

In the Senate of the United States,

September 13, 2001.

Resolved, That the bill from the House of Representatives (H.R. 2500) entitled “An Act making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 2002, and for other purposes.”, do pass with the following

AMENDMENT:

Strike out all after the enacting clause and insert:

1 *That the following sums are appropriated, out of any*
2 *money in the Treasury not otherwise appropriated, for the*
3 *fiscal year ending September 30, 2002, and for other pur-*
4 *poses, namely:*

★

1 *TITLE I—DEPARTMENT OF JUSTICE*2 *GENERAL ADMINISTRATION*3 *SALARIES AND EXPENSES*

4 *For expenses necessary for the administration of the*
5 *Department of Justice, \$93,433,000, of which not to exceed*
6 *\$3,317,000 is for the Facilities Program 2000, to remain*
7 *available until expended: Provided, That not to exceed 43*
8 *permanent positions and 44 full-time equivalent workyears*
9 *and \$8,136,000 shall be expended for the Department Lead-*
10 *ership Program: Provided further, That not to exceed 41*
11 *permanent positions and 48 full-time equivalent workyears*
12 *and \$4,811,000 shall be expended for the Offices of Legisla-*
13 *tive Affairs and Public Affairs: Provided further, That the*
14 *Attorney General is authorized to transfer, under such*
15 *terms and conditions as the Attorney General shall specify,*
16 *forfeited real or personal property of limited or marginal*
17 *value, as such value is determined by guidelines established*
18 *by the Attorney General, to a State or local government*
19 *agency, or its designated contractor or transferee, for use*
20 *to support drug abuse treatment, drug and crime preven-*
21 *tion and education, housing, job skills, and other commu-*
22 *nity-based public health and safety programs: Provided fur-*
23 *ther, That any transfer under the preceding proviso shall*
24 *not create or confer any private right of action in any per-*

1 *son against the United States, and shall be treated as a*
2 *reprogramming under section 605 of this Act.*

3 *JOINT AUTOMATED BOOKING SYSTEM*

4 *For expenses necessary for the nationwide deployment*
5 *of a Joint Automated Booking System including automated*
6 *capability to transmit fingerprint and image data,*
7 *\$22,500,000, to remain available until expended.*

8 *LEGAL ACTIVITIES OFFICE AUTOMATION*

9 *For necessary office-automation expenses of organiza-*
10 *tions funded under the headings “Salaries and Expenses”,*
11 *General Legal Activities, and “Salaries and Expenses”,*
12 *General Administration, and of the United States Attor-*
13 *neys, the United States Marshals Service, the Antitrust Di-*
14 *vision, the United States Trustee Program, the Executive*
15 *Office for Immigration Review, and the Community Rela-*
16 *tions Service, \$34,600,000, to remain available until ex-*
17 *pended.*

18 *NARROWBAND COMMUNICATIONS*

19 *For the costs of conversion to narrowband communica-*
20 *tions, including the cost for operation and maintenance of*
21 *Land Mobile Radio legacy systems, \$204,549,000, to remain*
22 *available until expended.*

23 *PORT SECURITY*

24 *For expenses necessary for counter-terrorism, counter-*
25 *narcotics, and other law enforcement activities at United*
26 *States seaports, including Great Lakes ports, \$39,950,000,*

1 *to remain available until expended, to be available only for*
2 *facilities, equipment, and supplies occupied or used by fed-*
3 *eral law enforcement agencies, including the United States*
4 *Customs Service.*

5 *ADMINISTRATIVE REVIEW AND APPEALS*

6 *For expenses necessary for the administration of par-*
7 *don and clemency petitions and immigration related activi-*
8 *ties, \$45,813,000.*

9 *DETENTION TRUSTEE*

10 *For necessary expenses of the Federal Detention Trust-*
11 *ee who shall exercise all power and functions authorized by*
12 *law relating to the detention of Federal prisoners in non-*
13 *Federal institutions or otherwise in the custody of the*
14 *United States Marshals Service; and the detention of aliens*
15 *in the custody of the Immigration and Naturalization Serv-*
16 *ice, \$88,884,000, of which \$87,166,000 shall be available*
17 *only for prisoner movements handled by the Justice Pris-*
18 *oner and Alien Transportation System: Provided, That the*
19 *Trustee shall be responsible for overseeing construction of*
20 *detention facilities or for housing related to such detention;*
21 *the management of funds appropriated to the Department*
22 *for the exercise of any detention functions; and the direction*
23 *of the United States Marshals Service and Immigration*
24 *and Naturalization Service with respect to the exercise of*
25 *detention policy setting and operations for the Department.*

1 *OFFICE OF INSPECTOR GENERAL*

2 *For necessary expenses of the Office of Inspector Gen-*
3 *eral in carrying out the provisions of the Inspector General*
4 *Act of 1978, as amended, \$46,006,000; including not to ex-*
5 *ceed \$10,000 to meet unforeseen emergencies of a confiden-*
6 *tial character, to be expended under the direction of, and*
7 *to be accounted for solely under the certificate of, the Attor-*
8 *ney General; and for the acquisition, lease, maintenance,*
9 *and operation of motor vehicles, without regard to the gen-*
10 *eral purchase price limitation for the current fiscal year.*

11 *UNITED STATES PAROLE COMMISSION*12 *SALARIES AND EXPENSES*

13 *For necessary expenses of the United States Parole*
14 *Commission as authorized by law, \$8,836,000.*

15 *LEGAL ACTIVITIES*16 *SALARIES AND EXPENSES, GENERAL LEGAL ACTIVITIES*

17 *For expenses necessary for the legal activities of the*
18 *Department of Justice, not otherwise provided for, includ-*
19 *ing not to exceed \$20,000 for expenses of collecting evidence,*
20 *to be expended under the direction of, and to be accounted*
21 *for solely under the certificate of, the Attorney General; and*
22 *rent of private or Government-owned space in the District*
23 *of Columbia, \$527,543,000: Provided, That of the funds*
24 *made available in this appropriation, \$2,612,000 shall re-*
25 *main available until expended only for courtroom tech-*

1 *nology: Provided further, That of the total amount appro-*
2 *priated, not to exceed \$1,000 shall be available to the United*
3 *States National Central Bureau, INTERPOL, for represen-*
4 *tation expenses.*

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

10 *SALARIES AND EXPENSES, ANTITRUST DIVISION*

11 *For expenses necessary for the enforcement of antitrust*
12 *and kindred laws, \$130,791,000: Provided, That, notwith-*
13 *standing any other provision of law, not to exceed*
14 *\$130,791,000 of offsetting collections derived from fees col-*
15 *lected for premerger notification filings under the Hart-*
16 *Scott-Rodino Antitrust Improvements Act of 1976 (15*
17 *U.S.C. 18a), regardless of the year of collection, shall be*
18 *retained and used for necessary expenses in this appropri-*
19 *ation, and shall remain available until expended: Provided*
20 *further, That the sum herein appropriated from the general*
21 *fund shall be reduced as such offsetting collections are re-*
22 *ceived during fiscal year 2002, so as to result in a final*
23 *fiscal year 2002 appropriation from the general fund esti-*
24 *mated at not more than \$0.*

1 SALARIES AND EXPENSES, UNITED STATES ATTORNEYS

2 For necessary expenses of the Offices of the United
3 States Attorneys, including inter-governmental and cooper-
4 ative agreements, \$1,260,353,000; of which not to exceed
5 \$2,500,000 shall be available until September 30, 2003, for:
6 (1) training personnel in debt collection; (2) locating debt-
7 ors and their property; (3) paying the net costs of selling
8 property; and (4) tracking debts owed to the United States
9 Government: Provided, That \$800,000 shall be available
10 only for grants to develop and conduct programs to train
11 State and local law enforcement and prosecutors in the in-
12 vestigation and prosecution of child pornography and child
13 exploitation crimes: Provided further, That of the total
14 amount appropriated, not to exceed \$8,000 shall be avail-
15 able for official reception and representation expenses: Pro-
16 vided further, That of the amount made available under this
17 heading, \$6,000,000 shall be available only to procure, oper-
18 ate, and maintain gunfire surveillance equipment to sup-
19 port gun prosecution initiatives in high crime areas: Pro-
20 vided further, That not to exceed \$10,000,000 of those funds
21 available for automated litigation support contracts shall
22 remain available until expended: Provided further, That,
23 notwithstanding any other provision of law, the Attorney
24 General shall transfer to the Department of Justice Working
25 Capital Fund, unobligated, all unexpended funds appro-

