full-time equivalent workyears available to the Offices of the United States Attorneys, not to exceed 9,120 positions and 9,398 full-time equivalent workyears shall be supported from the funds appropriated in this Act for the United States Attorneys.

UNITED STATES TRUSTEE SYSTEM FUND

For necessary expenses of the United States Trustee Program, as authorized by 28 U.S.C. 589a(a), $127,212,000, to remain available until expended and to
be derived from the United States Trustee System Fund:

Provided, That, notwithstanding any other provision of law, deposits to the Fund shall be available in such amounts as may be necessary to pay refunds due depositors: Provided further, That, notwithstanding any other provision of law, $127,212,000 of offsetting collections pursuant to 28 U.S.C. 589a(b) shall be retained and used for necessary expenses in this appropriation and remain available until expended: Provided further, That the sum herein appropriated from the Fund shall be reduced as such offsetting collections are received during fiscal year 2001, so as to result in a final fiscal year 2001 appropriation from the Fund estimated at $0.

SALARIES AND EXPENSES, FOREIGN CLAIMS SETTLEMENT COMMISSION

For expenses necessary to carry out the activities of the Foreign Claims Settlement Commission, including services as authorized by 5 U.S.C. 3109, $1,214,000.

SALARIES AND EXPENSES, UNITED STATES MARSHALS SERVICE

For necessary expenses of the United States Marshals Service; including the acquisition, lease, maintenance, and operation of vehicles, and the purchase of passenger motor vehicles for police-type use, without regard to the general purchase price limitation for the current fiscal year, $550,472,000; of which not to exceed $6,000 shall be avail-
able for official reception and representation expenses; and
of which not to exceed $4,000,000 for development, implementa-
tion, maintenance and support, and training for an automated prisoner information system shall remain avail-
able until expended: Provided, That the Marshals Service shall not provide a protective vehicle for the Director of the Office of the National Drug Control Policy unless the Marshals Service deems the threat level for the Director to be high.

CONSTRUCTION

For planning, constructing, renovating, equipping, and maintaining United States Marshals Service prisoner-holding space in United States courthouses and Federal buildings, including the renovation and expansion of prisoner movement areas, elevators, and sallyports, $25,100,000, to remain available until expended.

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

For expenses necessary to equip, man, operate, and maintain the Justice Prisoner and Alien Transportation System, $84,355,000, to remain available until expended: Provided, That notwithstanding any other provision of law, funds made available under this heading may be used for operating equipment lease agreements that do not exceed 10 years.
In addition, $13,500,000, to remain available until expended, shall be available only for the purchase of two Sabreliner-class aircraft.

**FEDERAL PRISONER DETENTION**

For expenses, related to United States prisoners in the custody of the United States Marshals Service, but not including expenses otherwise provided for in appropriations available to the Attorney General, $539,022,000, to remain available until expended: Provided, That notwithstanding section 4(d) of the Service Contract Act of 1965 (41 U.S.C. 353(d)), the Marshals Service may enter into contracts and other agreements with private entities for periods of not to exceed 3 years and 7 additional option years for the confinement of Federal detainees.

**FEES AND EXPENSES OF WITNESSES**

For expenses, mileage, compensation, and per diems of witnesses, for expenses of contracts for the procurement and supervision of expert witnesses, for private counsel expenses, and for per diems in lieu of subsistence, as authorized by law, including advances, $156,145,000, to remain available until expended; of which not to exceed $6,000,000 may be made available for planning, construction, renovations, maintenance, remodeling, and repair of buildings, and the purchase of equipment incident thereto, for protected witness safesites; and of which not to exceed $1,000,000 may be made available for the purchase and
maintenance of armored vehicles for transportation of protected witnesses: Provided, That, notwithstanding any other provision of law, of the amount made available under this heading, not to exceed $77,067,000 may be transferred to, and merged with funds in the “Federal Prisoner Detention” appropriations account.

SALARIES AND EXPENSES, COMMUNITY RELATIONS SERVICE

For necessary expenses of the Community Relations Service, $8,475,000: Provided, That notwithstanding any other provision of law, upon a determination by the Attorney General that emergent circumstances require additional funding for conflict prevention and resolution activities of the Community Relations Service, the Attorney General may transfer such amounts to the Community Relations Service, from available appropriations for the current fiscal year for the Department of Justice, as may be necessary to respond to such circumstances: Provided further, That any transfer pursuant to the previous proviso shall be treated as a reprogramming under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

ASSETS FORFEITURE FUND

For expenses authorized by 28 U.S.C. 524(c)(1)(A)(ii), (B), (F), and (G), as amended, $23,000,000, to be derived from the Department of Justice Assets Forfeiture Fund.
RADIATION EXPOSURE COMPENSATION

ADMINISTRATIVE EXPENSES

For necessary expenses to process and determine claims covered by the Radiation Exposure Compensation Act as in effect on June 1, 2000, $2,000,000, any other claims to be tolled or barred until funds are made legally available therefor.

PAYMENT TO RADIATION EXPOSURE COMPENSATION TRUST FUND

For payments from the Radiation Exposure Compensation Trust Fund of claims covered by the Radiation Exposure Compensation Act as in effect on June 1, 2000, $14,400,000.

INTERAGENCY LAW ENFORCEMENT

INTERAGENCY CRIME AND DRUG ENFORCEMENT

For necessary expenses for the detection, investigation, and prosecution of individuals involved in organized crime drug trafficking not otherwise provided for, to include intergovernmental agreements with State and local law enforcement agencies engaged in the investigation and prosecution of individuals involved in organized crime drug trafficking, $316,792,000, of which $50,000,000 shall remain available until expended: Provided, That any amounts obligated from appropriations under this heading may be used under authorities available to the organizations reimbursed from this appropriation: Provided further, That any unobligated bal-
ances remaining available at the end of the fiscal year shall revert to the Attorney General for reallocation among participating organizations in succeeding fiscal years, subject to the reprogramming procedures described in section 605 of this Act.

Federal Bureau of Investigation

Salaries and Expenses

For necessary expenses of the Federal Bureau of Investigation for detection, investigation, and prosecution of crimes against the United States; including purchase for police-type use of not to exceed 1,236 passenger motor vehicles, of which 1,142 will be for replacement only, without regard to the general purchase price limitation for the current fiscal year, and hire of passenger motor vehicles; acquisition, lease, maintenance, and operation of aircraft; and not to exceed $70,000 to meet unforeseen emergencies of a confidential character, to be expended under the direction of, and to be accounted for solely under the certificate of, the Attorney General, $3,077,581,000; of which not to exceed $50,000,000 for automated data processing and telecommunications and technical investigative equipment and not to exceed $1,000,000 for undercover operations shall remain available until September 30, 2002; of which not less than $400,650,000 shall be for counterterrorism investigations, foreign counterintelligence, and other activities re-
lated to our national security; of which not to exceed $10,000,000 is authorized to be made available for making advances for expenses arising out of contractual or reimbursable agreements with State and local law enforcement agencies while engaged in cooperative activities related to violent crime, terrorism, organized crime, and drug investigations: Provided, That not to exceed $45,000 shall be available for official reception and representation expenses: Provided further, That no funds in this Act may be used to provide ballistics imaging equipment to any State or local authority which has obtained similar equipment through a Federal grant or subsidy unless the State or local authority agrees to return that equipment or to repay that grant or subsidy to the Federal Government.

CONSTRUCTION

For necessary expenses to construct or acquire buildings and sites by purchase, or as otherwise authorized by law (including equipment for such buildings); conversion and extension of federally-owned buildings; and preliminary planning and design of projects, $42,687,000, to remain available until expended.

DRUG ENFORCEMENT ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses of the Drug Enforcement Administration, including not to exceed $70,000 to meet unforeseen emergencies of a confidential character, to be ex-
pended under the direction of, and to be accounted for solely under the certificate of, the Attorney General; expenses for conducting drug education and training programs, including travel and related expenses for participants in such programs and the distribution of items of token value that promote the goals of such programs; purchase of not to exceed 1,358 passenger motor vehicles, of which 1,079 will be for replacement only, for police-type use without regard to the general purchase price limitation for the current fiscal year; and acquisition, lease, maintenance, and operation of aircraft, $1,345,655,000, of which not to exceed $1,800,000 for research shall remain available until expended, and of which not to exceed $4,000,000 for purchase of evidence and payments for information, not to exceed $10,000,000 for contracting for automated data processing and telecommunications equipment, and not to exceed $2,000,000 for laboratory equipment, $4,000,000 for technical equipment, and $2,000,000 for aircraft replacement retrofit and parts, shall remain available until September 30, 2002; of which not to exceed $50,000 shall be available for official reception and representation expenses.

**IMMIGRATION AND NATURALIZATION SERVICE**

**SALARIES AND EXPENSES**

For expenses, not otherwise provided for, necessary for the administration and enforcement of the laws relating to
immigration, naturalization, and alien registration, includ-
ing not to exceed $50,000 to meet unforeseen emer-
gencies of a confidential character, to be expended under
the direction of, and to be accounted for solely under the
certificate of, the Attorney General; purchase for police-type
use (not to exceed 3,165 passenger motor vehicles, of which
2,211 are for replacement only), without regard to the gen-
eral purchase price limitation for the current fiscal year,
and hire of passenger motor vehicles; acquisition, lease,
maintenance and operation of aircraft; research related to
immigration enforcement; for protecting and maintaining
the integrity of the borders of the United States including,
without limitation, equipping, maintaining, and making
improvements to the infrastructure; and for the care and
housing of Federal detainees held in the joint Immigration
and Naturalization Service and United States Marshals
Service’s Buffalo Detention Facility, $2,895,397,000, of
which not to exceed $400,000 for research shall remain
available until expended; of which not to exceed $10,000,000
shall be available for costs associated with the training pro-
gram for basic officer training, and $5,000,000 is for pay-
ments or advances arising out of contractual or reimburs-
able agreements with State and local law enforcement agen-
cies while engaged in cooperative activities related to immi-
gration; and of which not to exceed $5,000,000 is to fund
or reimburse other Federal agencies for the costs associated
with the care, maintenance, and repatriation of smuggled
illegal aliens: Provided, That none of the funds available
to the Immigration and Naturalization Service shall be
available to pay any employee overtime pay in an amount
in excess of $20,000 during the calendar year beginning
January 1, 2001: Provided further, That uniforms may be
purchased without regard to the general purchase price lim-
itation for the current fiscal year: Provided further, That
notwithstanding section 4(d) of the Service Contract Act of
1965 (41 U.S.C. 353(d)), the Immigration and Naturaliza-
tion Service may enter into contracts and other agreements
with private entities for periods of not to exceed 3 years
and 7 additional option years for the confinement of Fed-
eral detainees: Provided further, That not to exceed $5,000
shall be available for official reception and representation
expenses: Provided further, That not to exceed 39 permanent
positions and 39 full-time equivalent workyears and
$4,284,000 shall be expended for the Offices of Legislative
Affairs and Public Affairs: Provided further, That the latter
two aforementioned offices shall be augmented by personnel
details, temporary transfers of personnel on either a reim-
bursable or non-reimbursable basis, or any other type of for-
mal or informal transfer or reimbursement of personnel or
funds on either a temporary or long-term basis and such
augmentation may not exceed 4 full-time equivalent workyears. Provided further, That the number of positions filled through non-career appointment at the Immigration and Naturalization Service, for which funding is provided in this Act or is otherwise made available to the Immigration and Naturalization Service, shall not exceed 4 permanent positions and 4 full-time equivalent workyears.

CONSTRUCTION

For planning, construction, renovation, equipping, and maintenance of buildings and facilities necessary for the administration and enforcement of the laws relating to immigration, naturalization, and alien registration, not otherwise provided for, $133,302,000, to remain available until expended.

FEDERAL PRISON SYSTEM

SALARIES AND EXPENSES

For expenses necessary for the administration, operation, and maintenance of Federal penal and correctional institutions, including purchase (not to exceed 707, of which 600 are for replacement only) and hire of law enforcement and passenger motor vehicles, and for the provision of technical assistance and advice on corrections related issues to foreign governments, $3,573,729,000, of which $35,000,000 to remain available until expended shall be available only for providing transportation, guard services, and medical care outside of Federal penal and correctional institutions
to prisoners awaiting trial or sentencing: Provided, That 
the Attorney General may transfer to the Health Resources 
and Services Administration such amounts as may be nec-
essary for direct expenditures by that Administration for 
medical relief for inmates of Federal penal and correctional 
institutions: Provided further, That the Director of the Fed-
eral Prison System (FPS), where necessary, may enter into 
contracts with a fiscal agent/fiscal intermediary claims 
processor to determine the amounts payable to persons who, 
on behalf of FPS, furnish health services to individuals 
committed to the custody of FPS: Provided further, That 
not to exceed $6,000 shall be available for official reception 
and representation expenses: Provided further, That not to 
exceed $90,000,000 shall remain available for necessary op-
erations until September 30, 2002: Provided further, That, 
of the amounts provided for Contract Confinement, not to 
exceed $20,000,000 shall remain available until expended 
to make payments in advance for grants, contracts and re-
imburseable agreements, and other expenses authorized by 
section 501(c) of the Refugee Education Assistance Act of 
1980, as amended, for the care and security in the United 
States of Cuban and Haitian entrants: Provided further, 
That notwithstanding section 4(d) of the Service Contract 
Act of 1965 (41 U.S.C. 353(d)), FPS may enter into con-
tracts, and other agreements with private entities, for peri-
ods of not to exceed 3 years and seven additional option
years for the confinement of Federal prisoners: Provided
further, That the Director of the Federal Prison System
may accept donated property and service relating to the op-
eration of the prison card program from a not-for-profit
entity which has operated such program in the past not-
withstanding the fact that such not-for-profit entity fur-
nishes services under contracts to the Federal Prison System
relating to the operation of pre-release services, halfway
houses or other custodial facilities.

BUILDINGS AND FACILITIES

For planning, acquisition of sites and construction of
new facilities; purchase and acquisition of facilities and re-
modeling, and equipping of such facilities for penal and
correctional use, including all necessary expenses incident
thereto, by contract or force account; and constructing, re-
modeling, and equipping necessary buildings and facilities
at existing penal and correctional institutions, including
all necessary expenses incident thereto, by contract or force
account; $724,389,000, to remain available until expended;
of which not to exceed $14,000,000 shall be available to con-
struct areas for inmate work programs; of which $8,454,000
shall be transferred to and merged with the State and Local
Law Enforcement Assistance Account of the Office of Justice
Programs, of which $7,954,000 shall be used to construct
an Alaska state prison, and $500,000 shall be used to con-
struct a treatment and security facility for mid-risk youth
in Southwest Colorado: Provided, That labor of United
States prisoners may be used for work performed under this
appropriation: Provided further, That not to exceed 10 per-
cent of the funds appropriated to “Buildings and Facili-
ties” in this Act or any other Act may be transferred to
“Salaries and Expenses”, Federal Prison System, upon no-
tification by the Attorney General to the Committees on Ap-
propriations of the House of Representatives and the Senate
in compliance with provisions set forth in section 605 of
this Act.