1 *priated by the first heading of chapter 2 of title II of divi-*
2 *sion B of Public Law 106–246 and by section 202 of divi-*
3 *sion A of appendix H.R. 5666 of Public Law 106–554: Pro-*
4 *vided further, That not to exceed \$2,500,000 for the oper-*
5 *ation of the National Advocacy Center shall remain avail-*
6 *able until expended: Provided further, That the fourth pro-*
7 *viso under the heading “Salaries and Expenses, United*
8 *States Attorneys” in title I of H.R. 3421 of the 106th Con-*
9 *gress, as enacted by section 1000(a)(1) of Public Law 106–*
10 *113 shall apply to amounts made available under this head-*
11 *ing for fiscal year 2002: Provided further, That, in addition*
12 *to reimbursable full-time equivalent workyears available to*
13 *the Offices of the United States Attorneys, not to exceed*
14 *9,539 positions and 9,607 full-time equivalent workyears*
15 *shall be supported from the funds appropriated in this Act*
16 *for the United States Attorneys.*

17 *UNITED STATES TRUSTEE SYSTEM FUND*

18 *For necessary expenses of the United States Trustee*
19 *Program, as authorized by 28 U.S.C. 589a(a),*
20 *\$154,044,000, to remain available until expended and to*
21 *be derived from the United States Trustee System Fund:*
22 *Provided, That, notwithstanding any other provision of*
23 *law, deposits to the Fund shall be available in such amounts*
24 *as may be necessary to pay refunds due depositors: Pro-*
25 *vided further, That, notwithstanding any other provision*
26 *of law, \$154,044,000 of offsetting collections pursuant to 28*

1 *U.S.C. 589a(b) shall be retained and used for necessary ex-*
2 *penses in this appropriation and remain available until ex-*
3 *pended: Provided further, That the sum herein appro-*
4 *priated from the Fund shall be reduced as such offsetting*
5 *collections are received during fiscal year 2002, so as to*
6 *result in a final fiscal year 2002 appropriation from the*
7 *Fund estimated at \$0.*

8 *SALARIES AND EXPENSES, FOREIGN CLAIMS SETTLEMENT*
9 *COMMISSION*

10 *For expenses necessary to carry out the activities of*
11 *the Foreign Claims Settlement Commission, including serv-*
12 *ices as authorized by 5 U.S.C. 3109, \$1,130,000.*

13 *SALARIES AND EXPENSES, UNITED STATES MARSHALS*
14 *SERVICE*

15 *For necessary expenses of the United States Marshals*
16 *Service, including the acquisition, lease, maintenance, and*
17 *operation of vehicles, and the purchase of passenger motor*
18 *vehicles for police-type use, without regard to the general*
19 *purchase price limitation for the current fiscal year,*
20 *\$644,746,000; of which not to exceed \$6,000 shall be avail-*
21 *able for official reception and representation expenses; and*
22 *of which not to exceed \$4,000,000 for development, imple-*
23 *mentation, maintenance and support, and training for an*
24 *automated prisoner information system shall remain avail-*
25 *able until expended.*

1 *In addition, for the costs of courthouse security equip-*
2 *ment, including furnishings, relocations, and telephone sys-*
3 *tems and cabling, \$18,145,000, to remain available until*
4 *expended.*

5 CONSTRUCTION

6 *For planning, constructing, renovating, equipping,*
7 *and maintaining United States Marshals Service prisoner-*
8 *holding space in United States courthouses and Federal*
9 *buildings, including the renovation and expansion of pris-*
10 *oner movement areas, elevators, and sallyports,*
11 *\$25,812,000, to remain available until expended.*

12 JUSTICE PRISONER AND ALIEN TRANSPORTATION SYSTEM

13 FUND, UNITED STATES MARSHALS SERVICE

14 *For necessary expenses to procure replacement air-*
15 *craft, \$53,050,000, to remain available until expended,*
16 *shall be available only for the purchase of two long-range,*
17 *wide body aircraft.*

18 FEDERAL PRISONER DETENTION

19 *For expenses, related to United States prisoners in the*
20 *custody of the United States Marshals Service, but not in-*
21 *cluding expenses otherwise provided for in appropriations*
22 *available to the Attorney General, \$687,682,000, to remain*
23 *available until expended.*

24 FEES AND EXPENSES OF WITNESSES

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

1 *and supervision of expert witnesses, for private counsel ex-*
2 *penses, and for per diems in lieu of subsistence, as author-*
3 *ized by law, including advances, \$156,145,000, to remain*
4 *available until expended; of which not to exceed \$6,000,000*
5 *may be made available for planning, construction, renova-*
6 *tions, maintenance, remodeling, and repair of buildings,*
7 *and the purchase of equipment incident thereto, for pro-*
8 *ected witness safesites; of which not to exceed \$1,000,000*
9 *may be made available for the purchase and maintenance*
10 *of armored vehicles for transportation of protected wit-*
11 *nesses; and of which not to exceed \$5,000,000 may be made*
12 *available for the purchase, installation, and maintenance*
13 *of secure telecommunications equipment and a secure auto-*
14 *mated information network to store and retrieve the identi-*
15 *ties and locations of protected witnesses.*

16 *SALARIES AND EXPENSES, COMMUNITY RELATIONS SERVICE*

17 *For necessary expenses of the Community Relations*
18 *Service, \$9,269,000 and, in addition, up to \$1,000,000 of*
19 *funds made available to the Department of Justice in this*
20 *Act may be transferred by the Attorney General to this ac-*
21 *count.*

22 *ASSETS FORFEITURE FUND*

23 *For expenses authorized by 28 U.S.C. 524(c)(1)(A)(ii),*
24 *(B), (F), and (G), as amended, \$22,949,000, to be derived*
25 *from the Department of Justice Assets Forfeiture Fund.*

1 *RADIATION EXPOSURE COMPENSATION*2 *ADMINISTRATIVE EXPENSES*

3 *For necessary administrative expenses in accordance*
4 *with the Radiation Exposure Compensation Act,*
5 *\$1,996,000.*

6 *PAYMENT TO RADIATION EXPOSURE COMPENSATION TRUST*7 *FUND*

8 *For payments to the Radiation Exposure Compensa-*
9 *tion Trust Fund of claims covered by the Radiation Expo-*
10 *sure Compensation Act \$10,776,000.*

11 *INTERAGENCY LAW ENFORCEMENT*12 *INTERAGENCY CRIME AND DRUG ENFORCEMENT*

13 *For necessary expenses for the detection, investigation,*
14 *and prosecution of individuals involved in organized crime*
15 *drug trafficking not otherwise provided for, to include inter-*
16 *governmental agreements with State and local law enforce-*
17 *ment agencies engaged in the investigation and prosecution*
18 *of individuals involved in organized crime drug trafficking,*
19 *\$336,966,000, of which \$50,000,000 shall remain available*
20 *until expended: Provided, That any amounts obligated from*
21 *appropriations under this heading may be used under au-*
22 *thorities available to the organizations reimbursed from this*
23 *appropriation: Provided further, That any unobligated bal-*
24 *ances remaining available at the end of the fiscal year shall*
25 *revert to the Attorney General for reallocation among par-*
26 *ticipating organizations in succeeding fiscal years, subject*

1 *to the reprogramming procedures described in section 605*
2 *of this Act.*

3 *FEDERAL BUREAU OF INVESTIGATION*

4 *SALARIES AND EXPENSES*

5 *For necessary expenses of the Federal Bureau of Inves-*
6 *tigation for detection, investigation, and prosecution of*
7 *crimes against the United States; including purchase for*
8 *police-type use of not to exceed 1,354 passenger motor vehi-*
9 *cles, of which 1,190 will be for replacement only, without*
10 *regard to the general purchase price limitation for the cur-*
11 *rent fiscal year, and hire of passenger motor vehicles; acqui-*
12 *sition, lease, maintenance, and operation of aircraft; and*
13 *not to exceed \$70,000 to meet unforeseen emergencies of a*
14 *confidential character, to be expended under the direction*
15 *of, and to be accounted for solely under the certificate of,*
16 *the Attorney General, \$3,425,041,000; of which not to exceed*
17 *\$50,000,000 for automated data processing and tele-*
18 *communications and technical investigative equipment and*
19 *not to exceed \$1,000,000 for undercover operations shall re-*
20 *main available until September 30, 2003; of which not less*
21 *than \$485,278,000 shall be for counterterrorism investiga-*
22 *tions, foreign counterintelligence, and other activities re-*
23 *lated to our national security; of which not to exceed*
24 *\$10,000,000 is authorized to be made available for making*
25 *advances for expenses arising out of contractual or reim-*

1 *bursable agreements with State and local law enforcement*
2 *agencies while engaged in cooperative activities related to*
3 *violent crime, terrorism, organized crime, and drug inves-*
4 *tigations: Provided, That not to exceed \$45,000 shall be*
5 *available for official reception and representation expenses:*
6 *Provided further, That of the amount made available under*
7 *this heading, \$53,000 shall be available only to reimburse*
8 *Acadian Ambulance & Air Med Services for costs incurred*
9 *during the December 1999 prison riot in St. Martin Parish*
10 *Correctional Center, St. Martin Parish, Louisiana.*

11 *CONSTRUCTION*

12 *For necessary expenses to construct or acquire build-*
13 *ings and sites by purchase, or as otherwise authorized by*
14 *law (including equipment for such buildings); conversion*
15 *and extension of federally-owned buildings; and prelimi-*
16 *nary planning and design of projects; \$44,074,000, to re-*
17 *main available until expended.*

18 *DRUG ENFORCEMENT ADMINISTRATION*

19 *SALARIES AND EXPENSES*

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

1 *grams and the distribution of items of token value that pro-*
2 *vide the goals of such programs; purchase of not to exceed*
3 *1,477 passenger motor vehicles, of which 1,354 will be for*
4 *replacement only, for police-type use without regard to the*
5 *general purchase price limitation for the current fiscal year;*
6 *and acquisition, lease, maintenance, and operation of air-*
7 *craft, \$1,489,779,000; of which \$33,000,000 for permanent*
8 *change of station shall remain available until September*
9 *30, 2003; of which not to exceed \$1,800,000 for research*
10 *shall remain available until expended, and of which not to*
11 *exceed \$4,000,000 for purchase of evidence and payments*
12 *for information, not to exceed \$10,000,000 for contracting*
13 *for automated data processing and telecommunications*
14 *equipment, and not to exceed \$2,000,000 for laboratory*
15 *equipment, \$4,000,000 for technical equipment, and*
16 *\$2,000,000 for aircraft replacement retrofit and parts, shall*
17 *remain available until September 30, 2003; of which not*
18 *to exceed \$50,000 shall be available for official reception*
19 *and representation expenses.*

20 *IMMIGRATION AND NATURALIZATION SERVICE*

21 *SALARIES AND EXPENSES*

22 *For expenses, not otherwise provided for, necessary for*
23 *the administration and enforcement of the laws relating to*
24 *immigration, naturalization, and alien registration, in-*
25 *cluding not to exceed \$50,000 to meet unforeseen emer-*

1 *gencies of a confidential character, to be expended under*
2 *the direction of, and to be accounted for solely under the*
3 *certificate of, the Attorney General; purchase for police-type*
4 *use (not less than 3,165 passenger motor vehicles, of which*
5 *not less than 2,211 are for replacement only), without re-*
6 *gard to the general purchase price limitation for the current*
7 *fiscal year, and hire of passenger motor vehicles; acquisi-*
8 *tion, lease, maintenance and operation of aircraft; research*
9 *related to immigration enforcement; for protecting and*
10 *maintaining the integrity of the borders of the United*
11 *States including, without limitation, equipping, maintain-*
12 *ing, and making improvements to the infrastructure; and*
13 *for the care and housing of Federal detainees held in the*
14 *joint Immigration and Naturalization Service and United*
15 *States Marshals Service's Buffalo Detention Facility,*
16 *\$3,176,037,000; of which \$5,500,000 shall be for the Vio-*
17 *lence Against Women Act Unit of the Eastern Adjudication*
18 *Service Center to provide for the processing of immigration*
19 *self-petitions and U visas under the Violence Against*
20 *Women Act (Public Law 103-322, reauthorized in Public*
21 *Law 106-326) and T visas under the Victims of Trafficking*
22 *and Violence Protection Act (Public Law 106-326), out of*
23 *which \$500,000 shall be for the Eastern Adjudication Serv-*
24 *ice Center to provide for the production and distribution*
25 *of training materials to State Department, Justice Depart-*

1 *ment, and other Government officials concerning the immi-*
2 *gration provisions of the Violence Against Women Act; of*
3 *which not to exceed \$400,000 for research shall remain*
4 *available until expended; of which not to exceed \$10,000,000*
5 *shall be available for costs associated with the training pro-*
6 *gram for basic officer training; of which not to exceed*
7 *\$5,000,000 is for payments or advances arising out of con-*
8 *tractual or reimbursable agreements with State and local*
9 *law enforcement agencies while engaged in cooperative ac-*
10 *tivities related to immigration; of which not to exceed*
11 *\$5,000,000 is to fund or reimburse other Federal agencies*
12 *for the costs associated with the care, maintenance, and re-*
13 *patriation of smuggled illegal aliens: Provided, That none*
14 *of the funds available to the Immigration and Naturaliza-*
15 *tion Service shall be available to pay any employee over-*
16 *time pay in an amount in excess of \$1,153 per pay period*
17 *during the calendar year beginning January 1, 2002: Pro-*
18 *vided further, That uniforms may be purchased without re-*
19 *gard to the general purchase price limitation for the current*
20 *fiscal year: Provided further, That not to exceed \$45,000*
21 *shall be available for official reception and representation*
22 *expenses: Provided further, That not to exceed 30 permanent*
23 *positions and 30 full-time equivalent workyears and not to*
24 *exceed \$4,300,000 shall be expended for the Offices of Legis-*
25 *lative Affairs and Public Affairs: Provided further, That,*

1 of the amount appropriated under this heading,
2 \$67,000,000 shall be transferred to the Immigration Serv-
3 ices and Infrastructure Improvements Account under sec-
4 tion 204 of the Immigration Services and Infrastructure
5 Improvements Act of 2000 (8 U.S.C. 1573), to be used for
6 the same purposes for which funds in such account may
7 be used and to remain available until expended: Provided
8 further, That the latter two aforementioned offices shall be
9 augmented by personnel details, temporary transfers of per-
10 sonnel on either a reimbursable or non-reimbursable basis,
11 or any other type of formal or informal transfer or reim-
12 bursement of personnel or funds on either a temporary or
13 long-term basis and such augmentation may not exceed 10
14 full-time equivalent workyears.

15 *CONSTRUCTION*

16 For planning, purchase of construction vehicles, con-
17 struction, renovation, equipping, and maintenance of build-
18 ings and facilities necessary for the administration and en-
19 forcement of the laws relating to immigration, naturaliza-
20 tion, and alien registration, not otherwise provided for,
21 \$205,015,000, to remain available until expended, of which
22 \$3,000,000 shall be available only to comply with Occupa-
23 tional Safety and Health Administration programs.