FEDERAL PRISON INDUSTRIES, INCORPORATED

The Federal Prison Industries, Incorporated, is hereby
authorized to make such expenditures, within the limits of
funds and borrowing authority available, and in accord
with the law, and to make such contracts and commitments,
without regard to fiscal year limitations as provided by sec-
tion 9104 of title 31, United States Code, as may be nec-
essary in carrying out the program set forth in the budget
for the current fiscal year for such corporation, including
purchase of (not to exceed five for replacement only) and
hire of passenger motor vehicles.

LIMITATION ON ADMINISTRATIVE EXPENSES, FEDERAL
PRISON INDUSTRIES, INCORPORATED

Not to exceed $3,429,000 of the funds of the corporation
shall be available for its administrative expenses, and for
services as authorized by 5 U.S.C. 3109, to be computed on an accrual basis to be determined in accordance with the corporation’s current prescribed accounting system, and such amounts shall be exclusive of depreciation, payment of claims, and expenditures which the said accounting system requires to be capitalized or charged to cost of commodities acquired or produced, including selling and shipping expenses, and expenses in connection with acquisition, construction, operation, maintenance, improvement, protection, or disposition of facilities and other property belonging to the corporation or in which it has an interest.

Office of Justice Programs

Justice Assistance


In addition, for grants, cooperative agreements, and other assistance authorized by sections 819 and 821 of the
Antiterrorism and Effective Death Penalty Act of 1996 and
for other counterterrorism programs, $257,500,000, to re-
main available until expended.

STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE

For assistance authorized by the Violent Crime Control
and Law Enforcement Act of 1994 (Public Law 103–322),
as amended (“the 1994 Act”); the Omnibus Crime Control
and Safe Streets Act of 1968, as amended (“the 1968 Act”);
and the Victims of Child Abuse Act of 1990, as amended
(“the 1990 Act”), $1,475,254,000 (including amounts for
administrative costs, which shall be transferred to and
merged with the “Justice Assistance” account), to remain
available until expended as follows:

(1) $400,000,000 for Local Law Enforcement
Block Grants, pursuant to H.R. 728 as passed by the
House of Representatives on February 14, 1995, ex-
cept that for purposes of this Act, the Commonwealth
of Puerto Rico shall be considered a “unit of local
government” as well as a “State”, for the purposes set
forth in paragraphs (A), (B), (D), (F), and (I) of sec-
tion 101(a)(2) of H.R. 728 and for establishing crime
prevention programs involving cooperation between
community residents and law enforcement personnel
in order to control, detect, or investigate crime or the
prosecution of criminals: Provided, That no funds
provided under this heading may be used as matching funds for any other Federal grant program, of which:

(a) $70,000,000 shall be for Boys and Girls Clubs in public housing facilities and other areas in cooperation with State and local law enforce-
ment: Provided, That funds may also be used to defray the costs of indemnification insurance for law enforcement officers;

(b) $20,000,000 shall be available to carry out section 102(2) of H.R. 728;

(2) $50,000,000 for the State Criminal Alien As-
sistance Program, as authorized by section 242(j) of the Immigration and Nationality Act, as amended: Provided, That in fiscal year 2001 and hereafter, all funds appropriated for the State Criminal Alien As-
sistance Program shall be used only for the states’ costs of incarceration of undocumented criminal aliens: Provided further, That funding from the State Criminal Alien Assistance Program may be used to fund no more than twenty percent of each states’ costs associated with the incarceration of undocumented criminal aliens;

(3) $76,000,000 shall be for Violent Offender Incar-
carceration and Truth in Sentencing Incentive
Grants pursuant to subtitle A of title II of the 1994 Act, of which:

(a) $35,000,000 shall be available for the Cooperative Agreement Program,

(b) $34,000,000 shall be reserved by the Attorney General for fiscal year 2001 under section 20109(a) of subtitle A of title II of the 1994 Act,

(c) $7,000,000 shall be for an offender re-entry demonstration program;

(4) $5,000,000 for the Tribal Courts Initiative;

(5) $452,000,000 for programs authorized by part E of title I of the 1968 Act, of which $15,000,000 is for Project HomeSafe, notwithstanding the provisions of section 511 of said Act, including:

(a) $52,000,000 for discretionary grants under the Edward Byrne Memorial State and Local Law Enforcement Assistance Programs, of which, $4,500,000 shall be for the Executive Office of the United States Attorneys to support the National District Attorneys Association’s participation in legal education training at the National Advocacy Center;

(6) $11,500,000 for the Court Appointed Special Advocate Program, as authorized by section 218 of the 1990 Act;
(7) $2,000,000 for Child Abuse Training Programs for Judicial Personnel and Practitioners, as authorized by section 224 of the 1990 Act;

(8) $207,554,000 for Grants to Combat Violence Against Women, to States, units of local government, and Indian tribal governments, as authorized by section 1001(a)(18) of the 1968 Act, including:

(a) $28,000,000 to be used exclusively for the purpose of strengthening civil legal assistance programs for victims of domestic violence,

(b) $5,200,000 for the National Institute of Justice for research and evaluation of violence against women,

(c) $11,000,000 for the Office of Juvenile Justice and Delinquency Prevention for the Safe Start Program, to be administered as authorized by part C of the Juvenile Justice and Delinquency Act of 1974, as amended, and

(d) $11,000,000 which shall be used exclusively for violence on college campuses;

(9) $33,500,000 for Grants to Encourage Arrest Policies to States, units of local government, and Indian tribal governments, as authorized by section 1001(a)(19) of the 1968 Act;
(10) $24,500,000 for Rural Domestic Violence and Child Abuse Enforcement Assistance Grants, as authorized by section 40295 of the 1994 Act;

(11) $4,900,000 for training programs to assist probation and parole officers who work with released sex offenders, as authorized by section 40152(c) of the 1994 Act, and for local demonstration projects;

(12) $900,000 for grants for televised testimony, as authorized by section 1001(a)(7) of the 1968 Act;

(13) $63,000,000 for grants for residential substance abuse treatment for State prisoners, as authorized by section 1001(a)(17) of the 1968 Act;

(14) $900,000 for the Missing Alzheimer’s Disease Patient Alert Program, as authorized by section 240001(c) of the 1994 Act;

(15) $40,000,000 for Drug Courts, as authorized by title V of the 1994 Act;

(16) $1,500,000 for Law Enforcement Family Support Programs, as authorized by section 1001(a)(21) of the 1968 Act;

(17) $2,000,000 for public awareness programs addressing marketing scams aimed at senior citizens, as authorized by section 250005(3) of the 1994 Act;

(18) $100,000,000 shall be for Juvenile Accountability Incentive Block Grants, except that such funds
shall be subject to the same terms and conditions as set forth in the provisions under this heading for this program in Public Law 105–119, but all references in such provisions to 1998 shall be deemed to refer instead to 2001:

Provided further, That funds made available in fiscal year 2001 under subpart 1 of part E of title I of the 1968 Act may be obligated for programs to assist States in the litigation processing of death penalty Federal habeas corpus petitions and for drug testing initiatives: Provided further, That, if a unit of local government uses any of the funds made available under this title to increase the number of law enforcement officers, the unit of local government will achieve a net gain in the number of law enforcement officers who perform nonadministrative public safety service: Provided further, That balances for these programs may be transferred from the Violent Crime Reduction Programs, State and Local Law Enforcement Assistance account to this account.

WEED AND SEED PROGRAM FUND

For necessary expenses, including salaries and related expenses of the Executive Office for Weed and Seed, to implement “Weed and Seed” program activities, $40,000,000, to remain available until expended, for inter-governmental agreements, including grants, cooperative agreements, and contracts, with State and local law enforcement agencies,
non-profit organizations, and agencies of local government, engaged in the investigation and prosecution of violent crimes and drug offenses in “Weed and Seed” designated communities, and for either reimbursements or transfers to appropriation accounts of the Department of Justice and other Federal agencies which shall be specified by the Attorney General to execute the “Weed and Seed” program strategy: Provided, That funds designated by Congress through language for other Department of Justice appropriation accounts for “Weed and Seed” program activities shall be managed and executed by the Attorney General through the Executive Office for Weed and Seed: Provided further, That the Attorney General may direct the use of other Department of Justice funds and personnel in support of “Weed and Seed” program activities only after the Attorney General notifies the Committees on Appropriations of the House of Representatives and the Senate in accordance with section 605 of this Act.

COMMUNITY ORIENTED POLICING SERVICES

For activities authorized by the Violent Crime Control and Law Enforcement Act of 1994, Public Law 103–322 (“the 1994 Act”) (including administrative costs), $812,025,000, to remain available until expended, of which $130,000,000 shall be available to the Office of Justice Programs to carry out section 102 of the Crime Identification
Technology Act of 1998 (42 U.S.C. 14601), of which $33,000,000 is for grants to upgrade criminal records, as authorized by section 106(b) of the Brady Handgun Violence Prevention Act of 1993, as amended, and section 4(b) of the National Child Protection Act of 1993, of which $20,000,000 is for the National Institute of Justice to develop school safety technologies, and of which $30,000,000 shall be for State and local DNA laboratories as authorized by section 1001(a)(22) of the 1968 Act, as well as for improvements to the State and local forensic laboratory general forensic science capabilities and to reduce their DNA convicted offender database sample backlog; of which $403,000,000 is for Public Safety and Community Policing Grants pursuant to title I of the 1994 Act, of which $180,000,000 shall be available for school resource officers; of which $20,000,000 shall be used to improve tribal law enforcement including equipment and training; of which $41,700,000 shall be used for policing initiatives to combat methamphetamine production and trafficking and to enhance policing initiatives in drug “hot spots”; of which $100,000,000 shall be used for a law enforcement technology program, $26,000,000 shall be used for the Matching Grant Program for Law Enforcement Armor Vests pursuant to section 2501 of part Y of the Omnibus Crime Control and Safe Streets Act of 1968 (“the 1968 Act”), as amended,
$29,500,000 shall be used for Police Corps education, training, and service as set forth in sections 200101–200113 of the 1994 Act; and $15,000,000 shall be used to combat violence in schools: Provided, That of the amount provided for Public Safety and Community Policing Grants, not to exceed $29,825,000 shall be expended for program management and administration: Provided further, That of the unobligated balances available in this program, $20,000,000 shall be available to improve tribal law enforcement including equipment and training.

**JUVENILE JUSTICE PROGRAMS**

For grants, contracts, cooperative agreements, and other assistance authorized by the Juvenile Justice and Delinquency Prevention Act of 1974, as amended, (“the Act”), including salaries and expenses in connection therewith to be transferred to and merged with the appropriations for Justice Assistance, $271,597,000, to remain available until expended, as authorized by section 299 of part I of title II and section 506 of title V of the Act, as amended by Public Law 102–586, of which: (1) notwithstanding any other provision of law, $6,847,000 shall be available for expenses authorized by part A of title II of the Act, $89,000,000 shall be available for expenses authorized by part B of title II of the Act, and $42,750,000 shall be available for expenses authorized by part C of title II of the Act: Provided, That $26,500,000 of the amounts provided for
part B of title II of the Act, as amended, is for the purpose of providing additional formula grants under part B to States that provide assurances to the Administrator that the State has in effect (or will have in effect no later than 1 year after date of application) policies and programs, that ensure that juveniles are subject to accountability-based sanctions for every act for which they are adjudicated delinquent; (2) $12,000,000 shall be available for expenses authorized by sections 281 and 282 of part D of title II of the Act for prevention and treatment programs relating to juvenile gangs; (3) $10,000,000 shall be available for expenses authorized by section 285 of part E of title II of the Act; (4) $16,000,000 shall be available for expenses authorized by part G of title II of the Act for juvenile mentoring programs; and (5) $95,000,000 shall be available for expenses authorized by title V of the Act for incentive grants for local delinquency prevention programs; of which $12,500,000 shall be for delinquency prevention, control, and system improvement programs for tribal youth; of which $25,000,000 shall be available for grants of $360,000 to each State and $6,640,000 shall be available for discretionary grants to States, for programs and activities to enforce State laws prohibiting the sale of alcoholic beverages to minors or the purchase or consumption of alcoholic beverages by minors, prevention and reduction of consumption
of alcoholic beverages by minors, and for technical assist-
ance and training; and of which $15,000,000 shall be avail-
able for the Safe Schools Initiative: Provided further, That
upon the enactment of reauthorization legislation for Juve-
nile Justice Programs under the Juvenile Justice and De-
linquency Prevention Act of 1974, as amended, funding
provisions in this Act shall from that date be subject to the
provisions of that legislation and any provisions in this Act
that are inconsistent with that legislation shall no longer
have effect: Provided further, That of amounts made avail-
able under the Juvenile Justice Programs of the Office of
Justice Programs to carry out part B (relating to Federal
Assistance for State and Local Programs), subpart II of
part C (relating to Special Emphasis Prevention and
Treatment Programs), part D (relating to Gang-Free
Schools and Communities and Community-Based Gang
Intervention), part E (relating to State Challenge Activi-
ties), and part G (relating to Mentoring) of title II of the
Juvenile Justice and Delinquency Prevention Act of 1974,
and to carry out the At-Risk Children’s Program under title
V of that Act, not more than 10 percent of each such amount
may be used for research, evaluation, and statistics activi-
ties designed to benefit the programs or activities authorized
under the appropriate part or title, and not more than 2
percent of each such amount may be used for training and
technical assistance activities designed to benefit the programs or activities authorized under that part or title.

In addition, for grants, contracts, cooperative agreements, and other assistance authorized by the Victims of Child Abuse Act of 1990, as amended, $8,100,000, to remain available until expended, as authorized by section 214B of the Act.

PUBLIC SAFETY OFFICERS BENEFITS

To remain available until expended, for payments authorized by part L of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796), as amended, such sums as are necessary, as authorized by section 6093 of Public Law 100–690 (102 Stat. 4339–4340): Provided, That of the unobligated balances available in this program, $1,600,000 shall be used for disability payments.

GENERAL PROVISIONS—DEPARTMENT OF JUSTICE

Sec. 101. In addition to amounts otherwise made available in this title for official reception and representation expenses, a total of not to exceed $45,000 from funds appropriated to the Department of Justice in this title shall be available to the Attorney General for official reception and representation expenses in accordance with distributions, procedures, and regulations established by the Attorney General.

Sec. 102. Hereafter, authorities contained in the Department of Justice Appropriation Authorization Act, Fiscal
cal Year 1980 (Public Law 96–132; 93 Stat. 1040 (1979)), as amended, shall remain in effect.

SEC. 103. Sections 110 and 641 of division C of Public Law 104–208 are repealed.