1 *FEDERAL PRISON SYSTEM*2 *SALARIES AND EXPENSES*

3 *For expenses necessary for the administration, oper-*
4 *ation, and maintenance of Federal penal and correctional*
5 *institutions, including purchase (not to exceed 685, of which*
6 *610 are for replacement only) and hire of law enforcement*
7 *and passenger motor vehicles, and for the provision of tech-*
8 *nical assistance and advice on corrections related issues to*
9 *foreign governments, \$3,786,228,000, of which \$11,554,000*
10 *shall be available only for the activation of the facility at*
11 *Atwater, California, and of which \$13,323,000 shall be*
12 *available only for the activation of the facility at Honolulu,*
13 *Hawaii: Provided, That the Attorney General may transfer*
14 *to the Health Resources and Services Administration such*
15 *amounts as may be necessary for direct expenditures by*
16 *that Administration for medical relief for inmates of Fed-*
17 *eral penal and correctional institutions: Provided further,*
18 *That the Director of the Federal Prison System (FPS),*
19 *where necessary, may enter into contracts with a fiscal*
20 *agent/fiscal intermediary claims processor to determine the*
21 *amounts payable to persons who, on behalf of FPS, furnish*
22 *health services to individuals committed to the custody of*
23 *FPS: Provided further, That not to exceed \$6,000 shall be*
24 *available for official reception and representation expenses:*
25 *Provided further, That not to exceed \$50,000,000 shall re-*

1 *main available for necessary operations until September 30,*
2 *2003: Provided further, That, of the amounts provided for*
3 *Contract Confinement, not to exceed \$20,000,000 shall re-*
4 *main available until expended to make payments in ad-*
5 *vance for grants, contracts and reimbursable agreements,*
6 *and other expenses authorized by section 501(c) of the Ref-*
7 *ugee Education Assistance Act of 1980, as amended, for the*
8 *care and security in the United States of Cuban and Hai-*
9 *tian entrants: Provided further, That the Director of the*
10 *Federal Prison System may accept donated property and*
11 *services relating to the operation of the prison card program*
12 *from a not-for-profit entity which has operated such pro-*
13 *gram in the past notwithstanding the fact that such not-*
14 *for-profit entity furnishes services under contracts to the*
15 *Federal Prison System relating to the operation of pre-re-*
16 *lease services, halfway houses or other custodial facilities.*

17 *BUILDINGS AND FACILITIES*

18 *For planning, acquisition of sites and construction of*
19 *new facilities; purchase and acquisition of facilities and re-*
20 *modeling, and equipping of such facilities for penal and*
21 *correctional use, including all necessary expenses incident*
22 *thereto, by contract or force account; and constructing, re-*
23 *modeling, and equipping necessary buildings and facilities*
24 *at existing penal and correctional institutions, including*
25 *all necessary expenses incident thereto, by contract or force*
26 *account, \$899,797,000, to remain available until expended,*

1 of which not to exceed \$14,000,000 shall be available to con-
2 struct areas for inmate work programs: Provided, That
3 labor of United States prisoners may be used for work per-
4 formed under this appropriation: Provided further, That,
5 of the amount made available under this heading,
6 \$9,962,000 shall be available for partial site and planning
7 for the U.S.P. Northeast/Northern Mid-Atlantic facility to
8 be located in Berlin, New Hampshire: Provided further,
9 That, of the amount made available under this heading,
10 \$66,524,000, to remain available until expended, shall be
11 transferred to, and merged with, funds in the “Immigration
12 and Naturalization Service, Construction” appropriations
13 account, to be available only for the construction of deten-
14 tion facilities: Provided further, That not to exceed 10 per-
15 cent of the funds appropriated to “Buildings and Facili-
16 ties” in this or any other Act may be transferred to “Sala-
17 ries and Expenses”, Federal Prison System, upon notifica-
18 tion by the Attorney General to the Committees on Appro-
19 priations of the House of Representatives and the Senate
20 in compliance with provisions set forth in section 605 of
21 this Act.

22 *FEDERAL PRISON INDUSTRIES, INCORPORATED*

23 *The Federal Prison Industries, Incorporated, is hereby*
24 *authorized to make such expenditures, within the limits of*
25 *funds and borrowing authority available, and in accord*
26 *with the law, and to make such contracts and commitments,*

1 *without regard to fiscal year limitations as provided by sec-*
 2 *tion 9104 of title 31, United States Code, as may be nec-*
 3 *essary in carrying out the program set forth in the budget*
 4 *for the current fiscal year for such corporation, including*
 5 *purchase of (not to exceed five for replacement only) and*
 6 *hire of passenger motor vehicles.*

7 *LIMITATION ON ADMINISTRATIVE EXPENSES, FEDERAL*
 8 *PRISON INDUSTRIES, INCORPORATED*

9 *Not to exceed \$3,429,000 of the funds of the corporation*
 10 *shall be available for its administrative expenses, and for*
 11 *services as authorized by 5 U.S.C. 3109, to be computed*
 12 *on an accrual basis to be determined in accordance with*
 13 *the corporation's current prescribed accounting system, and*
 14 *such amounts shall be exclusive of depreciation, payment*
 15 *of claims, and expenditures which the said accounting sys-*
 16 *tem requires to be capitalized or charged to cost of commod-*
 17 *ities acquired or produced, including selling and shipping*
 18 *expenses, and expenses in connection with acquisition, con-*
 19 *struction, operation, maintenance, improvement, protec-*
 20 *tion, or disposition of facilities and other property belong-*
 21 *ing to the corporation or in which it has an interest.*

22 *OFFICE OF JUSTICE PROGRAMS*

23 *JUSTICE ASSISTANCE*

24 *For grants, contracts, cooperative agreements, and*
 25 *other assistance authorized by title I of the Omnibus Crime*
 26 *Control and Safe Streets Act of 1968, as amended ("the*

1 1968 Act”), and the Missing Children’s Assistance Act, as
2 amended, including salaries and expenses in connection
3 therewith, and with the Victims of Crime Act of 1984, as
4 amended, \$200,738,000, to remain available until ex-
5 pended, as authorized by section 1001 of title I of the Omni-
6 bus Crime Control and Safe Streets Act of 1968, as amend-
7 ed by Public Law 102–534 (106 Stat. 3524), of which not
8 to exceed \$2,000,000 shall be available for administering
9 a program to award Federal matching grants to States and
10 localities to improve election systems and election adminis-
11 tration and for making such grants: Provided, That no
12 funds for the purpose of administering such program or for
13 making such grants shall be made available until the date
14 of enactment of a statute authorizing the expenditure of
15 funds for such a purpose.

16 In addition, for grants, cooperative agreements, and
17 other assistance authorized by sections 819 and 821 of the
18 Antiterrorism and Effective Death Penalty Act of 1996 and
19 for other counterterrorism programs, \$373,800,000, to re-
20 main available until expended, of which \$9,800,000 is for
21 an aircraft for counterterrorism and other required activi-
22 ties for the City of New York.