SEC. 104. Section 245(i) of the Immigration and Nationality Act (8 U.S.C. 1255(i)) is amended—

(1) in paragraph (1), by amending the first sentence to read as follows: “Notwithstanding the provisions of subsections (a) and (c) of this section, an alien physically present in the United States who—

“(A) entered the United States without inspection; or

“(B) is within one of the classes enumerated in subsection (c) of this section, may apply to the Attorney General for the adjustment of his or her status to that of an alien lawfully admitted for permanent residence.”; and

(2) by amending paragraph (3)(B) to read as follows:

“(B) One-half of any remaining portion of such fees remitted under such paragraphs shall be deposited by the Attorney General into the Immigration Examination Fee Account established under section 286(m), and one-half of any remaining portion of such fees shall be deposited by
the Attorney General into the Breached Bond/Detention
Fund established under section 286(r).”.

SEC. 105. Notwithstanding any other provision of law, payments made during fiscal year 2001 resulting from Doe v. United States [docket #98–896C], before the Court of Federal Claims, shall only be paid from appropriations made available under the headings “Salaries and Expenses, General Legal Activities” and “Salaries and Expenses, United States Attorneys” in title I of this Act.

SEC. 106. Notwithstanding any other provision of law, not to exceed $10,000,000 of the funds made available in this Act may be used to establish and publicize a program under which publicly advertised, extraordinary rewards may be paid, which shall not be subject to spending limitations contained in sections 3059 and 3072 of title 18, United States Code: Provided, That any reward of $100,000 or more, up to a maximum of $2,000,000, may not be made without the personal approval of the President or the Attorney General and such approval may not be delegated.

SEC. 107. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Department of Justice in this Act may be transferred between such appropriations, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 10 percent by any such transfers: Provided, That any trans-
for pursuant to this section shall be treated as a reprogram-
moving of funds under section 605 of this Act and shall not
be available for obligation except in compliance with the
procedures set forth in that section.

SEC. 108. (a) Notwithstanding any other provision of
law, for fiscal year 2001, the Assistant Attorney General
for the Office of Justice Programs of the Department of
Justice—

(1) may make grants, or enter into cooperative
agreements and contracts, for the Office of Justice
Programs and the component organizations of that
Office; and

(2) shall have final authority over all grants, co-
operative agreements and contracts made, or entered
into, for the Office of Justice Programs and the com-
ponent organizations of that Office, except for grants
made under the provisions of sections 201, 202, 301,
and 302 of the Omnibus Crime Control and Safe
Streets Act of 1968, as amended; and sections
204(b)(3), 241(e)(1), 243(a)(1), 243(a)(14) and
287A(3) of the Juvenile Justice and Delinquency Pre-
vention Act of 1974, as amended.

SEC. 109. Section 108 of the Department of Justice
and Related Agencies Appropriations Act, 1994 (Public
Law 103–121), is amended—
(a) in the first sentence, by inserting before the period: “, except that, for fiscal year 2001 and thereafter, the Attorney General may credit up to six percent of all amounts collected”; and

(b) in the second sentence—

(1) by striking “only” and inserting “first”; and

(2) by inserting before the period: “, and thereafter for other personnel, administrative, and litigation expenses of civil debt collection litigation activities”.

Sec. 110. Section 1402(d)(3) of Public Law 98–473 is amended by inserting “and the Federal Bureau of Investigation” after “United States Attorneys Offices”.

Sec. 111. Section 223(a)(14) of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5633(a)(14)) is amended by striking “twenty-four” and inserting “48”.

Sec. 112. Beginning in fiscal year 2001 and thereafter, funds appropriated to the Federal Prison System may be used to place in privately operated prisons only such persons sentenced to incarceration under the District of Columbia Code as the Director, Bureau of Prisons, may determine to be appropriate for such placement consistent with Federal classification standards, after consideration of all
relevant factors, including the threat of danger to public safety.

SEC. 113. (a) Hereafter, none of the funds made available by this or any other Act may be used to pay premium pay under title 5, United States Code, sections 5542–5549, to any individual employed as an attorney, including an Assistant United States Attorney, in the Department of Justice for any work performed on or after the date of the enactment of this Act.

(b) Hereafter, notwithstanding any other provision of law, neither the United States nor any individual or entity acting on its behalf shall be liable for premium pay under title 5, United States Code, sections 5542–5549, for any work performed on or after the date of the enactment of this Act by any individual employed as an attorney in the Department of Justice, including an Assistant United States Attorney.

SEC. 114. Notwithstanding any other provision of law, $1,000,000 shall be available for technical assistance from the funds appropriated for part G of title II of the Juvenile Justice and Delinquency Prevention Act of 1974, as amended.

SEC. 115. Of the discretionary funds appropriated to the Edward Byrne Memorial State and Local Law Enforcement Assistance Program in fiscal year 2000, $1,000,000
shall be transferred to the Violent Offender Incarceration
and Truth In Sentencing Incentive Grants Program to be
used for the construction costs of the Hoonah Spirit Camp,
as authorized under section 20109(a) of subtitle A of title
II of the 1994 Act.

SEC. 116. Notwithstanding any other provision of law,
for fiscal 2001 and hereafter, with respect to any grant pro-
gram for which amounts are made available under this
title, no grant funds may be made available to any local
jail that runs “pay-to-stay programs.”

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

TITLE II—DEPARTMENT OF COMMERCE AND
RELATED AGENCIES

TRADE AND INFRASTRUCTURE DEVELOPMENT

RELATED AGENCIES

OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

SALARIES AND EXPENSES

For necessary expenses of the Office of the United
States Trade Representative, including the hire of passenger
motor vehicles and the employment of experts and consult-
ants as authorized by 5 U.S.C. 3109, $29,600,000, of which
$1,000,000 shall remain available until expended: Provided,
That not to exceed $98,000 shall be available for official
reception and representation expenses.
INTERNATIONAL TRADE COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the International Trade Commission, including hire of passenger motor vehicles, and services as authorized by 5 U.S.C. 3109, and not to exceed $2,500 for official reception and representation expenses, $49,100,000, to remain available until expended.

DEPARTMENT OF COMMERCE

INTERNATIONAL TRADE ADMINISTRATION

OPERATIONS AND ADMINISTRATION

For necessary expenses for international trade activities of the Department of Commerce provided for by law, and engaging in trade promotional activities abroad, including expenses of grants and cooperative agreements for the purpose of promoting exports of United States firms, without regard to 44 U.S.C. 3702 and 3703; full medical coverage for dependent members of immediate families of employees stationed overseas and employees temporarily posted overseas; travel and transportation of employees of the United States and Foreign Commercial Service between two points abroad, without regard to 49 U.S.C. 1517; employment of Americans and aliens by contract for services; rental of space abroad for periods not exceeding 10 years, and expenses of alteration, repair, or improvement; purchase or construction of temporary demountable exhibition
structures for use abroad; payment of tort claims, in the manner authorized in the first paragraph of 28 U.S.C. 2672 when such claims arise in foreign countries; not to exceed $327,000 for official representation expenses abroad; purchase of passenger motor vehicles for official use abroad, not to exceed $30,000 per vehicle; obtain insurance on official motor vehicles; and rent tie lines and teletype equipment, $318,686,000, to remain available until expended, of which $3,000,000 is to be derived from fees to be retained and used by the International Trade Administration, notwithstanding 31 U.S.C. 3302: Provided, That of the $318,686,000 provided for in direct obligations (of which $315,686,000 is appropriated from the general fund, $3,000,000 is derived from fee collections, $65,347,000 shall be for Trade Development, $25,655,000 shall be for Market Access and Compliance, $40,645,000 shall be for the Import Administration, $170,715,000 shall be for the United States and Foreign Commercial Service, and $16,324,000 shall be for Executive Direction and Administration: Provided further, That any additional funds above the amount provided in this section to carry out the functions under Executive Direction and Administration may only be made available by written request to and approval by the Committees on Appropriations of the United States Senate and the House of Representatives: Provided further, That the provisions of
the first sentence of section 105(f) and all of section 108(c) of the Mutual Educational and Cultural Exchange Act of 1961 (22 U.S.C. 2455(f) and 2458(c)) shall apply in carrying out these activities without regard to section 5412 of the Omnibus Trade and Competitiveness Act of 1988 (15 U.S.C. 4912); and that for the purpose of this Act, contributions under the provisions of the Mutual Educational and Cultural Exchange Act shall include payment for assessments for services provided as part of these activities.

EXPORT ADMINISTRATION

OPERATIONS AND ADMINISTRATION

For necessary expenses for export administration and national security activities of the Department of Commerce, including costs associated with the performance of export administration field activities both domestically and abroad; full medical coverage for dependent members of immediate families of employees stationed overseas; employment of Americans and aliens by contract for services abroad; payment of tort claims, in the manner authorized in the first paragraph of 28 U.S.C. 2672 when such claims arise in foreign countries; not to exceed $15,000 for official representation expenses abroad; awards of compensation to informers under the Export Administration Act of 1979, and as authorized by 22 U.S.C. 401(b); purchase of passenger motor vehicles for official use and motor vehicles for
law enforcement use with special requirement vehicles eligi-
ble for purchase without regard to any price limitation oth-
erwise established by law, $61,037,000, to remain available
until expended, of which $4,250,000 shall be for inspections
and other activities related to national security: Provided,
That the provisions of the first sentence of section 105(f)
and all of section 108(c) of the Mutual Educational and
Cultural Exchange Act of 1961 (22 U.S.C. 2455(f) and
2458(c)) shall apply in carrying out these activities: Pro-
vided further, That payments and contributions collected
and accepted for materials or services provided as part of
such activities may be retained for use in covering the cost
of such activities, and for providing information to the pub-
lic with respect to the export administration and national
security activities of the Department of Commerce and other
export control programs of the United States and other gov-
ernments.

ECONOMIC DEVELOPMENT ADMINISTRATION

ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

For grants for economic development assistance as pro-
vided by the Public Works and Economic Development Act
of 1965, as amended, and for trade adjustment assistance,
$218,000,000 to be made available until expended.

SALARIES AND EXPENSES

For necessary expenses of administering the economic
development assistance programs as provided for by law,
$31,542,000: Provided, That these funds may be used to monitor projects approved pursuant to title I of the Public Works Employment Act of 1976, as amended, title II of the Trade Act of 1974, as amended, and the Community Emergency Drought Relief Act of 1977.

MINORITY BUSINESS DEVELOPMENT AGENCY

MINORITY BUSINESS DEVELOPMENT

For necessary expenses of the Department of Commerce in fostering, promoting, and developing minority business enterprise, including expenses of grants, contracts, and other agreements with public or private organizations, $27,000,000.

ECONOMIC AND INFORMATION INFRASTRUCTURE

ECONOMIC AND STATISTICAL ANALYSIS

SALARIES AND EXPENSES

For necessary expenses, as authorized by law, of economic and statistical analysis programs of the Department of Commerce, $53,992,000, to remain available until September 30, 2002.

BUREAU OF THE CENSUS

SALARIES AND EXPENSES

For expenses necessary for collecting, compiling, analyzing, preparing, and publishing statistics, provided for by law, $158,386,000.
PERIODIC CENSUSES AND PROGRAMS

For necessary expenses to conduct periodic censuses and programs and to collect and publish statistics for these programs as provided by law, $535,224,000 to remain available until expended: Provided, That of the funds provided herein for engineering and design of a facility at the Suitland Federal Center, quarterly reports regarding the expenditure of funds and project planning, design and cost decisions shall be provided by the Bureau, in cooperation with the General Services Administration, to the Committees on Appropriations of the Senate and the House of Representatives.

NATIONAL TELECOMMUNICATIONS AND INFORMATION ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses, as provided for by law, of the National Telecommunications and Information Administration (NTIA), $11,437,000, to remain available until expended: Provided, That, notwithstanding 31 U.S.C. 1535(d), the Secretary of Commerce shall charge Federal agencies for costs incurred in spectrum management, analysis, and operations, and related services and such fees shall be retained and used as offsetting collections for costs of such spectrum services, to remain available until expended: Provided further, That hereafter, notwithstanding any other
provision of law, NTIA shall not authorize spectrum use
or provide any spectrum functions pursuant to the National
Telecommunications and Information Administration Or-
ganization Act, 47 U.S.C. 902–903, to any Federal entity
without reimbursement as required by NTIA for such spec-
trum management costs, and Federal entities withholding
payment of such cost shall not use spectrum: Provided fur-
ther, That the Secretary of Commerce is authorized to re-
tain and use as offsetting collections all funds transferred,
or previously transferred, from other Government agencies
for all costs incurred in telecommunications research, engi-
neering, and related activities by the Institute for Tele-
communication Sciences of NTIA, in furtherance of its as-
signed functions under this paragraph, and such funds re-
ceived from other Government agencies shall remain avail-
able until expended.

PUBLIC TELECOMMUNICATIONS FACILITIES, PLANNING AND
CONSTRUCTION

For grants authorized by section 392 of the Commu-
ications Act of 1934, as amended, $50,000,000, to remain
available until expended as authorized by section 391 of the
Act, as amended: Provided, That not to exceed $1,800,000
shall be available for program administration as authorized
by section 391 of the Act: Provided further, That notwith-
standing the provisions of section 391 of the Act, the prior
year unobligated balances may be made available for grants
for projects for which applications have been submitted and
approved during any fiscal year.

INFORMATION INFRASTRUCTURE GRANTS

For grants authorized by section 392 of the Communications Act of 1934, as amended, $15,500,000, to remain
available until expended as authorized by section 391 of the
Act, as amended: Provided, That not to exceed $3,000,000
shall be available for program administration and other
support activities as authorized by section 391: Provided
further, That, of the funds appropriated herein, not to ex-
ceed 5 percent may be available for telecommunications re-
search activities for projects related directly to the develop-
ment of a national information infrastructure: Provided
further, That, notwithstanding the requirements of sections
392(a) and 392(c) of the Act, these funds may be used for
the planning and construction of telecommunications net-
works for the provision of educational, cultural, health care,
public information, public safety, or other social services:
Provided further, That notwithstanding any other provision
of law, no entity that receives telecommunications services
at preferential rates under section 254(h) of the Act (47
U.S.C. 254(h)) or receives assistance under the regional in-
formation sharing systems grant program of the Depart-
ment of Justice under part M of title I of the Omnibus
3796h) may use funds under a grant under this heading
to cover any costs of the entity that would otherwise be covered by such preferential rates or such assistance, as the case may be: Provided further, That the Administrator shall, after consultation with other federal departments and agencies responsible for regulating the core operations of entities engaged in the provision of energy, water and railroad services, complete and submit to Congress, not later than twelve months after date of enactment of this subsection, a study of the current and future use of spectrum by these entities to protect and maintain the nation’s critical infrastructure: Provided further, That within six months after the release of this study, the Chairman of the Federal Communications Commission shall submit a report to Congress on the actions that could be taken by the Commission to address any needs identified in the Administrator’s study.

**PATENT AND TRADEMARK OFFICE**

**SALARIES AND EXPENSES**

For necessary expenses of the Patent and Trademark Office provided for by law, including defense of suits instituted against the Commissioner of Patents and Trademarks, $783,843,000, to remain available until expended: Provided, That of this amount, $783,843,000 shall be derived from offsetting collections assessed and collected pursuant to 15 U.S.C. 1113 and 35 U.S.C. 41 and 376, and
shall be retained and used for necessary expenses in this appropriation: Provided further, That the sum herein appropriated from the general fund shall be reduced as such offsetting collections are received during fiscal year 2001, so as to result in a final fiscal year 2001 appropriation from the general fund estimated at $0: Provided further, That, during fiscal year 2001, should the total amount of offsetting fee collections be less than $783,843,000, the total amounts available to the Patent and Trademark Office shall be reduced accordingly: Provided further, That any amount received in excess of $783,843,000 in fiscal year 2001, and less than $1,072,000,000, shall not be available for obligation: Provided further, That any amount received in excess of $1,072,000,000 in fiscal year 2001 is available for obligation and shall remain available until expended: Provided further, That not to exceed $254,889,000 from fees collected in fiscal year 2000 shall be made available for obligation in fiscal year 2001.

SCIENCE AND TECHNOLOGY

TECHNOLOGY ADMINISTRATION

UNDER SECRETARY FOR TECHNOLOGY/OFFICE OF

TECHNOLOGY POLICY

SALARIES AND EXPENSES

For necessary expenses for the Undersecretary for Technology/Office of Technology Policy, $8,216,000.
For necessary expenses of the National Institute of Standards and Technology, $305,003,000, to remain available until expended, of which not to exceed $6,200,000 may be transferred to the “Working Capital Fund”.

INDUSTRIAL TECHNOLOGY SERVICES

For necessary expenses of the Manufacturing Extension Partnership of the National Institute of Standards and Technology, $109,137,000, to remain available until expended.

In addition, for necessary expenses of the Advanced Technology Program of the National Institute of Standards and Technology, $153,600,000, to remain available until expended, of which not to exceed $65,000,000 shall be available for the award of new grants.

CONSTRUCTION OF RESEARCH FACILITIES

For construction of new research facilities, including architectural and engineering design, and for renovation of existing facilities, not otherwise provided for the National Institute of Standards and Technology, as authorized by 15 U.S.C. 278c–278e, $28,879,000, to remain available until expended.
NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

OPERATIONS, RESEARCH, AND FACILITIES

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of activities authorized by law for the National Oceanic and Atmospheric Administration, including maintenance, operation, and hire of aircraft; grants, contracts, or other payments to nonprofit organizations for the purposes of conducting activities pursuant to cooperative agreements; and relocation of facilities as authorized by 33 U.S.C. 883i, $1,958,046,000, to remain available until expended: Provided, That fees and donations received by the National Ocean Service for the management of the national marine sanctuaries may be retained and used for the salaries and expenses associated with those activities, notwithstanding 31 U.S.C. 3302: Provided further, That in addition, $72,828,000 shall be derived by transfer from the fund entitled “Promote and Develop Fishery Products and Research Pertaining to American Fisheries”: Provided further, That grants to States pursuant to sections 306 and 306A of the Coastal Zone Management Act of 1972, as amended, shall not exceed $2,000,000: Provided further, That any person or entity who has a lawsuit pending against the agency or who files a lawsuit against the agency or the Department of Commerce during this fiscal year, shall be eligible to receive any payments or reimbursements
for any purpose during fiscal year 2001 from funds made available under this Act only upon notification consistent with Section 605 of this Act: Provided further, That the Secretary may proceed as he deems necessary to have the National Oceanic and Atmospheric Administration occupy and operate its research facilities which are located at Lafayette, Louisiana.

In addition, for necessary retired pay expenses under the Retired Serviceman’s Family Protection and Survivor Benefits Plan, and for payments for medical care of retired personnel and their dependents under the Dependents Medical Care Act (10 U.S.C. ch. 55), such sums as may be necessary.

PROCUREMENT, ACQUISITION AND CONSTRUCTION
(INCLUDING TRANSFERS OF FUNDS)

For procurement, acquisition and construction of capital assets, including alteration and modification costs, of the National Oceanic and Atmospheric Administration, $669,542,000, to remain available until expended: Provided, That unexpended balances of amounts previously made available in the “Operations, Research, and Facilities” account for activities funded under this heading may be transferred to and merged with this account, to remain available until expended for the purposes for which the funds were originally appropriated.
PACIFIC COASTAL SALMON RECOVERY

For necessary expenses associated with the restoration of Pacific salmon populations and the implementation of the 1999 Pacific Salmon Treaty Agreement between the United States and Canada, $58,000,000.

COASTAL ZONE MANAGEMENT FUND

Of amounts collected pursuant to section 308 of the Coastal Zone Management Act of 1972 (16 U.S.C. 1456a), not to exceed $3,200,000, for purposes set forth in sections 308(b)(2)(A), 308(b)(2)(B)(v), and 315(e) of such Act.

PROMOTE AND DEVELOP FISHERY PRODUCTS AND RESEARCH PERTAINING TO AMERICAN FISHERIES

FISHERIES PROMOTIONAL FUND

(RESCISSION)

All unobligated balances available in the Fisheries Promotional Fund are rescinded: Provided, That all obligated balances are transferred to the “Operations, Research, and Facilities” account.

FISHERMEN’S CONTINGENCY FUND

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

FOREIGN FISHING OBSERVER FUND

For expenses necessary to carry out the provisions of the Atlantic Tunas Convention Act of 1975, as amended
163
1 (Public Law 96–339), the Magnuson-Stevens Fishery Con-
2 servation and Management Act of 1976, as amended (Public
3 Law 100–627), and the American Fisheries Promotion Act
4 (Public Law 96–561), to be derived from the fees imposed
5 under the foreign fishery observer program authorized by
6 these Acts, not to exceed $191,000, to remain available until
7 expended.
8
9 FISHERIES FINANCE PROGRAM ACCOUNT
10 For the cost of direct loans, $338,000, as authorized
11 by the Merchant Marine Act of 1936, as amended: Provided,
12 That such costs, including the cost of modifying such loans,
13 shall be as defined in section 502 of the Congressional Budg-
14 et Act of 1974: Provided further, That none of the funds
15 made available under this heading may be used for direct
16 loans for any new fishing vessel that will increase the har-
17 vesting capacity in any United States fishery.
18
19 DEPARTMENTAL MANAGEMENT
20
21 SALARIES AND EXPENSES
22 For expenses necessary for the Departmental manage-
23 ment of the Department of Commerce provided for by law,
24 including not to exceed $3,000 for official entertainment,
25 $48,140,000, of which: $32,340,000 shall be for salaries and
26 expenses; $5,800,000 shall be for wiring the Department;
27 and $10,000,000 shall be for security.
OFFICE OF INSPECTOR GENERAL


GENERAL PROVISIONS—DEPARTMENT OF COMMERCE

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

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

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

Sec. 204. None of the funds provided in this or any previous Act, or hereinafter made available to the Department of Commerce, shall be available to reimburse the Unemployment Trust Fund or any other fund or account of the Treasury to pay for any expenses authorized by section 8501 of title 5, United States Code, for services performed by individuals appointed to temporary positions within the Bureau of the Census for purposes relating to the decennial censuses of population.

Sec. 205. Not to exceed 10 percent of any appropriation made available for the current fiscal year for the Department of Commerce in this Act may be transferred between such appropriations, but no such appropriation shall be increased by more than 20 percent by any such transfers: Provided, That any transfer pursuant to this section shall be treated as a reprogramming of funds under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

Sec. 206. Any costs incurred by a department or agency funded under this title resulting from personnel actions taken in response to funding reductions included in this title or from actions taken for the care and protection of
loan collateral or grant property shall be absorbed within the total budgetary resources available to such department or agency: Provided, That the authority to transfer funds between appropriations accounts as may be necessary to carry out this section is provided in addition to authorities included elsewhere in this Act: Provided further, That use of funds to carry out this section shall be treated as a re-programming of funds under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

SEC. 207. The Secretary of Commerce may award contracts for hydrographic, geodetic, and photogrammetric surveying and mapping services in accordance with title IX of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 541 et seq.).

SEC. 208. The Secretary of Commerce may use the Commerce franchise fund for expenses and equipment necessary for the maintenance and operation of such administrative services as the Secretary determines may be performed more advantageously as central services, pursuant to section 403 of Public Law 103–356: Provided, That any inventories, equipment, and other assets pertaining to the services to be provided by such fund, either on hand or on order, less the related liabilities or unpaid obligations, and any appropriations made for the purpose of providing cap-
ital shall be used to capitalize such fund: Provided further,

That such fund shall be paid in advance from funds avail-
able to the department and other Federal agencies for which
such centralized services are performed, at rates which will
return in full all expenses of operation, including accrued
leave, depreciation of fund plant and equipment, amortiza-
tion of automated data processing (ADP) software and sys-
tems (either acquired or donated), and an amount necessary
to maintain a reasonable operating reserve, as determined
by the Secretary: Provided further, That such fund shall
provide services on a competitive basis: Provided further,

That an amount not to exceed 4 percent of the total annual
income to such fund may be retained in the fund for fiscal
year 2001 and each fiscal year thereafter, to remain avail-
able until expended, to be used for the acquisition of capital
equipment, and for the improvement and implementation
of department financial management, ADP, and other sup-
port systems: Provided further, That such amounts retained
in the fund for fiscal year 2000 and each fiscal year there-
after shall be available for obligation and expenditure only
in accordance with section 605 of this Act: Provided further,

That no later than 30 days after the end of each fiscal year,
amounts in excess of this reserve limitation shall be depos-
ited as miscellaneous receipts in the Treasury: Provided
further, That such franchise fund pilot program shall termi-
nate pursuant to section 403(f) of Public Law 103–356.

SEC. 209. Notwithstanding any other provision of law, of the amounts made available elsewhere in this title to the “National Institute of Standards and Technology, Con-
struction of Research Facilities”, $4,000,000 is appro-
priated to the Institute at Saint Anselm College and $4,000,000 is appropriated to fund a cooperative agreement with the Medical University of South Carolina.

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

TITLE III—THE JUDICIARY

SUPREME COURT OF THE UNITED STATES

SALARIES AND EXPENSES

For expenses necessary for the operation of the Su-
preme Court, as required by law, excluding care of the building and grounds, including purchase or hire, driving, maintenance, and operation of an automobile for the Chief Justice, not to exceed $10,000 for the purpose of trans-
porting Associate Justices, and hire of passenger motor ve-
hicles as authorized by 31 U.S.C. 1343 and 1344; not to exceed $10,000 for official reception and representation ex-
penses; and for miscellaneous expenses, to be expended as the Chief Justice may approve, $37,591,000.
CARE OF THE BUILDING AND GROUNDS

For such expenditures as may be necessary to enable the Architect of the Capitol to carry out the duties imposed upon the Architect by the Act approved May 7, 1934 (40 U.S.C. 13a–13b), $7,530,000, of which $4,460,000 shall remain available until expended.

UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT

SALARIES AND EXPENSES

For salaries of the chief judge, judges, and other officers and employees, and for necessary expenses of the court, as authorized by law, $17,930,000.

UNITED STATES COURT OF INTERNATIONAL TRADE

SALARIES AND EXPENSES

For salaries of the chief judge and eight judges, salaries of the officers and employees of the court, services as authorized by 5 U.S.C. 3109, and necessary expenses of the court, as authorized by law, $12,456,000.

COURTS OF APPEALS, DISTRICT COURTS, AND OTHER JUDICIAL SERVICES

SALARIES AND EXPENSES

For the salaries of circuit and district judges (including judges of the territorial courts of the United States), justices and judges retired from office or from regular active service, judges of the United States Court of Federal Claims,
bankruptcy judges, magistrate judges, and all other officers and employees of the Federal Judiciary not otherwise specifically provided for, and necessary expenses of the courts, as authorized by law, $3,359,725,000 (including the purchase of firearms and ammunition); of which not to exceed $17,817,000 shall remain available until expended for space alteration projects; and of which not to exceed $10,000,000 shall remain available until expended for furniture and furnishings related to new space alteration and construction projects.

In addition, for expenses of the United States Court of Federal Claims associated with processing cases under the National Childhood Vaccine Injury Act of 1986, not to exceed $2,602,000, to be appropriated from the Vaccine Injury Compensation Trust Fund.

DEFENDER SERVICES

For the operation of Federal Public Defender and Community Defender organizations; the compensation and reimbursement of expenses of attorneys appointed to represent persons under the Criminal Justice Act of 1964, as amended; the compensation and reimbursement of expenses of persons furnishing investigative, expert and other services under the Criminal Justice Act of 1964 (18 U.S.C. 3006A(e)); the compensation (in accordance with Criminal Justice Act maximums) and reimbursement of expenses of
attorneys appointed to assist the court in criminal cases
where the defendant has waived representation by counsel;
the compensation and reimbursement of travel expenses of
guardians ad litem acting on behalf of financially eligible
minor or incompetent offenders in connection with transfers
from the United States to foreign countries with which the
United States has a treaty for the execution of penal sen-
tences; and the compensation of attorneys appointed to rep-
resent jurors in civil actions for the protection of their em-
ployment, as authorized by 28 U.S.C. 1875(d),
$416,368,000, to remain available until expended as au-
thorized 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 com-
missioners appointed in condemnation cases pursuant to
rule 71A(h) of the Federal Rules of Civil Procedure (28
U.S.C. Appendix Rule 71A(h)), $59,567,000, 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 the procurement, installation, and maintenance of security equipment and protective services 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), $199,575,000, 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 to by the Director of the Administrative Office of the United States Courts and the Attorney General.

ADMINISTRATIVE OFFICE OF THE UNITED STATES COURTS

SALARIES AND EXPENSES

For necessary expenses of the Administrative Office of the United States Courts as authorized by law, including travel as authorized by 31 U.S.C. 1345, hire of a passenger motor vehicle as authorized by 31 U.S.C. 1343(b), advertising and rent in the District of Columbia and elsewhere,
$50,000,000, of which not to exceed $8,500 is authorized for official reception and representation expenses.

FEDERAL JUDICIAL CENTER

SALARIES AND EXPENSES

For necessary expenses of the Federal Judicial Center, as authorized by Public Law 90–219, $19,215,000; of which $1,800,000 shall remain available through September 30, 2002, to provide education and training to Federal court personnel; and of which not to exceed $1,500 is authorized for official reception and representation expenses.

JUDICIAL RETIREMENT FUNDS

PAYMENT TO JUDICIARY TRUST FUNDS

For payment to the Judicial Officers’ Retirement Fund, as authorized by 28 U.S.C. 377(o), $25,700,000; to the Judicial Survivors’ Annuities Fund, as authorized by 28 U.S.C. 376(c), $8,100,000; and to the United States Court of Federal Claims Judges’ Retirement Fund, as authorized by 28 U.S.C. 178(l), $1,900,000.

UNITED STATES SENTENCING COMMISSION

SALARIES AND EXPENSES

For the salaries and expenses necessary to carry out the provisions of chapter 58 of title 28, United States Code, $9,931,000, of which not to exceed $1,000 is authorized for official reception and representation expenses.
SEC. 301. Appropriations and authorizations made in this title which are available for salaries and expenses shall be available for services as authorized by 5 U.S.C. 3109.