23 STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE

24 For assistance authorized by the Violent Crime Control
25 and Law Enforcement Act of 1994 (Public Law 103–322),
26 as amended (“the 1994 Act”); the Omnibus Crime Control

1 *and Safe Streets Act of 1968, as amended (“the 1968 Act”);*
2 *and the Victims of Child Abuse Act of 1990, as amended*
3 *(“the 1990 Act”), \$2,094,990,000 (including amounts for*
4 *administrative costs, which shall be transferred to and*
5 *merged with the “Justice Assistance” account), to remain*
6 *available until expended as follows:*

7 (1) *\$400,000,000 for Local Law Enforcement*
8 *Block Grants, pursuant to H.R. 728 as passed by the*
9 *House of Representatives on February 14, 1995, ex-*
10 *cept that for purposes of this Act, Guam shall be con-*
11 *sidered a “State”, the Commonwealth of Puerto Rico*
12 *shall be considered a “unit of local government” as*
13 *well as a “State”, for the purposes set forth in para-*
14 *graphs (A), (B), (D), (F), and (I) of section 101(a)(2)*
15 *of H.R. 728 and for establishing crime prevention*
16 *programs involving cooperation between community*
17 *residents and law enforcement personnel in order to*
18 *control, detect, or investigate crime or the prosecution*
19 *of criminals: Provided, That no funds provided under*
20 *this heading may be used as matching funds for any*
21 *other Federal grant program, of which:*

22 (a) *\$80,000,000 shall be for Boys and Girls*
23 *Clubs in public housing facilities and other areas*
24 *in cooperation with State and local law enforce-*
25 *ment: Provided, That from such funds*

1 \$15,000,000 shall be used to carry out the Kids
2 2000 Act (Public Law 106–313; 114 Stat. 1260):
3 Provided further, That funds may also be used to
4 defray the costs of indemnification insurance for
5 law enforcement officers, and

6 (b) \$19,956,000 shall be available for
7 grants, contracts, and other assistance to carry
8 out section 102(c) of H.R. 728;

9 (2) \$265,000,000 for the State Criminal Alien
10 Assistance Program, as authorized by section 242(j) of
11 the Immigration and Nationality Act, as amended;

12 (3) \$35,000,000 shall be available for the Cooper-
13 ative Agreement Program;

14 (4) \$35,191,000 shall be available for grants
15 under section 20109(a)(2) of subtitle A of title II of
16 the 1994 Act;

17 (5) \$7,982,000 for the Tribal Courts Initiative;

18 (6) \$583,125,000 for programs authorized by
19 part E of title I of the 1968 Act, notwithstanding the
20 provisions of section 511 of said Act, of which
21 \$84,625,000 shall be for discretionary grants under
22 the Edward Byrne Memorial State and Local Law
23 Enforcement Assistance Programs, of which
24 \$10,000,000 is for the Mental Health Courts Grants
25 Initiative, of which \$1,500,000 shall be for the Stand-

1 *ing Against Global Exploitation (SAGE) Project,*
2 *Inc.;*

3 (7) \$11,975,000 for the Court Appointed Special
4 Advocate Program, as authorized by section 218 of the
5 1990 Act;

6 (8) \$2,296,000 for Child Abuse Training Pro-
7 grams for Judicial Personnel and Practitioners, as
8 authorized by section 224 of the 1990 Act;

9 (9) \$184,937,000 for Grants to Combat Violence
10 Against Women, to States, units of local government,
11 and Indian tribal governments, as authorized by sec-
12 tion 1001(a)(18) of the 1968 Act, of which:

13 (a) \$1,000,000 shall be for the Bureau of
14 Justice Statistics for grants, contracts, and other
15 assistance for domestic violence federal case proc-
16 essing study,

17 (b) \$5,200,000 shall be for the National In-
18 stitute of Justice for grants, contracts, and other
19 assistance for research and evaluation of violence
20 against women,

21 (c) \$10,000,000 shall be for the Office of Ju-
22 venile Justice and Delinquency Prevention for
23 the Safe Start Program, to be administered as
24 authorized by part C of the Juvenile Justice and
25 Delinquency Act of 1974, as amended, and

1 (d) \$200,000 for the Attorney General to
2 conduct a study and prepare a report to be sub-
3 mitted to the Subcommittee on Commerce, Jus-
4 tice and State Appropriations of the Senate and
5 House of Representatives Appropriations Com-
6 mittee on the response of local law enforcement
7 agencies to emergency calls involving domestic
8 violence;

9 (10) \$64,925,000 for Grants to Encourage Arrest
10 Policies to States, units of local government, and In-
11 dian tribal governments, as authorized by section
12 1001(a)(19) of the 1968 Act;

13 (11) \$39,945,000 for Rural Domestic Violence
14 and Child Abuse Enforcement Assistance Grants, as
15 authorized by section 40295 of the 1994 Act;

16 (12) \$4,989,000 for training programs to assist
17 probation and parole officers who work with released
18 sex offenders, as authorized by section 40152(c) of the
19 1994 Act, and for local demonstration projects;

20 (13) \$998,000 for grants for televised testimony,
21 as authorized by section 1001(a)(7) of the 1968 Act;

22 (14) \$3,000,000 for grants to States and units of
23 local government to improve the process for entering
24 data regarding stalking and domestic violence into

1 *local, State, and national crime information data-*
2 *bases, as authorized by section 40602 of the 1994 Act;*

3 *(15) \$10,000,000 for grants to reduce Violent*
4 *Crimes Against Women on Campus, as authorized by*
5 *section 1108(a) of Public Law 106–386;*

6 *(16) \$40,000,000 for Legal Assistance for Vic-*
7 *tims, as authorized by section 1201 of Public Law*
8 *106–386;*

9 *(17) \$5,000,000 for enhancing protection for*
10 *older and disabled women from domestic violence and*
11 *sexual assault as authorized by section 40801 of the*
12 *1994 Act;*

13 *(18) \$15,000,000 for the Safe Havens for Chil-*
14 *dren Pilot Program as authorized by section 1301 of*
15 *Public Law 106–386;*

16 *(19) \$7,500,000 for Education and Training to*
17 *end violence against and abuse of women with dis-*
18 *abilities, as authorized by section 1402 of Public Law*
19 *106–386;*

20 *(20) \$68,000,000 for grants for residential sub-*
21 *stance abuse treatment for State prisoners, as author-*
22 *ized by section 1001(a)(17) of the 1968 Act: Provided,*
23 *That States that have in-prison drug treatment pro-*
24 *grams, in compliance with Federal requirements, may*
25 *use their residential substance abuse grants funds for*

1 *treatment, both during incarceration and after re-*
2 *lease;*

3 (21) *\$4,989,000 for demonstration grants on al-*
4 *cohol and crime in Indian Country;*

5 (22) *\$898,000 for the Missing Alzheimer’s Dis-*
6 *ease Patient Alert Program, as authorized by section*
7 *240001(c) of the 1994 Act;*

8 (23) *\$50,000,000 for Drug Courts, as authorized*
9 *by title V of the 1994 Act;*

10 (24) *\$1,497,000 for Law Enforcement Family*
11 *Support Programs, as authorized by section*
12 *1001(a)(21) of the 1968 Act;*

13 (25) *\$1,995,000 for public awareness programs*
14 *addressing marketing scams aimed at senior citizens,*
15 *as authorized by section 250005(3) of the 1994 Act;*

16 (26) *\$249,450,000 for Juvenile Accountability*
17 *Incentive Block Grants except that such funds shall be*
18 *subject to the same terms and conditions as set forth*
19 *in the provisions under this heading for this program*
20 *in Public Law 105–119, but all references in such*
21 *provisions to 1998 shall be deemed to refer instead to*
22 *2002, and Guam shall be considered a “State” for the*
23 *purposes of title III of H.R. 3, as passed by the House*
24 *of Representatives on May 8, 1997; and*

1 (27) \$1,298,000 for the Motor Vehicle Theft Pre-
2 vention Programs, as authorized by section 220002(h)
3 of the 1994 Act:

4 *Provided, That funds made available in fiscal year 2002*
5 *under subpart 1 of part E of title I of the 1968 Act may*
6 *be obligated for programs to assist States in the litigation*
7 *processing of death penalty Federal habeas corpus petitions*
8 *and for drug testing initiatives: Provided further, That, if*
9 *a unit of local government uses any of the funds made avail-*
10 *able under this title to increase the number of law enforce-*
11 *ment officers, the unit of local government will achieve a*
12 *net gain in the number of law enforcement officers who per-*
13 *form nonadministrative public safety service.*

14 WEED AND SEED PROGRAM FUND

15 *For necessary expenses, including salaries and related*
16 *expenses of the Executive Office for Weed and Seed, to im-*
17 *plement “Weed and Seed” program activities, \$58,925,000,*
18 *to remain available until expended, for inter-governmental*
19 *agreements, including grants, cooperative agreements, and*
20 *contracts, with State and local law enforcement agencies,*
21 *non-profit organizations, and agencies of local government,*
22 *engaged in the investigation and prosecution of violent*
23 *crimes and drug offenses in “Weed and Seed” designated*
24 *communities, and for either reimbursements or transfers to*
25 *appropriation accounts of the Department of Justice and*
26 *other Federal agencies which shall be specified by the Attor-*