SEC. 302. Not to exceed 10 percent of any appropriation made available for the current fiscal year for the Judiciary in this Act may be transferred between such appropriations, but no such appropriation, except “Courts of Appeals, District Courts, and Other Judicial Services, Defender Services” and “Courts of Appeals, District Courts, and Other Judicial Services, Fees of Jurors and Commissioners”, shall be increased by more than 20 percent by any such transfers: Provided, That any transfer pursuant to this section shall be treated as a reprogramming of funds under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

SEC. 303. Notwithstanding any other provision of law, the salaries and expenses appropriation for district courts, courts of appeals, and other judicial services shall be available for official reception and representation expenses of the Judicial Conference of the United States: Provided, That such available funds shall not exceed $11,000 and shall be administered by the Director of the Administrative Office

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of the United States Courts in the capacity as Secretary of the Judicial Conference.

SEC. 304. Pursuant to section 140 of Public Law 97–92, Justices and judges of the United States are authorized during fiscal year 2001, to receive a salary adjustment in accordance with 28 U.S.C. 461: Provided, That $8,801,000 is appropriated for salary adjustments pursuant to this section and such funds shall be transferred to and merged with appropriations in title III of this Act.

SEC. 305. (a) In General.—Section 501 of the Ethics in Government Act of 1978 (5 U.S.C. App.) is amended—

(1) in subsection (a), by adding at the end the following:

“(3) Honorarium shall not be included in outside earned income.”;

(2) in subsection (b), by adding at the end the following: “This subsection shall not apply to any individual while that individual is a justice or judge of the United States.”; and

(3) in subsection (c)—

(A) by inserting “(1)” before “Any honorarium”; and

(B) by adding at the end the following:

(2) Notwithstanding paragraph (1), any honorarium which might be paid to a justice or judge of
the United States but which is paid instead on behalf
of such justice or judge to a charitable organization,
shall be deemed not to be received by such justice or
judge. No such payment shall be made to a charitable
organization from which the justice or judge or a par-
ent, sibling, spouse, child, or dependent relative of
such justice or judge derives any financial benefit.”.

(b) REGULATIONS.—Not later than 90 days after the
date of enactment of this Act, the Judicial Conference of
the United States shall promulgate regulations under sec-
App.) to carry out the amendments made by this section,
including any regulation relating to any limitation on
amounts of honoraria or payments made to charitable orga-
nizations in lieu of honoraria.

(c) EFFECTIVE DATE.—

(1) IN GENERAL.—Subsection (a) shall take effect
90 days after the date of enactment of this Act.

(2) REGULATIONS.—Subsection (b) shall take ef-
flect on the date of enactment of this Act.

This title may be cited as “The Judiciary Appropriations Act, 2001”.
TITLE IV—DEPARTMENT OF STATE AND
RELATED AGENCY
DEPARTMENT OF STATE
ADMINISTRATION OF FOREIGN AFFAIRS
DIPLOMATIC AND CONSULAR PROGRAMS

For necessary expenses of the Department of State and
the Foreign Service not otherwise provided for, including
employment, without regard to civil service and classifica-
tion laws, of persons on a temporary basis (not to exceed
$700,000 of this appropriation), representation to certain
international organizations in which the United States
participates pursuant to treaties, ratified pursuant to the
advice and consent of the Senate, or specific Acts of Con-
gress; arms control, nonproliferation and disarmament ac-
tivities, acquisition by exchange or purchase of passenger
motor vehicles as authorized by law, and for expenses of
general administration, $2,875,758,000: Provided, That, of
the amount made available under this heading, not to ex-
ceed $4,000,000 may be transferred to, and merged with,
funds in the “Emergencies in the Diplomatic and Consular
Service” appropriations account, to be available only for
emergency evacuations and terrorism and war crime re-
wards, including rewards to individuals for information
leading to the arrest and conviction of Rwandan war crimi-

als: Provided further, That, in fiscal year 2001 and here-
after, all receipts collected from individuals for assistance
in the preparation and filing of an affidavit of support pur-
suant to section 213A of the Immigration and Nationality
Act shall be deposited into this account as an offsetting col-
lection and shall remain available until expended: Provided
further, That no employee of the State Department shall
be detailed to a Senior Executive Service position in an-
other agency, organization, or institution on a reimbursable
or non-reimbursable basis for a total of more than two years
in any five year period: Provided further, That any em-
ployee on detail in a Senior Executive Service position as
of the date of enactment of this Act who has served in such
position for a total of more than two years in the five year
period immediately preceding such date shall terminate the
employee’s detail not later than three months after such
date: Provided further, That of the amount made available
under this heading, $5,000,000 shall be available only for
the reimbursement of costs incurred by the City of Seattle,
Washington, as host of the Third World Trade Organization
Ministerial Conference: Provided further, That of the
amount made available under this heading, $1,000,000
shall be available only for the Ambassador's Fund for Cul-
tural Preservation: Provided further, That of the amount
made available under this heading, $10,000,000 shall be
available only for overseas continuing language education:
Provided further, That of the amount made available under this heading, $12,500,000 shall be available only for the East-West Center: Provided further, That of the amount made available under this heading, $1,350,000 shall be available only for the Protection Project to continue its study of international trafficking, prostitution, slavery, debt bondage and other abuses of women and children: Provided further, That, notwithstanding any other provision of law, not to exceed $267,000,000 derived from fees collected under the authority of section 140(a)(1) of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 during fiscal year 2001 shall be retained and used for authorized expenses in this appropriation and shall remain available until expended: Provided further, That any fees collected in excess of $267,000,000 in fiscal year 2001 shall be deposited into the Treasury pursuant to 31 U.S.C. 3302: Provided further, That of the amount made available under this heading, $60,000,000 shall only be available to implement the 1999 Pacific Salmon Treaty Agreement, of which $20,000,000 shall be deposited in the Northern Boundary and Transboundary Rivers Restoration and Enhancement Fund, of which $20,000,000 shall be deposited in the Southern Boundary Restoration and Enhancement Fund, and of which $20,000,000 shall be for a direct payment to the State of Washington for obligations under the 1999 Pacific Salm-
on Treaty Agreement: Provided further, That of the amount
made available under this heading, not less than $9,000,000
shall be available for the Office of Defense Trade Controls:
Provided further, That no funds may be obligated or ex-
pended for processing licenses for the export of satellites of
United States origin (including commercial satellites and
satellite components) to the People’s Republic of China, un-
less, at least 15 days in advance, the Committees on Appro-
priations of the House of Representatives and the Senate
are notified of such proposed action: Provided further, That
for expenses, not otherwise provided for, necessary for the
Secretary of State to meet the requirements to respond to
an international terrorist event, for the Office of the Coordi-
nator for Counterterrorism, $450,000 for operating ex-
penses; $450,000 for management, training, exercises, and
equipment of the Foreign Emergency Support Team; and
$400,000 for the preparation of a comprehensive study on
the U.S. government’s response to an international WMD
terrorist incident: Provided further, That the study in the
previous proviso shall be conducted jointly with the Depart-
ment of Justice, Office of Justice Programs, Office of State
and Local Domestic Preparedness Support and shall be sub-
mitted to the Appropriations Committees by March 30,
In addition, not to exceed $1,252,000 shall be derived from fees collected from other executive agencies for lease or use of facilities located at the International Center in accordance with section 4 of the International Center Act, as amended; in addition, as authorized by section 5 of such Act, $490,000, to be derived from the reserve authorized by that section, to be used for the purposes set out in that section; in addition, as authorized by section 810 of the United States Information and Educational Exchange Act, not to exceed $6,000,000, to remain available until expended, may be credited to this appropriation from fees or other payments received from English teaching, library, motion pictures, and publication programs, and from fees from educational advising and counseling, and exchange visitor programs; and, in addition, not to exceed $15,000, which shall be derived from reimbursements, surcharges, and fees for use of Blair House facilities.

In addition, for the costs of worldwide security upgrades, $272,736,000, to remain available until expended.

CAPITAL INVESTMENT FUND

For necessary expenses of the Capital Investment Fund, $104,000,000, to remain available until expended:

Provided, That section 135(e) of Public Law 103–236 shall not apply to funds available under this heading: Provided further, That, hereafter, notwithstanding any other provision of law, in the event that the Diplomatic Telecommuni-
cations Service—Program Office is abolished or joint man-
agement or operation dissolved, the Department of State
thereafter shall assume sole ownership and control of the
headquarters, and all assets and equipment, commercially-
leased circuitry (satellite and terrestrial), common trans-
mission facility equipment, associated baseband trans-
mission and terminal equipment, and all relay equipment,
facilities, and locations directly or indirectly owned or con-
trolled by the Diplomatic Telecommunications Service—
Program Office as of the date that is thirty days prior to
the abolition or dissolution of joint management or oper-
ation of that office.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector Gen-
eral, $29,395,000, notwithstanding section 209(a)(1) of the
Foreign Service Act of 1980, as amended (Public Law 96–
465), as it relates to post inspections.

EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS

For expenses of educational and cultural exchange pro-
grams, $225,000,000: Provided, That not to exceed
$800,000, to remain available until expended, may be cred-
ited to this appropriation from fees or other payments re-
ceived from or in connection with English teaching and
educational advising and counseling programs.
 REPRESENTATION ALLOWANCES

For representation allowances, $6,773,000: Provided, That in fiscal year 2001 and thereafter reimbursements for services provided to the press in connection with the travel of senior-level officials may be collected and credited to this appropriation and shall remain available until expended.

PROTECTION OF FOREIGN MISSIONS AND OFFICIALS

For expenses, not otherwise provided, to enable the Secretary of State to provide for extraordinary protective services, $10,490,000, to remain available until September 30, 2002.

EMBASSY SECURITY, CONSTRUCTION, AND MAINTENANCE

For necessary expenses for, preserving, maintaining, repairing, and planning for, buildings that are owned or directly leased by the Department of State, renovating, in addition to funds otherwise available, the Main State Building and Centers for Antiterrorism and Security Training, and carrying out the Diplomatic Security Construction Program, $417,104,000, to remain available until expended, of which not to exceed $25,000 may be used for domestic and overseas representation: Provided, That none of the funds appropriated in this paragraph shall be available for acquisition of furniture and furnishings and generators for other departments and agencies: Provided further, That the proceeds from the sale of the diplomatic facility in the Republic of Korea known as “Compound II” shall
be available only for the site acquisition and preparation, design, or construction of diplomatic facilities, housing, or Marine security guard quarters in the Republic of Korea. In addition, for the costs of worldwide security upgrades, $364,900,000, to remain available until expended.

EMERGENCIES IN THE DIPLOMATIC AND CONSULAR SERVICE

For expenses necessary to enable the Secretary of State to meet unforeseen emergencies arising in the Diplomatic and Consular Service, $11,000,000, to remain available until expended, of which not to exceed $1,000,000 may be transferred to and merged with the Repatriation Loans Program Account, subject to the same terms and conditions.

REPATRIATION LOANS PROGRAM ACCOUNT

For the cost of direct loans, $593,000: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974. In addition, for administrative expenses necessary to carry out the direct loan program, $607,000, which may be transferred to and merged with the Diplomatic and Consular Programs account under Administration of Foreign Affairs.

PAYMENT TO THE AMERICAN INSTITUTE IN TAIWAN

For necessary expenses to carry out the Taiwan Relations Act, Public Law 96–8, $16,345,000.
PAYMENT TO THE FOREIGN SERVICE RETIREMENT AND

DISABILITY FUND

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

INTERNATIONAL ORGANIZATIONS AND CONFERENCES

CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

For expenses, not otherwise provided for, necessary to meet annual obligations of membership in international multilateral organizations, pursuant to treaties, ratified pursuant to the advice and consent of the Senate, conventions or specific Acts of Congress, $879,144,000: Provided, That any payment of arrearages under this title shall be directed toward special activities that are mutually agreed upon by the United States and the respective international organization: Provided further, That none of the funds appropriated in this paragraph shall be available for a United States contribution to an international organization for the United States share of interest costs made known to the United States Government by such organization for loans incurred on or after October 1, 1984, through external borrowings: Provided further, That funds appropriated under this paragraph may be obligated and expended to pay the full United States assessment to the civil budget of the North Atlantic Treaty Organization.
In addition, for the United States share of the new North Atlantic Treaty Organization headquarters, $64,800,000, to remain available until expended.

CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING ACTIVITIES

For necessary expenses to pay assessed and other expenses of international peacekeeping activities directed to the maintenance or restoration of international peace and security, $500,000,000, to remain available until expended:

Provided, That none of the funds made available under this Act shall be obligated or expended for any new or expanded United Nations peacekeeping mission unless, at least 15 days in advance of voting for the new or expanded mission in the United Nations Security Council (or in an emergency, as far in advance as is practicable): (1) the Committees on Appropriations of the House of Representatives and the Senate and other appropriate committees of the Congress are notified of the estimated cost and length of the mission, the vital national interest that will be served, and the planned exit strategy; and (2) a reprogramming of funds pursuant to section 605 of this Act is submitted, and the procedures therein followed, setting forth the source of funds that will be used to pay for the cost of the new or expanded mission: Provided further, That funds shall be available for peacekeeping expenses only upon a certification by the Secretary of State to the appropriate commit-
tees of the Congress that American manufacturers and suppliers are being given opportunities to provide equipment, services, and material for United Nations peacekeeping activities equal to those being given to foreign manufacturers and suppliers: Provided further, That none of the funds made available under this heading are available to pay the United States share of the cost of court monitoring that is part of any United Nations peacekeeping mission.

**ARREARAGE PAYMENTS**

For an additional amount for payment of contested arrearages to meet obligations of authorized membership in international multilateral organizations or to pay assessed expenses of international peacekeeping activities, $102,000,000, to remain available until expended: Provided, That none of the funds appropriated or otherwise made available under this heading may be obligated or expended until (1) the certification described in section 941 of the Admiral James W. Nance and Meg Donovan Foreign Relations Authorization Act, Fiscal Years 2000 and 2001 (as contained in Public Law 106–113) has been made; (2) the Secretary of State has submitted to Congress a report setting forth the terms of a final settlement on all disputed United States arrearages to the United Nations, United Nations affiliated agencies, and other international organizations; and (3) there is enacted a bill or joint resolution approving the report submitted under clause (2).
INTERNATIONAL COMMISSIONS

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

INTERNATIONAL BOUNDARY AND WATER COMMISSION,
UNITED STATES AND MEXICO

For necessary expenses for the United States Section of the International Boundary and Water Commission, United States and Mexico, and to comply with laws applicable to the United States Section, including not to exceed $6,000 for representation; as follows:

SALARIES AND EXPENSES

For salaries and expenses, not otherwise provided for, $7,142,000.

CONSTRUCTION

For detailed plan preparation and construction of authorized projects, $26,747,000, to remain available until expended.

AMERICAN SECTIONS, INTERNATIONAL COMMISSIONS

For necessary expenses, not otherwise provided for the International Joint Commission and the International Boundary Commission, United States and Canada, as authorized by treaties between the United States and Canada or Great Britain, and for the Border Environment Cooperation Commission as authorized by Public Law 103–182, $6,741,000, of which not to exceed $9,000 shall be available
for representation expenses incurred by the International Joint Commission.

INTERNATIONAL FISHERIES COMMISSIONS

For necessary expenses for international fisheries commissions, not otherwise provided for, as authorized by law, $19,392,000: Provided, That the United States’ share of such expenses may be advanced to the respective commissions, pursuant to 31 U.S.C. 3324.

OTHER

EISENHOWER EXCHANGE FELLOWSHIP PROGRAM TRUST FUND

For necessary expenses of Eisenhower Exchange Fellowships, Incorporated, as authorized by sections 4 and 5 of the Eisenhower Exchange Fellowship Act of 1990 (20 U.S.C. 5204–5205), all interest and earnings accruing to the Eisenhower Exchange Fellowship Program Trust Fund on or before September 30, 2001, to remain available until expended: Provided, That none of the funds appropriated herein shall be used to pay any salary or other compensation, or to enter into any contract providing for the payment thereof, in excess of the rate authorized by 5 U.S.C. 5376; or for purposes which are not in accordance with OMB Circulars A–110 (Uniform Administrative Requirements) and A–122 (Cost Principles for Non-profit Organizations), including the restrictions on compensation for personal services.
ISRAELI ARAB SCHOLARSHIP PROGRAM

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

EAST-WEST CENTER

To enable the Secretary of State to provide for carrying out the provisions of the Center for Cultural and Technical Interchange Between East and West Act of 1960, by grant to the Center for Cultural and Technical Interchange Between East and West in the State of Hawaii, $13,500,000, notwithstanding any other provision of law:

Provided, That none of the funds appropriated herein shall be used to pay any salary, or enter into any contract providing for the payment thereof, in excess of the rate authorized by 5 U.S.C. 5376.

NATIONAL ENDOWMENT FOR DEMOCRACY

For grants made by the Department of State to the National Endowment for Democracy as authorized by the National Endowment for Democracy Act, $30,999,000, to remain available until expended.
RELATED AGENCY

BROADCASTING BOARD OF GOVERNORS

INTERNATIONAL BROADCASTING OPERATIONS

For expenses necessary to enable the Broadcasting Board of Governors to carry out international communication activities, $388,421,000, of which not to exceed $16,000 may be used for official receptions within the United States, not to exceed $35,000 may be used for representation abroad, and not to exceed $39,000 may be used for official reception and representation expenses of Radio Free Europe/Radio Liberty; and in addition, notwithstanding any other provision of law, not to exceed $2,000,000 in receipts from advertising and revenue from business ventures, not to exceed $500,000 in receipts from cooperating international organizations, and not to exceed $1,000,000 in receipts from privatization efforts of the Voice of America and the International Broadcasting Bureau, to remain available until expended for carrying out authorized purposes.

BROADCASTING TO CUBA

For necessary expenses, including the purchase, rent, construction, and improvement of facilities for radio and television transmission and reception, and purchase and installation of necessary equipment for radio and television transmission and reception, $22,095,000, to remain available until expended: Provided, That funds may be used to purchase or lease, maintain, and operate such aircraft (in-
including aerostats) as may be required to house and operate
necessary television broadcasting equipment.

BROADCASTING CAPITAL IMPROVEMENTS

For the purchase, rent, construction, and improvement
of facilities for radio transmission and reception, and pur-
chase and installation of necessary equipment for radio and
television transmission and reception, $29,060,000, to re-
main available until expended.

In addition, for the costs of overseas security upgrades,
$2,015,000, to remain available until expended.

GENERAL PROVISIONS—DEPARTMENT OF STATE AND

Related Agency

Sec. 401. Funds appropriated under this title shall
be available, except as otherwise provided, for allowances
and differentials, for services, and for hire of passenger
transportation.

Sec. 402. Not to exceed 5 percent of any appropriation
made available for the current fiscal year for the Depart-
ment of State in this Act may be transferred between such
appropriations, but no such appropriation, except as other-
wise specifically provided, shall be increased by more than
10 percent by any such transfers: Provided, That not to ex-
ceed 5 percent of any appropriation made available for the
current fiscal year for the Broadcasting Board of Governors
in this Act may be transferred between such appropriations,
but no such appropriation, except as otherwise specifically provided, shall be increased by more than 10 percent by any such transfers: Provided further, That any transfer pursuant to this section shall be treated as a reprogramming of funds under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

SEC. 403. (a)(1) Notwithstanding any other provision of law, the Secretary of State is authorized to establish by regulation a fee to be charged and collected with applications for export licenses for munitions, satellites, and related items on the United States Munitions List controlled under section 38 of the Arms Export Control Act.

(2) The fee established under paragraph (1) may be set at a level that would ensure the recovery of the full costs of providing the services of the Office of Defense Trade Controls of the Department of State, including the recovery of any additional costs associated with the administration by the Office of the fees charged and collected under paragraph (1).

(b) That, in fiscal year 2001 and each fiscal year thereafter, all fees charged and collected under paragraph (1) shall be retained and deposited as an offsetting collection to any Department of State appropriation to recover all costs associated with the administration of the defense
export control regime, and shall remain available until expended.

SEC. 404. None of the funds made available in this Act may be used by the Department of State or the Broadcasting Board of Governors to provide equipment, technical support, consulting services, or any other form of assistance to the Palestinian Broadcasting Corporation.

SEC. 405. None of the funds appropriated or otherwise made available in this Act for the United Nations may be used by the United Nations for the promulgation or enforcement of any treaty, resolution, or regulation authorizing the United Nations, or any of its specialized agencies or affiliated organizations, to tax any aspect of the Internet.

SEC. 406. None of the funds appropriated or otherwise made available by this Act or any other Act for fiscal year 2001 or any fiscal year thereafter may be obligated or expended for the operation of a United States consulate or diplomatic facility in Jerusalem unless such consulate or diplomatic facility is under the supervision of the United States Ambassador to Israel.

SEC. 407. None of the funds appropriated or otherwise made available by this Act or any other Act for fiscal year 2001 or any fiscal year thereafter may be obligated or expended for the publication of any official Government docu-
ment which lists countries and their capital cities unless the publication identifies Jerusalem as the capital of Israel.

SEC. 408. For the purposes of registration of birth, certification of nationality, or issuance of a passport of a United States citizen born in the city of Jerusalem, the Secretary of State shall, upon request of the citizen, record the place of birth as Israel.

SEC. 409. Notwithstanding any other provision of law, none of the funds appropriated or otherwise made available by this or any other Act may be used to allow for the entry into, or withdrawal from warehouse for consumption in the United States of diamonds if the country of origin in which such diamonds were mined (as evidenced by a legible certificate of origin) is the Republic of Sierra Leone, the Republic of Liberia, the Republic of Cote d’Ivoire, Burkina Faso, the Democratic Republic of the Congo, or the Republic of Angola with the exception of diamonds certified by the lawful governments of the Republic of Sierra Leone, the Democratic Republic of the Congo, or the Republic of Angola.

This title may be cited as the “Department of State and Related Agency Appropriations Act, 2001”.
TITLE V—RELATED AGENCIES

DEPARTMENT OF TRANSPORTATION

MARITIME ADMINISTRATION

MARITIME SECURITY PROGRAM

For necessary expenses to maintain and preserve a U.S.-flag merchant fleet to serve the national security needs of the United States, $98,700,000, to remain available until expended.

OPERATIONS AND TRAINING

For necessary expenses of operations and training activities authorized by law, $80,240,000.

MARITIME GUARANTEED LOAN (TITLE XI) PROGRAM ACCOUNT

For the cost of guaranteed loans, as authorized by the Merchant Marine Act, 1936, $20,221,000, to remain available until expended: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended.

In addition, for administrative expenses to carry out the guaranteed loan program, not to exceed $4,179,000, which shall be transferred to and merged with the appropriation for Operations and Training.

ADMINISTRATIVE PROVISIONS—MARITIME ADMINISTRATION

Notwithstanding any other provision of this Act, the Maritime Administration is authorized to furnish utilities
and services and make necessary repairs in connection with any lease, contract, or occupancy involving Government property under control of the Maritime Administration, and payments received therefore shall be credited to the appropriation charged with the cost thereof: Provided, That rental payments under any such lease, contract, or occupancy for items other than such utilities, services, or repairs shall be covered into the Treasury as miscellaneous receipts.

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

COMMISSION FOR THE PRESERVATION OF AMERICA’S HERITAGE ABROAD

SALARIES AND EXPENSES

For expenses for the Commission for the Preservation of America’s Heritage Abroad, $490,000, as authorized by section 1303 of Public Law 99–83.

COMMISSION ON CIVIL RIGHTS

SALARIES AND EXPENSES

For necessary expenses of the Commission on Civil Rights, including hire of passenger motor vehicles, $8,900,000: Provided, That not to exceed $50,000 may be used to employ consultants: Provided further, That none of
the funds appropriated in this paragraph shall be used to 
employ in excess of four full-time individuals under Sched-
ule C of the Excepted Service exclusive of one special assist-
ant for each Commissioner: Provided further, That none of 
the funds appropriated in this paragraph shall be used to 
reimburse Commissioners for more than 75 billable days.

Commission on Ocean Policy

Salaries and Expenses

For the necessary expenses of the Commission on 
Ocean Policy, pursuant to S. 2327 as passed the Senate, 
$1,000,000, to remain available until expended: Provided, 
That the Commission shall present to the Congress within 
18 months of appointment its recommendations for a na-
tional ocean policy.

Commission on Security and Cooperation in Europe

Salaries and Expenses

For necessary expenses of the Commission on Security 
and Cooperation in Europe, as authorized by Public Law 
94–304, $1,370,000, to remain available until expended as 
authorized by section 3 of Public Law 99–7.

Equal Employment Opportunity Commission

Salaries and Expenses

For necessary expenses of the Equal Employment Op-
portunity Commission as authorized by title VII of the 
Civil Rights Act of 1964, as amended (29 U.S.C. 206(d)
and 621–634), the Americans with Disabilities Act of 1990, and the Civil Rights Act of 1991, including services as authorized by 5 U.S.C. 3109; hire of passenger motor vehicles as authorized by 31 U.S.C. 1343(b); non-monetary awards to private citizens; and not to exceed $31,000,000 for payments to State and local enforcement agencies for services to the Commission pursuant to title VII of the Civil Rights Act of 1964, as amended, sections 6 and 14 of the Age Discrimination in Employment Act, the Americans with Disabilities Act of 1990, and the Civil Rights Act of 1991, $294,800,000: Provided, That the Commission is authorized to make available for official reception and representation expenses not to exceed $2,500 from available funds.

FEDERAL COMMUNICATIONS COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Federal Communications Commission, as authorized by law, including uniforms and allowances therefor, as authorized by 5 U.S.C. 5901–5902; not to exceed $600,000 for land and structure; not to exceed $500,000 for improvement and care of grounds and repair to buildings; not to exceed $4,000 for official reception and representation expenses; purchase (not to exceed 16) and hire of motor vehicles; special counsel fees; and services as authorized by 5 U.S.C. 3109, $237,188,000, of which not to exceed $300,000 shall remain available until September
30, 2002, for research and policy studies: Provided, That $200,146,000 of offsetting collections shall be assessed and collected pursuant to section 9 of title I of the Communications Act of 1934, as amended, and shall be retained and used for necessary expenses in this appropriation, and shall remain available until expended: Provided further, That the sum herein appropriated shall be reduced as such offsetting collections are received during fiscal year 2001 so as to result in a final fiscal year 2001 appropriation estimated at $37,042,000: Provided further, That no amount appropriated under this Act may be obligated or expended by the Federal Communications Commission to grant or transfer a license or authorization under section 310(b)(4) of the Communications Act of 1934 (47 U.S.C. 310(b)(4)) or section 90.115 of the Commissions regulations (47 C.F.R. 90.115) to a corporation of which more than 25 percent of the stock is directly or indirectly owned or voted by a foreign government or its representatives.

FEDERAL MARITIME COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Federal Maritime Commission as authorized by section 201(d) of the Merchant Marine Act, 1936, as amended (46 U.S.C. App. 1111), including services as authorized by 5 U.S.C. 3109; hire of passenger motor vehicles as authorized by 31 U.S.C. 1343(b);
and uniforms or allowances therefor, as authorized by 5
U.S.C. 5901–5902, $16,222,000: Provided, That not to ex-
ceed $2,000 shall be available for official reception and rep-
resentation expenses.

FEDERAL TRADE COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Federal Trade Commiss-
ion, including uniforms or allowances therefor, as author-
ized by 5 U.S.C. 5901–5902; services as authorized by 5
U.S.C. 3109; hire of passenger motor vehicles; and not to
exceed $2,000 for official reception and representation ex-
penses, $157,600,000: Provided, That not to exceed $300,000
shall be available for use to contract with a person or per-
sons for collection services in accordance with the terms of
31 U.S.C. 3718, as amended: Provided further, That, not-
withstanding section 3302(b) of title 31, United States
Code, not to exceed $157,600,000 of offsetting collections de-
derived from fees collected for premerger notification filings
under the Hart-Scott-Rodino Antitrust Improvements Act
of 1976 (15 U.S.C. 18(a)) shall be retained and used for
necessary expenses in this appropriation, and shall remain
available until expended: Provided further, That the sum
herein appropriated from the general fund shall be reduced
as such offsetting collections are received during fiscal year
2000, so as to result in a final fiscal year 2000 appropria-
tion from the general fund estimated at not more than $0, to remain available until expended. Provided further, That section 605 of Public Law 101–162 (15 U.S.C. section 18a note), as amended, is further amended (1) by striking “$45,000 which” and inserting: “(a) $45,000, if as a result of the acquisition, the acquiring person would hold an aggregate total amount of the voting securities and assets of the acquired person in excess of $35,000,000 but not exceeding $99,999,999; (b) $100,000, if as a result of the acquisition, the acquiring person would hold an aggregate total amount of the voting securities and assets of the acquired person equal to or in excess of $100,000,000 but not exceeding $199,999,999; or (c) $200,000, if as a result of the acquisition, the acquiring person would hold an aggregate total amount of the voting securities and assets of the acquired person equal to or in excess of $200,000,000. Such fees”; and (2) by adding the following sentence: “Any misrepresentation of the aggregate total amount of the voting securities and assets to be held as a result of the acquisition would subject the acquiring person to civil penalties and any other appropriate remedy as provided for under 15 U.S.C. section 18(a)(g).”, immediately after the words “no notification shall be considered filed until payment of the fee required by this section.”: Provided further, That none of the funds made available to the Federal Trade Commis-
sion shall be available for obligation for expenses authorized
by section 151 of the Federal Deposit Insurance Corpora-
tion Improvement Act of 1991 (Public Law 102–242; 105
Stat. 2282–2285).

LEGAL SERVICES CORPORATION

PAYMENT TO THE LEGAL SERVICES CORPORATION

For payment to the Legal Services Corporation to
carry out the purposes of the Legal Services Corporation
Act of 1974, as amended, $300,000,000, of which
$289,000,000 is for basic field programs and required inde-
pendent audits; $2,100,000 is for the Office of Inspector
General, of which such amounts as may be necessary may
be used to conduct additional audits of recipients; and
$8,900,000 is for management and administration.