1 *ney General to execute the “Weed and Seed” program strat-*
2 *egy: Provided, That funds designated by Congress through*
3 *language for other Department of Justice appropriation ac-*
4 *counts for “Weed and Seed” program activities shall be*
5 *managed and executed by the Attorney General through the*
6 *Executive Office for Weed and Seed: Provided further, That*
7 *the Attorney General may direct the use of other Depart-*
8 *ment of Justice funds and personnel in support of “Weed*
9 *and Seed” program activities only after the Attorney Gen-*
10 *eral notifies the Committees on Appropriations of the House*
11 *of Representatives and the Senate in accordance with sec-*
12 *tion 605 of this Act.*

13 *COMMUNITY ORIENTED POLICING SERVICES*

14 *For activities authorized by the Violent Crime Control*
15 *and Law Enforcement Act of 1994, Public Law 103–322*
16 *(“the 1994 Act”) (including administrative costs),*
17 *\$1,049,659,000, to remain available until expended; of*
18 *which \$175,962,000 shall be available to the Office of Jus-*
19 *tice Programs to carry out section 102 of the Crime Identi-*
20 *fication Technology Act of 1998 (42 U.S.C. 14601), of which*
21 *\$35,000,000 is for grants to upgrade criminal records, as*
22 *authorized under the Crime Identification Technology Act*
23 *of 1998 (42 U.S.C. 14601), of which \$35,000,000 is for DNA*
24 *testing as authorized by the DNA Analysis Backlog Elimi-*
25 *nation Act of 2000 (Public Law 106–546), of which*

1 \$35,000,000 is for the State and local DNA laboratories as
2 authorized by section 1001(a)(22) of the 1968 Act, and im-
3 provements to the State and local forensic general science
4 capabilities to reduce State and local DNA convicted of-
5 fender sample backlog and for awards to State, local, and
6 private laboratories, including \$1,500,000 for a computer
7 forensic lab in Ohio, of which \$600,000 shall be available
8 to the Mecklenburg County, North Carolina Sheriff's Office
9 for a Sex Offender Registration Unit, of which \$25,000,000
10 shall be available for Paul Coverdell Forensic Sciences Im-
11 provement Grants under part BB of title I of the Omnibus
12 Crime Control and Safe Streets Act of 1968 (42 U.S.C.
13 3797j et seq.), and of which \$17,000,000 is for the National
14 Institute of Justice for grants, contracts, and other agree-
15 ments to develop school safety technologies and training; of
16 which \$514,209,000 is for Public Safety and Community
17 Policing Grants pursuant to title I of the 1994 Act, of which
18 \$190,291,000 shall be available for the COPS hiring pro-
19 gram, of which \$180,000,000 shall be available for school
20 resource officers, of which \$35,000,000 shall be used to im-
21 prove tribal law enforcement including equipment and
22 training, of which \$25,444,000 shall be used for the Match-
23 ing Grant Program for Law Enforcement Armor Vests pur-
24 suant to section 2501 of part Y of the Omnibus Crime Con-
25 trol and Safe Streets Act of 1968 ("the 1968 Act"), as

1 *amended, of which \$30,000,000 shall be used for Police*
2 *Corps education, training, and service as set forth in sec-*
3 *tions 200101–200113 of the 1994 Act, and of which*
4 *\$20,662,000 shall be used to provide training and technical*
5 *assistance; of which \$155,467,000 shall be used for a law*
6 *enforcement technology program, of which \$1,900,000 shall*
7 *be available only for the New Jersey State Police Law En-*
8 *forcement Training Center, of which \$1,500,000 shall be*
9 *available only for in-car cameras for Arkansas State Police*
10 *cruisers, of which \$1,000,000 is to the National Sheriff’s*
11 *Association to conduct a multi-State information sharing*
12 *demonstration project, of which \$7,202,000, to remain*
13 *available until September 30, 2003, shall be transferred to,*
14 *and merged with, funds in the Federal Bureau of Investiga-*
15 *tion, “Salaries and Expenses” appropriations account to*
16 *be available only to maintain or establish not more than*
17 *4 regional computer forensic labs in affiliation with the*
18 *Federal Bureau of Investigation Laboratory Division, of*
19 *which \$1,005,000, to remain available until September 30,*
20 *2003, shall be transferred to, and merged with, funds in*
21 *the Federal Bureau of Investigation, “Salaries and Ex-*
22 *penses” appropriations account to be available only to ex-*
23 *pand the Violent Criminal Apprehension Program to in-*
24 *clude sexual assault, of which \$3,800,000 will be for a grant*
25 *to the Jersey City Police Department’s Crime Identification*

1 *System to upgrade communications systems, of which*
2 *\$350,000 shall be transferred to, and merged with, funds*
3 *in the “Salaries and Expenses”, General Legal Activities*
4 *appropriations account to be available only for equipment*
5 *to connect Interpol to the National Law Enforcement Tele-*
6 *communications System, of which \$3,000,000 shall be for*
7 *a grant to the Law Enforcement Innovation Center at the*
8 *University of Tennessee, of which \$2,000,000 shall be avail-*
9 *able only for law enforcement technology upgrades for Ber-*
10 *lin, New Hampshire, and of which \$4,000,000, to remain*
11 *available until September 30, 2003, shall be transferred to,*
12 *and merged with, funds in the Federal Bureau of Investiga-*
13 *tion, “Salaries and Expenses” appropriations account to*
14 *be available only to maintain or establish not more than*
15 *4 regional mitochondrial DNA forensic labs in affiliation*
16 *with the Federal Bureau of Investigation Laboratory Divi-*
17 *sion; of which \$49,493,000 shall be used for policing initia-*
18 *tives to combat methamphetamine production and traf-*
19 *ficking and to enhance policing initiatives in drug “hot*
20 *spots”, of which \$1,300,000 shall be for a grant to the Cali-*
21 *fornia Department of Justice for a methamphetamine ini-*
22 *tiative, of which \$1,100,000 shall be for a methamphet-*
23 *amine initiative in the State of Missouri; of which*
24 *\$99,780,000 for a prosecution assistance program to reim-*
25 *burse State, county, parish, or municipal governments only*

1 *for Federal costs associated with the prosecution of criminal*
2 *cases declined by local U.S. Attorneys' offices, of which*
3 *\$49,780,000 shall be for a national program to reduce gun*
4 *violence, and of which \$50,000,000 shall be for the South-*
5 *west Border Prosecutor Initiative; of which \$16,963,000*
6 *shall be for a police integrity program; of which*
7 *\$22,851,000 is for the Safe Schools Initiative; and of which*
8 *\$14,934,000 shall be for an offender re-entry program: Pro-*
9 *vided, That of the amount provided for Public Safety and*
10 *Community Policing Grants, not to exceed \$32,812,000*
11 *shall be expended for program management and adminis-*
12 *tration: Provided further, That of the prior year balances*
13 *available in this program, \$46,000,000 shall be available*
14 *for the direct hiring of law enforcement officers through the*
15 *Universal Hiring Program: Provided further, That Section*
16 *1703(b) and (c) of the 1968 Act shall not apply to non-*
17 *hiring grants made pursuant to part Q of title I thereof*
18 *(42 U.S.C. 3796 d.d. et seq.).*

19 *JUVENILE JUSTICE PROGRAMS*

20 *For grants, contracts, cooperative agreements, and*
21 *other assistance authorized by the Juvenile Justice and De-*
22 *linquency Prevention Act of 1974, as amended, ("the Act"),*
23 *including salaries and expenses in connection therewith to*
24 *be transferred to and merged with the appropriations for*
25 *Justice Assistance, \$324,926,000, to remain available until*
26 *expended, as authorized by section 299 of part I of title*

1 *II and section 506 of title V of the Act, as amended by*
2 *Public Law 102–586, of which: (1) notwithstanding any*
3 *other provision of law, \$6,847,000 shall be available for ex-*
4 *penses authorized by part A of title II of the Act,*
5 *\$88,804,000 shall be available for expenses authorized by*
6 *part B of title II of the Act, and \$60,591,000 shall be avail-*
7 *able for expenses authorized by part C of title II of the Act,*
8 *of which \$300,000 shall be available only for the “From*
9 *Darkness to Light” program in Charleston, South Carolina,*
10 *of which \$5,000,000 is to fund the Strengthening Abuse and*
11 *Neglect Courts Act, of which not to exceed \$5,000,000 shall*
12 *be available for grants for local juvenile justice programs*
13 *for mental health screening and treatment for juvenile of-*
14 *fenders during incarceration that are consistent with guide-*
15 *lines issued by the Attorney General, of which \$500,000 is*
16 *for the Boy Scouts “Learning for Life” program, of which*
17 *\$500,000 for the Elwyn Project in Pennsylvania to reduce*
18 *placement in institutions of mentally ill youth, \$400,000*
19 *for the Center for Corrections Education at Indiana Uni-*
20 *versity of Pennsylvania to develop and establish a program*
21 *to train educators within corrections institutions through-*
22 *out the United States, and \$100,000 to replicate a witness*
23 *relocation program in Pennsylvania, of which \$250,000*
24 *shall be for a grant to the Rapid Response Program in*
25 *Washington and Hancock Counties, Maine: Provided, That*

1 \$26,442,000 of the amounts provided for part B of title II
2 of the Act, as amended, is for the purpose of providing addi-
3 tional formula grants under part B to States that provide
4 assurances to the Administrator that the State has in effect
5 (or will have in effect no later than 1 year after date of
6 application) policies and programs, that ensure that juve-
7 niles are subject to accountability-based sanctions for every
8 act for which they are adjudicated delinquent; (2)
9 \$11,974,000 shall be available for expenses authorized by
10 sections 281 and 282 of part D of title II of the Act for
11 prevention and treatment programs relating to juvenile
12 gangs; (3) \$9,978,000 shall be available for expenses author-
13 ized by section 285 of part E of title II of the Act; (4)
14 \$15,965,000 shall be available for expenses authorized by
15 part G of title II of the Act for juvenile mentoring pro-
16 grams; and (5) \$130,767,000 shall be available for expenses
17 authorized by title V of the Act for incentive grants for local
18 delinquency prevention programs; of which \$12,472,000
19 shall be for delinquency prevention, control, and system im-
20 provement programs for tribal youth; of which \$25,000,000
21 shall be available for grants of \$360,000 to each State and
22 \$6,640,000 shall be available for discretionary grants to
23 States, for programs and activities to enforce State laws
24 prohibiting the sale of alcoholic beverages to minors or the
25 purchase or consumption of alcoholic beverages by minors,

1 *prevention and reduction of consumption of alcoholic bev-*
2 *erages by minors, and for technical assistance and training;*
3 *and of which \$15,000,000 shall be available for the Safe*
4 *Schools Initiative: Provided further, That of amounts made*
5 *available under the Juvenile Justice Programs of the Office*
6 *of Justice Programs to carry out part B (relating to Federal*
7 *Assistance for State and Local Programs), subpart II of*
8 *part C (relating to Special Emphasis Prevention and*
9 *Treatment Programs), part D (relating to Gang-Free*
10 *Schools and Communities and Community-Based Gang*
11 *Intervention), part E (relating to State Challenge Activi-*
12 *ties), and part G (relating to Mentoring) of title II of the*
13 *Juvenile Justice and Delinquency Prevention Act of 1974,*
14 *and to carry out the At-Risk Children's Program under title*
15 *V of that Act, not more than 10 percent of each such amount*
16 *may be used for research, evaluation, and statistics activi-*
17 *ties designed to benefit the programs or activities authorized*
18 *under the appropriate part or title, and not more than 2*
19 *percent of each such amount may be used for training and*
20 *technical assistance activities designed to benefit the pro-*
21 *grams or activities authorized under that part or title.*

22 *In addition, for grants, contracts, cooperative agree-*
23 *ments, and other assistance authorized by the Victims of*
24 *Child Abuse Act of 1990, as amended, \$8,481,000, to remain*

1 *available until expended, as authorized by section 214B of*
2 *the Act.*

3 *PUBLIC SAFETY OFFICERS BENEFITS*

4 *To remain available until expended, for payments au-*
5 *thorized by part L of title I of the Omnibus Crime Control*
6 *and Safe Streets Act of 1968 (42 U.S.C. 3796), as amended,*
7 *such sums as are necessary, as authorized by section 6093*
8 *of Public Law 100–690 (102 Stat. 4339–4340); and*
9 *\$2,395,000, to remain available until expended for pay-*
10 *ments as authorized by section 1201(b) of said Act.*

11 *GENERAL PROVISIONS—DEPARTMENT OF JUSTICE*

12 *SEC. 101. In addition to amounts otherwise made*
13 *available in this title for official reception and representa-*
14 *tion expenses, a total of not to exceed \$45,000 from funds*
15 *appropriated to the Department of Justice in this title shall*
16 *be available to the Attorney General for official reception*
17 *and representation expenses in accordance with distribu-*
18 *tions, procedures, and regulations established by the Attor-*
19 *ney General.*

20 *SEC. 102. Section 124 of the Departments of Com-*
21 *merce, Justice, and State, the Judiciary, and Related Agen-*
22 *cies Appropriations Act, 1999, as contained in the Omnibus*
23 *Consolidated and Emergency Supplemental Appropriations*
24 *Act, 1999, is repealed.*

25 *SEC. 103. Notwithstanding any other provision of law,*
26 *not to exceed \$10,000,000 of the funds made available in*

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

9 *SEC. 104. Not to exceed 5 percent of any appropriation*
10 *made available for the current fiscal year for the Depart-*
11 *ment of Justice in this Act may be transferred between such*
12 *appropriations, but no such appropriation, except as other-*
13 *wise specifically provided, shall be increased by more than*
14 *10 percent by any such transfers: Provided, That any trans-*
15 *fer pursuant to this section shall be treated as a reprogram-*
16 *ming of funds under section 605 of this Act and shall not*
17 *be available for obligation except in compliance with the*
18 *procedures set forth in that section.*

19 *SEC. 105. Section 286(q)(1)(A) of the Immigration*
20 *and Nationality Act of 1953, as amended, is further amend-*
21 *ed by striking “6” and inserting “96”.*

22 *SEC. 106. Notwithstanding any other provision of law,*
23 *\$1,000,000 shall be available for technical assistance from*
24 *the funds appropriated for part G of title II of the Juvenile*

1 *Justice and Delinquency Prevention Act of 1974, as amend-*
2 *ed.*

3 *SEC. 107. In instances where the Attorney General de-*
4 *termines that law enforcement-, security-, or mission-re-*
5 *lated considerations mitigate against obtaining mainte-*
6 *nance or repair services from private sector entities for*
7 *equipment under warranty, the Attorney General is author-*
8 *ized to seek reimbursement from such entities for warranty*
9 *work performed at Department of Justice facilities and,*
10 *notwithstanding any other provision of law, to credit any*
11 *payment made for such work to any appropriation charged*
12 *therefore.*

13 *SEC. 108. Section 286(e)(1) of the Immigration and*
14 *Nationality Act (8 U.S.C. 1356(e)(1)) is amended to read*
15 *as follows:*

16 “(1)(A) *Except as provided in subparagraph (B), the*
17 *Attorney General is authorized to charge and collect a fee*
18 *in the amount of \$1.50 for each individual with respect to*
19 *whom immigration inspection services or preinspection*
20 *services are provided in connection with the arrival in the*
21 *United States of the individual as a passenger on a com-*
22 *mercial vessel, if the passenger’s journey originated in any*
23 *of the following:*

24 “(i) *Mexico.*

25 “(ii) *Canada.*

1 “(iii) A State, territory, or possession of the
2 United States.