ADMINISTRATIVE PROVISION—LEGAL SERVICES
CORPORATION

None of the funds appropriated in this Act to the Legal
Services Corporation shall be expended for any purpose pro-
hibited or limited by, or contrary to any of the provisions
of, sections 501, 502, 503, 504, 505, and 506 of Public Law
105–119, and all funds appropriated in this Act to the
Legal Services Corporation shall be subject to the same
terms and conditions set forth in such sections, except that
all references in sections 502 and 503 to 1997 and 1998
shall be deemed to refer instead to 2000 and 2001, respectively.

**MARINE MAMMAL COMMISSION**

**SALARIES AND EXPENSES**

For necessary expenses of the Marine Mammal Commission as authorized by title II of Public Law 92–522, as amended, $1,700,000.

**SEcurities AND EXCHANGE COMMISSION**

**SALARIES AND EXPENSES**

For necessary expenses for the Securities and Exchange Commission, including services as authorized by 5 U.S.C. 3109, the rental of space (to include multiple year leases) in the District of Columbia and elsewhere, and not to exceed $3,000 for official reception and representation expenses,

$194,652,000 from fees collected in fiscal year 2001 to remain available until expended, and from fees collected in fiscal year 1999, $295,000,000, to remain available until expended; of which not to exceed $10,000 may be used toward funding a permanent secretariat for the International Organization of Securities Commissions; and of which not to exceed $100,000 shall be available for expenses for consultations and meetings hosted by the Commission with foreign governmental and other regulatory officials, members of their delegations, appropriate representatives and staff to exchange views concerning developments relating to secu-
rities matters, development and implementation of coopera-
tion agreements concerning securities matters and provision
of technical assistance for the development of foreign securi-
ties markets, such expenses to include necessary logistic and
administrative expenses and the expenses of Commission
staff and foreign invitees in attendance at such consulta-
tions and meetings including: (1) such incidental expenses
as meals taken in the course of such attendance; (2) any
travel and transportation to or from such meetings; and
(3) any other related lodging or subsistence: Provided, That
fees and charges authorized by sections 6(b)(4) of the Secu-
rities Act of 1933 (15 U.S.C. 77f(b)(4)) and 31(d) of the
be credited to this account as offsetting collections.

SMALL BUSINESS ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses, not otherwise provided for, of
the Small Business Administration as authorized by Public
Law 105–135, including hire of passenger motor vehicles
as authorized by 31 U.S.C. 1343 and 1344, and not to ex-
ceed $3,500 for official reception and representation ex-
penses, $143,475,000: Provided, That the Administrator is
authorized to charge fees to cover the cost of publications
developed by the Small Business Administration, and cer-
tain loan servicing activities: Provided further, That, not-
withstanding 31 U.S.C. 3302, revenues received from all such activities shall be credited to this account, to be available for carrying out these purposes without further appropriations. In addition, to reimburse the Small Business Administration for qualified expenses of delinquent non-tax debt collection, to be derived from increased agency collections of delinquent debt, 5 percent of such collections but not to exceed $3,000,000.

NON-CREDIT BUSINESS ASSISTANCE PROGRAMS

For non-credit programs authorized under the Small Business Act, as amended, $153,690,000, of which $90,000,000 shall be for grants for performance in fiscal year 2001 or fiscal year 2002: Provided, That any balances of fiscal year 2000 funds appropriated for non-credit programs under the heading, “Salaries and Expenses”, may be transferred to this heading, to be available to carry out these programs and to be available for the time period originally provided.

OFFICE OF INSPECTOR GENERAL


BUSINESS LOANS PROGRAM ACCOUNT

For the cost of direct loans, $2,600,000, to be available until expended; and for the cost of guaranteed loans, $162,800,000, as authorized by 15 U.S.C. 631 note: Pro-
vided, That such costs, including the cost of modifying such
loans, shall be as defined in section 502 of the Congressional
Budget Act of 1974, as amended: Provided further, That
during fiscal year 2001, commitments to guarantee loans
under section 503 of the Small Business Investment Act of
1958, as amended, shall not exceed the amount of financings
authorized under section 20(e)(1)(B)(ii) of the Small Busi-
ess Act, as amended: Provided further, That during fiscal
year 2001, commitments to guarantee loans auth-
orized under section 7(a) of the Small Business Act, as
amended, shall not exceed $10,000,000,000 without prior
notification of the Committees on Appropriations of the
House of Representatives and Senate in accordance with
section 605 of this Act: Provided further, That during fiscal
year 2001, commitments for general business loans author-
ized under section 303(b) of the Small Business Investment Act of 1958, as
amended, shall not exceed the amount of guarantees of de-
bentures authorized under section 20(e)(1)(C)(ii) of the
Small Business Act, as amended.

In addition, for administrative expenses to carry out
the direct and guaranteed loan programs, $130,800,000,
which may be transferred to and merged with the appro-
priations for Salaries and Expenses.

DISASTER LOANS PROGRAM ACCOUNT

For the cost of direct loans authorized by section 7(b)
of the Small Business Act, as amended, $142,100,000 to re-
main available until expended; Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended.

In addition, for administrative expenses to carry out the direct loan program, $139,000,000, which may be transferred to and merged with appropriations for Salaries and Expenses, of which $500,000 is for the Office of Inspector General of the Small Business Administration for audits and reviews of disaster loans and the disaster loan program and shall be transferred to and merged with appropriations for the Office of Inspector General.

ADMINISTRATIVE PROVISION—SMALL BUSINESS ADMINISTRATION

Not to exceed 10 percent of any appropriation made available for the current fiscal year for the Small Business Administration in this Act may be transferred between such appropriations, but no such appropriation shall be increased by more than 20 percent by any such transfers; Provided, That any transfer pursuant to this paragraph shall be treated as a reprogramming of funds under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.
STATE JUSTICE INSTITUTE

SALARIES AND EXPENSES

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

Of the amount made available under the heading “COURT OF APPEALS, DISTRICT COURTS, AND OTHER JUDICIAL SERVICES” in title III of this Act, $8,000,000 is transferred and made available for grants administered by the State Justice Institute.

TITLE VI—GENERAL PROVISIONS

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

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

Sec. 603. The expenditure of any appropriation under this Act for any consulting service through procurement contract, pursuant to 5 U.S.C. 3109, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where
otherwise provided under existing law, or under existing
Executive order issued pursuant to existing law.

SEC. 604. (a) The caption for section 504 of title 28,
United States Code, is amended by replacing “Attorney”
with “Attorneys”.

(b) Section 504 of title 28, United States Code, is
amended by inserting after “General” the following, “and
a Deputy Attorney General for Combating Domestic Ter-
rorism”.

(c) There is established within the Department of Jus-
tice the position of Deputy Attorney General for Combating
Domestic Terrorism, who shall be appointed by the Presi-
dent, by and with the advice and consent of the Senate.

(d) Subject to the authority of the Attorney General,
the Deputy Attorney General for Combating Domestic Ter-
orism shall serve as the principal advisor to the Attorney
General on, and serve as the key government official respon-
sible for, national security policy and coordination for do-
mestic counterterrorism and antiterrorism, State and local
preparedness for weapons of mass destruction (including
chemical and biological weapons), security classifications
and clearances within the Department of Justice, and con-
tingency operations within the Department of Justice and
shall coordinate all functions of the Federal Government re-
lated to domestic counterterrorism and antiterrorism ac-
tivities, including—

(1) the coordination of a National Strategy for
Combating Domestic Terrorism to be promulgated by
the President which shall establish national policies,
objectives, and priorities for preventing, preparing
for, and responding to domestic terrorist activities
within the United States;

(2) the coordination through consultation with
the appropriate entities, of the implementation of the
National Strategy for Combating Domestic Terrorism
policy and preparedness by the departments and
agencies of the Federal Government and by State and
local entities with responsibilities for combating do-
mestic terrorism; and

(3) the recommendation of changes in the organi-
ization and management of Federal departments and
agencies and State and local entities engaged in com-
bating domestic terrorism to the Congress, the Presi-
dent, and the Attorney General.

(e) For necessary expenses of the Office of the Deputy
Attorney General for Combating Domestic Terrorism,
$23,000,000, to remain available until expended.

(f) Notwithstanding any other provision of law, all au-
thorities, liabilities, funding, personnel, equipment, and
real property associated with the Office of State and Local Domestic Preparedness Support, the National Domestic Preparedness Office, the Executive Office of National Security, and such components which relate to domestic counterterrorism and antiterrorism activities in the Office of Intelligence Policy and Review and the Criminal Division as are appropriate shall be transferred to the Deputy Attorney General for Combating Domestic Terrorism not later than 90 days after the required Presidential report.

SEC. 605. (a) None of the funds provided under this Act, or provided under previous appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in fiscal year 2001, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds which: (1) creates new programs; (2) eliminates a program, project, or activity; (3) increases funds or personnel by any means for any project or activity for which funds have been denied or restricted; (4) relocates an office or employees; (5) reorganizes offices, programs, or activities; or (6) contracts out or privatizes any functions, or activities presently performed by Federal employees; unless the Appropriations Commit-
tees of both Houses of Congress are notified 15 days in advance of such reprogramming of funds.

(b) None of the funds provided under this Act, or provided under previous appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in fiscal year 2001, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure for activities, programs, or projects through a reprogramming of funds in excess of $500,000 or 10 percent, whichever is less, that: (1) augments existing programs, projects, or activities; (2) reduces by 10 percent funding for any existing program, project, or activity, or numbers of personnel by 10 percent as approved by Congress; or (3) results from any general savings from a reduction in personnel which would result in a change in existing programs, activities, or projects as approved by Congress; unless the Appropriations Committees of both Houses of Congress are notified 15 days in advance of such reprogramming of funds.

SEC. 606. None of the funds made available in this Act may be used for the construction, repair (other than emergency repair), overhaul, conversion, or modernization of vessels for the National Oceanic and Atmospheric Administration in shipyards located outside of the United States.
SEC. 607. (a) Section 4(b) of the Securities Exchange Act of 1934 (15 U.S.C. 78d(b)) is amended—

(1) by striking paragraphs (1) and (2), and inserting the following:

“(1)(A) The Commission may appoint and fix the compensation of such officers, attorneys, economists, examiners, and other employees as may be necessary for carrying out its functions under this Act.

“(B) Rates of basic pay for all employees of the Commission may be set and adjusted by the Commission without regard to the provisions of chapter 51 or subchapter III of chapter 53 of title 5, United States Code.

“(C) The Commission may provide additional compensation and benefits to employees of the Commission if the same type of compensation or benefits are then being provided by any agency referred to under section 1206(a) of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (12 U.S.C. 1833b(a)), or, if not then being provided, could be provided by such an agency under applicable provisions of law, rule, or regulation.

“(D) In setting and adjusting the total amount of compensation and additional benefits for employees, the Commission shall consult with, and seek to
maintain comparability with, the agencies referred to under section 1206(a) of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (12 U.S.C. 1833b).”; and

(2) by redesignating paragraph (3) as paragraph (2).

(b) Section 1206 of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (12 U.S.C. 1883b) is amended—

(1) by inserting “(a) IN GENERAL.—” before “The Federal Deposit”;

(2) by striking “the Thrift Depositor Protection Oversight Board of the Resolution Trust Corporation,”; and

(3) by adding at the end the following:

“(b) In establishing and adjusting schedules of compensation and additional benefits for employees of the Securities and Exchange Commission, which are to be determined solely by the Commission under applicable provisions of law, the Commission shall inform the heads of the agencies referred to under subsection (a) and Congress of such compensation and benefits, and shall seek to maintain comparability with such agencies regarding compensation and benefits.”.
Section 3132(a)(1) of title 5, United States Code, is amended—

(A) in subparagraph (C), by striking “or” after the semicolon;

(B) in subparagraph (D), by inserting “or” after the semicolon; and

(C) by adding at the end the following:

“(E) the Securities and Exchange Commission.”.

Section 5373(a) of title 5, United States Code, is amended—

(A) in paragraph (2), by striking “or” after the semicolon;

(B) in paragraph (3), by striking the period and inserting “; or”; and

(C) by adding at the end the following:

“(4) section 4(b) of the Securities Exchange Act of 1934.”.

The amendments made by subsection (c)(1) shall take effect on such date as the Securities and Exchange Commission shall (by order published in the Federal Register) prescribe, but in no event later than 1 year after the date of enactment of this Act.

Sec. 608. None of the funds made available in this Act may be used to implement, administer, or enforce any
guidelines of the Equal Employment Opportunity Commis-

sion covering harassment based on religion, when it is made
known to the Federal entity or official to which such funds
are made available that such guidelines do not differ in any
respect from the proposed guidelines published by the Com-

SEC. 609. (a) None of the funds appropriated or other-
wise made available by this Act shall be expended for any
purpose for which appropriations are prohibited by section
609 of the Departments of Commerce, Justice, and State,
the Judiciary, and Related Agencies Appropriations Act,
1999.

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

SEC. 610. That fees collected pursuant to Section 31
for sales transacted on, and with respect to securities reg-
istered solely on, an exchange that is initially granted reg-
istration as a national securities exchange after February
24, 2000 shall be credited to this account as offsetting collec-
tions.

SEC. 611. Notwithstanding any other provision of law,
not more than 20 percent of the amount allocated to any
account from an appropriation made by this Act that is
available for obligation only in the current fiscal year may be obligated during the last 2 months of the fiscal year unless the Committees on Appropriations of the House of Representatives and the Senate are notified prior to such obligation in accordance with section 605 of this Act: Provided, That this section shall not apply to the obligation of funds under grant programs.

SEC. 612. Hereafter, none of the funds made available in this Act shall be used to provide the following amenities or personal comforts in the Federal prison system—

(1) in-cell television viewing except for prisoners who are segregated from the general prison population for their own safety;

(2) the viewing of R, X, and NC–17 rated movies, through whatever medium presented;

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

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

(5) the use or possession of any electric or electronic musical instrument.

SEC. 613. Any costs incurred by a department or agency funded under this Act resulting from personnel actions
taken in response to funding reductions included in this Act shall be absorbed within the total budgetary resources available to such department or agency: Provided, That the authority to transfer funds between appropriations accounts as may be necessary to carry out this section is provided in addition to authorities included elsewhere in this Act: Provided further, That use of funds to carry out this section shall be treated as a reprogramming of funds under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

Sec. 614. Hereafter, none of the funds made available in this Act to the Federal Bureau of Prisons may be used to distribute or make available any commercially published information or material to a prisoner when it is made known to the Federal official having authority to obligate or expend such funds that such information or material is sexually explicit or features nudity.

Sec. 615. (a) None of the funds appropriated or otherwise made available by this Act shall be expended for any purpose for which appropriations are prohibited by section 616 of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1999, as amended.
(b) The requirements in subsections (b) and (c) of section 616 of that Act shall continue to apply during fiscal year 2001.

SEC. 616. None of the funds appropriated pursuant to this Act or any other provision of law may be used for:
1. (1) the implementation of any tax or fee in connection with the implementation of 18 U.S.C. 922(t); and (2) any system to implement 18 U.S.C. 922(t) that does not require and result in the destruction of any identifying information submitted by or on behalf of any person who has been determined not to be prohibited from owning a firearm.

SEC. 617. Notwithstanding Section 1461(e)(3)(B) of the Coastal Zone Management Act (15 U.S.C. 1451 et seq.), financial assistance provided under this Act to the Department of Fish and Game for the Katchemak Bay National Estuarine Research Reserve joint facility, and to the Nature Conservancy for Great Bay National Estuarine Research Reserve may be used to pay the total costs of activities carried out with the assistance.

SEC. 618. Section 309(j)(8) of the Communications Act of 1934 is amended by adding new paragraph (D) as follows:

“(D) PROTECTION OF INTERESTS.—

“(i) Title 11, United States Code, or any otherwise applicable Federal or state
law regarding insolvencies or receiverships,
or any succeeding Federal law not expressly
in derogation of this subsection, shall not
apply to or be construed to apply to the
Commission or limit the rights, powers, or
duties of the Commission with respect to (a)
a license or permit issued by the Commis-
sion under this subsection or a payment
made to or a debt or other obligation owed
to the Commission relating to or rising
from such a license or permit, (b) an inter-
est of the Commission in property securing
such a debt or other obligation, or (c) an act
by the Commission to issue, deny, cancel, or
transfer control of such a license or permit.

“(ii) Notwithstanding otherwise appli-
cable law, the Commission shall be deemed
to have a perfected, first priority security
interest in a license or construction permit
issued by the Commission under this sub-
section and the proceeds of such a license or
permit for which a debt or other obligation
is owed to the Commission under this sub-
section.
“(iii) This paragraph shall apply retroactively, including to pending cases and proceedings whether on appeal or otherwise.”.

SEC. 619. Notwithstanding any other provision of law, amounts deposited or available in the Fund established under 42 U.S.C. 10601 in any fiscal year in excess of $500,000,000 shall not be available for obligation until the following fiscal year.

SEC. 620. Notwithstanding any other provision of law, in the event the Court of Federal Claims finds for the plaintiff in Doe v. United States [docket #98–896C], attorneys in positions funded with amounts made available under the headings “Salaries and Expenses, General Legal Activities” and “Salaries and Expenses, United States Attorneys” in title I of this Act shall be compensated on an hourly basis, weekly compensation to be determined by mechanical means, and shall have such fixed breaks each work day as are afforded other hourly workers employed by the Department of Justice.

SEC. 621. None of the funds appropriated in this Act shall be available for the purpose of granting either immigrant or nonimmigrant visas, or both, consistent with the Secretary’s determination under section 243(d) of the Immigration and Nationality Act, to citizens, subjects, nation-
als, or residents of countries that the Attorney General has
determined deny or unreasonably delay accepting the re-
turn of citizens, subjects, nationals, or residents under that
section.

SEC. 622. Earmarks, limitations, or minimum fund-
ing requirements contained in any other Act shall not be
applicable to funds appropriated under this Act.

SEC. 623. Title 18, section 4006(b)(1) is amended by
inserting, “, the Federal Bureau of Investigation” after
“United States Marshals Service”.

SEC. 624. Section 3022 of the 1999 Emergency Supple-
mental Appropriations Act (113 Stat. 100) is amended by
striking “between the date of enactment of this Act and Oc-
tober 1, 2000,”.

SEC. 625. Section 623 of H.R. 3421 (the Departments
of Commerce, Justice, and State, the Judiciary, and Re-
lated Agencies Appropriations Act, 2000 (16 U.S.C. 3645)),
as enacted into law by section 1000(a)(1) of Public Law
106–113 (113 Stat. 1535), is amended—

(a) in subsection (a)(1) by striking “The North-
ern Fund and Southern Fund shall each receive
$10,000,000 of the amounts authorized by this sec-
tion.”;

(b) by striking subsection (d) and inserting in
lieu thereof the following new subsection:
“(d)(1) PACIFIC SALMON TREATY.—

“(A) For capitalizing the Northern Fund there is authorized to be appropriated in fiscal years 2000, 2001, 2002, and 2003 a total of $75,000,000.

“(B) For capitalizing the Southern Fund there is authorized to be appropriated in fiscal years 2000, 2001, 2002, and 2003 a total of $65,000,000.

“(C) To permanently retire commercial salmon permits pursuant to the 1999 Pacific Salmon Treaty Agreement, there is authorized to be appropriated in fiscal years 2000, 2001, and 2002 a total of $30,000,000.

“(2) PACIFIC COASTAL SALMON RECOVERY.—

“(A) For salmon habitat restoration, salmon stock enhancement, and salmon research, including the construction of salmon research and related facilities, there is authorized to be appropriated for each of fiscal years 2000, 2001, 2002, and 2003, $90,000,000 to the States of Alaska, Washington, Oregon, and California. Amounts appropriated pursuant to this subparagraph shall be made available as direct payments. The State of Alaska may allocate a portion of any funds it receives under this subsection to eligible activities outside Alaska.
“(B) For salmon habitat restoration, salmon stock enhancement, salmon research, and supplementation activities, there is authorized to be appropriated in each of fiscal years 2000, 2001, 2002, and 2003, $10,000,000 to be divided between the Pacific Coastal tribes (as defined by the Secretary of Commerce) and the Columbia River tribes (as defined by the Secretary of Commerce).”.

SEC. 626. (a) SHORT TITLE OF SECTION.—This section may be cited as “Amy Boyer’s Law”.

(b) PROTECTING PRIVACY BY PROHIBITING DISPLAY OF THE SOCIAL SECURITY NUMBER TO THE PUBLIC FOR COMMERCIAL PURPOSES WITHOUT CONSENT.—

(1) IN GENERAL.—Part A of title XI of the Social Security Act (42 U.S.C. 1301 et seq.) is amended by adding at the end the following:

“PROHIBITION OF CERTAIN MISUSES OF THE SOCIAL SECURITY NUMBER

“Sec. 1150A. (a) LIMITATION ON DISPLAY.—Except as otherwise provided in this section, no person may display to the public any individual’s social security number, or any identifiable derivative of such number, without the affirmatively expressed consent, electronically or in writing, of such individual.

“(b) PROHIBITON OF WRONGFUL USE AS PERSONAL IDENTIFICATION NUMBER.—No person may obtain any in-
individual’s social security number, or any identifiable derivative of such number, for purposes of locating or identifying an individual with the intent to physically injure, harm, or use the identity of the individual for illegal purposes.

“(c) PREREQUISITES FOR CONSENT.—In order for consent to exist under subsection (a), the person displaying, or seeking to display, an individual’s social security number, or any identifiable derivative of such number, shall—

“(1) inform the individual of the general purposes for which the number will be utilized and the types of persons to whom the number may be available; and

“(2) obtain affirmatively expressed consent electronically or in writing.

“(d) EXCEPTIONS.—Except as set forth in subsection (b), nothing in this section shall be construed to—

“(1) prohibit any use of social security numbers permitted or required under section 205(c)(2), section 7(a)(2) of the Privacy Act of 1974 (5 U.S.C. 552a note; 88 Stat. 1909), section 6109(d) of the Internal Revenue Code of 1986, the Fair Credit Reporting Act (15 U.S.C. 1681 et seq.), or the Gramm-Leach-Bliley Act (Public Law 106–102; 113 Stat. 1338);

“(2) prohibit or limit the use of a social security number for purposes of retrieval of other information
by professional and commercial users who appropriately use the information in the normal course and scope of their business or profession so long as such number (or any identifiable derivative of such number) is not displayed to the public;

“(3) prohibit or limit the use of the social security number for purposes of law enforcement, including investigation of fraud or as required under subchapter II of chapter 53 of title 31, United States Code, and chapter 2 of title I of Public Law 91–508 (12 U.S.C. 1951-1959); or

“(4) prohibit or limit the use of a social security number obtained from a public record or document lawfully acquired from a governmental agency.

“(e) CIVIL ACTION IN UNITED STATES DISTRICT COURT; DAMAGES; ATTORNEYS FEES AND COSTS; REGULATORY COORDINATION.—

“(1) IN GENERAL.—Any individual aggrieved by any act of any person in violation of this section may bring a civil action in a United States district court to recover—

“(A) such preliminary and equitable relief as the court determines to be appropriate; and

“(B) the greater of—

“(i) actual damages;
“(ii) liquidated damages of $2,500; or
“(iii) in the case of a violation that was willful and resulted in profit or monetary gain, liquidated damages of $10,000.

“(2) Attorney’s Fees and Costs.—In the case of a civil action brought under paragraph (1)(B)(iii) in which the aggrieved individual has substantially prevailed, the court may assess against the respondent a reasonable attorney’s fee and other litigation costs and expenses (including expert fees) reasonably incurred.

“(3) Statute of Limitations.—No action may be commenced under this subsection more than 3 years after the date on which the violation was or should reasonably have been discovered by the aggrieved individual.

“(4) Nonexclusive Remedy.—The remedy provided under this subsection shall be in addition to any other lawful remedy available to the individual.

“(f) Civil Money Penalties.—

“(1) In General.—Any person who the Commissioner of Social Security determines has violated this section shall be subject, in addition to any other penalties that may be prescribed by law, to—
“(A) a civil money penalty of not more than $5,000 for each such violation, and

“(B) a civil money penalty of not more than $50,000, if violations have occurred with such frequency as to constitute a general business practice.

“(2) **DETERMINATION OF VIOLATIONS.**— Any willful violation committed contemporaneously with respect to the social security numbers of 2 or more individuals by means of mail, telecommunication, or otherwise shall be treated as a separate violation with respect to each such individual.

“(3) **ENFORCEMENT PROCEDURES.**—The provisions of section 1128A (other than subsections (a), (b), (f), (h), (i), (j), and (m), and the first sentence of subsection (c)) and the provisions of subsections (d) and (e) of section 205 shall apply to civil money penalties under this subsection in the same manner as such provisions apply to a penalty or proceeding under section 1128A(a), except that, for purposes of this paragraph, any reference in section 1128A to the Secretary shall be deemed a reference to the Commissioner of Social Security.

“(4) **COORDINATION WITH CRIMINAL ENFORCEMENT.**—The Commissioner of Social Security shall
take such actions as are necessary and appropriate to ensure proper coordination of the enforcement of the provisions of this section with criminal enforcement under section 1028 of title 18, United States Code (relating to fraud and related activity in connection with identification documents). The Commissioner shall enter into cooperative arrangements with the Federal Trade Commission under section 5 of the Identity Theft and Assumption Deterrence Act of 1998 (18 U.S.C. 1028 note) for purposes of achieving such coordination.

“(g) LIMITATION ON REGULATION BY STATES.—No requirement or prohibition may be imposed under the laws of any State with respect to any subject matter regulated under this section.

“(h) DEFINITION.—In this section, the term ‘display to the public’ means the intentional placing of an individual’s social security number, or identifying portion thereof, in a viewable manner on a web site that makes such information available to the public, or otherwise intentionally communicating an individual’s social security number, or an identifying portion thereof, to the public.”.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) applies with respect to violations oc-
curring on and after the date which is 2 years after
the date of enactment of this Act.

TITLE VII—RESCISIONS

DEPARTMENT OF JUSTICE

General Administration

Working Capital Fund

(RESCISSON)

Of the unobligated balances available under this heading on September 30, 1997, $76,698,000 are rescinded.

LEGAL ACTIVITIES

Asset Forfeiture Fund

(RESCISSON)

Of the unobligated balances available under this heading, $96,383,000 are rescinded.

Federal Bureau of Investigation

Salaries and Expenses

(RESCISSION)

Of the unobligated balances available under this heading for the Information Sharing Initiative, $40,000,000 are rescinded.

Drug Enforcement Administration

Drug Diversion Control Fee Account

(RESCISSION)

Amounts otherwise available for obligation in fiscal year 2001 for the Drug Diversion Control Fee Account are reduced by $8,000,000.
DEPARTMENT OF STATE AND RELATED AGENCY

INTERNATIONAL ORGANIZATIONS AND CONFERENCES

CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING ACTIVITIES

(RESCSSION)

Of the unobligated balances available under this heading, $212,744,000 are rescinded.

TITLE VIII—SOUTHWEST BORDER INITIATIVE

DEPARTMENT OF JUSTICE

SALARIES AND EXPENSES, UNITED STATES MARSHALS SERVICE

For an additional amount for “Salaries and Expenses, United States Marshals Service”, $5,268,000, to remain available until expended, for courthouse security equipment:

Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: Provided further, That the entire amount shall be available only to the extent that an official budget request for $5,268,000, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.
CONSTRUCTION

For an additional amount for “Construction”, $5,625,000, to remain available until expended: Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: Provided further, That the entire amount shall be available only to the extent that an official budget request for $5,625,000, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.

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

For an additional amount for “Justice Prisoner and Alien Transportation System Fund, United States Marshals Service”, $52,000,000, to remain available until expended, for two 727/737-type aircraft: Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: Provided further, That the entire amount shall be available only to the extent that an official budget request for $52,000,000, that includes designation of the entire amount of the request as an emergency require-
ment as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.

**DRUG ENFORCEMENT ADMINISTRATION**

**SALARIES AND EXPENSES**

For an additional amount for “Drug Enforcement Administration, Salaries and Expenses”, $22,500,000, to remain available until expended, for one plane, one helicopter, one forensic laboratory, equipment, and upgrades to, and maintenance of, the El Paso Intelligence Center’s Information System: Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: Provided further, That the entire amount shall be available only to the extent that an official budget request for $22,500,000, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.

**IMMIGRATION AND NATURALIZATION SERVICE**

**SALARIES AND EXPENSES**

For an additional amount for “Immigration and Naturalization Service, Salaries and Expenses”, $67,585,000,
to remain available until expended, for Border Patrol equipment, including 25 helicopters: Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: Provided further, That the entire amount shall be available only to the extent that an official budget request for $67,585,000, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.

CONSTRUCTION

For an additional amount for “Construction”, $254,008,000, to remain available until expended: Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: Provided further, That the entire amount shall be available only to the extent that an official budget request for $254,008,000, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.
THE JUDICIARY

COURT OF APPEALS, DISTRICT COURTS, AND OTHER JUDICIAL SERVICES

SALARIES AND EXPENSES

For an additional amount for “Court of Appeals, District Courts, and Other Judicial Services, Salaries and Expenses”, $4,392,000, to remain available until expended, for expansion, relocation, forced move, and build out of existing courthouses: Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: Provided further, That the entire amount shall be available only to the extent that an official budget request for $4,392,000, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.

COURT SECURITY

For an additional amount for “Court Security”, $2,562,000, to remain available until expended, for courthouse security officers and equipment: Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: Provided further, That the entire
amount shall be available only to the extent that an official budget request for $2,562,000, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.

This Act may be cited as the “Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 2001”.
AN ACT

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.

JUNE 27, 2000
Received; read twice and referred to the Committee on Appropriations

JULY 21, 2000
Reported with an amendment