3 “(iv) Any adjacent island (within the meaning
4 of section 101(b)(5)).

5 “(B) The authority of subparagraph (A) does not
6 apply to immigration inspection services or preinspection
7 services provided at a designated port of entry in connection
8 with the arrival of a passenger by means of a Great Lakes
9 international ferry, or by means of any vessel that transits
10 the Great Lakes or its connecting waterways, if the ferry
11 or other vessel operates on a regular schedule.”.

12 SEC. 109. Section 245(i) of the Immigration and Na-
13 tionality Act (8 U.S.C. 1255(i)) is amended—

14 (1) in paragraph (1), by amending the first sen-
15 tence to read as follows: “Notwithstanding the provi-
16 sions of subsections (a) and (c) of this section, an
17 alien physically present in the United States who—

18 “(A) entered the United States without in-
19 spection; or

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

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

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

10 SEC. 110. Section 1402(d)(3) of the Victims of Crime
11 Act of 1984 (42 U.S.C. 10601(d)(3)), is amended by striking
12 the period at the end and inserting “, and for a Victim
13 Notification System.”.

14 SEC. 111. Section 6 of the Hmong Veterans’ Natu-
15 ralization Act of 2000 (Public Law 106–207; 8 U.S.C. 1423
16 note) (as amended by Public Law 106–415) is amended by
17 striking “18 months” each place such term appears and in-
18 serting “36 months”.

19 This title may be cited as the “Department of Justice
20 Appropriations Act, 2002”.

1 *TITLE II—DEPARTMENT OF COMMERCE AND*
2 *RELATED AGENCIES*

3 *TRADE AND INFRASTRUCTURE DEVELOPMENT*

4 *RELATED AGENCIES*

5 *OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE*

6 *SALARIES AND EXPENSES*

7 *For necessary expenses of the Office of the United*
8 *States Trade Representative, including the hire of passenger*
9 *motor vehicles and employment of experts and consultants*
10 *as authorized by 5 U.S.C. 3109, \$30,097,000, of which*
11 *\$1,000,000 shall remain available until expended: Provided,*
12 *That not to exceed \$98,000 shall be available for official*
13 *reception and representation expenses.*

14 *INTERNATIONAL TRADE COMMISSION*

15 *SALARIES AND EXPENSES*

16 *For necessary expenses of the International Trade*
17 *Commission, including hire of passenger motor vehicles,*
18 *and services as authorized by 5 U.S.C. 3109, and not to*
19 *exceed \$2,500 for official reception and representation ex-*
20 *penses, \$51,440,000, to remain available until expended.*

21 *DEPARTMENT OF COMMERCE*

22 *INTERNATIONAL TRADE ADMINISTRATION*

23 *OPERATIONS AND ADMINISTRATION*

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

1 *and engaging in trade promotional activities abroad, in-*
2 *cluding expenses of grants and cooperative agreements for*
3 *the purpose of promoting exports of United States firms,*
4 *without regard to 44 U.S.C. 3702 and 3703; full medical*
5 *coverage for dependent members of immediate families of*
6 *employees stationed overseas and employees temporarily*
7 *posted overseas; travel and transportation of employees of*
8 *the United States and Foreign Commercial Service between*
9 *two points abroad, without regard to 49 U.S.C. 1517; em-*
10 *ployment of Americans and aliens by contract for services;*
11 *rental of space abroad for periods not exceeding 10 years,*
12 *and expenses of alteration, repair, or improvement; pur-*
13 *chase or construction of temporary demountable exhibition*
14 *structures for use abroad; payment of tort claims, in the*
15 *manner authorized in the first paragraph of 28 U.S.C. 2672*
16 *when such claims arise in foreign countries; not to exceed*
17 *\$327,000 for official representation expenses abroad; pur-*
18 *chase of passenger motor vehicles for official use abroad, not*
19 *to exceed \$30,000 per vehicle; obtaining insurance on offi-*
20 *cial motor vehicles; and rental of tie lines, \$347,090,000,*
21 *to remain available until expended, of which \$3,000,000 is*
22 *to be derived from fees to be retained and used by the Inter-*
23 *national Trade Administration, notwithstanding 31 U.S.C.*
24 *3302: Provided, That \$67,320,000 shall be for Trade Devel-*
25 *opment, \$27,441,000 shall be for Market Access and Compli-*

1 *ance, \$42,859,000 shall be for the Import Administration,*
2 *\$193,824,000 shall be for the United States and Foreign*
3 *Commercial Service, and \$13,146,000 shall be for Executive*
4 *Direction and Administration: Provided further, That the*
5 *provisions of the first sentence of section 105(f) and all of*
6 *section 108(c) of the Mutual Educational and Cultural Ex-*
7 *change Act of 1961 (22 U.S.C. 2455(f) and 2458(c)) shall*
8 *apply in carrying out these activities without regard to sec-*
9 *tion 5412 of the Omnibus Trade and Competitiveness Act*
10 *of 1988 (15 U.S.C. 4912); and that for the purpose of this*
11 *Act, contributions under the provisions of the Mutual Edu-*
12 *cational and Cultural Exchange Act shall include payment*
13 *for assessments for services provided as part of these activi-*
14 *ties.*

15 *EXPORT ADMINISTRATION*

16 *OPERATIONS AND ADMINISTRATION*

17 *For necessary expenses for export administration and*
18 *national security activities of the Department of Commerce,*
19 *including costs associated with the performance of export*
20 *administration field activities both domestically and*
21 *abroad; full medical coverage for dependent members of im-*
22 *mediate families of employees stationed overseas; employ-*
23 *ment of Americans and aliens by contract for services*
24 *abroad; payment of tort claims, in the manner authorized*
25 *in the first paragraph of 28 U.S.C. 2672 when such claims*

1 arise in foreign countries; not to exceed \$15,000 for official
2 representation expenses abroad; awards of compensation to
3 informers under the Export Administration Act of 1979,
4 and as authorized by 22 U.S.C. 401(b); purchase of pas-
5 senger motor vehicles for official use and motor vehicles for
6 law enforcement use with special requirement vehicles eligi-
7 ble for purchase without regard to any price limitation oth-
8 erwise established by law, \$68,893,000, to remain available
9 until expended, of which \$7,250,000 shall be for inspections
10 and other activities related to national security: Provided,
11 That the provisions of the first sentence of section 105(f)
12 and all of section 108(c) of the Mutual Educational and
13 Cultural Exchange Act of 1961 (22 U.S.C. 2455(f) and
14 2458(c)) shall apply in carrying out these activities: Pro-
15 vided further, That payments and contributions collected
16 and accepted for materials or services provided as part of
17 such activities may be retained for use in covering the cost
18 of such activities, and for providing information to the pub-
19 lic with respect to the export administration and national
20 security activities of the Department of Commerce and other
21 export control programs of the United States and other gov-
22 ernments.

1 *ECONOMIC DEVELOPMENT ADMINISTRATION*

2 *ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS*

3 *For grants for economic development assistance as pro-*
4 *vided by the Public Works and Economic Development Act*
5 *of 1965, as amended, and for trade adjustment assistance,*
6 *\$341,000,000, to remain available until expended.*

7 *SALARIES AND EXPENSES*

8 *For necessary expenses of administering the economic*
9 *development assistance programs as provided for by law,*
10 *\$30,557,000: Provided, That these funds may be used to*
11 *monitor projects approved pursuant to title I of the Public*
12 *Works Employment Act of 1976, as amended, title II of the*
13 *Trade Act of 1974, as amended, and the Community Emer-*
14 *gency Drought Relief Act of 1977.*

15 *MINORITY BUSINESS DEVELOPMENT AGENCY*

16 *MINORITY BUSINESS DEVELOPMENT*

17 *For necessary expenses of the Department of Commerce*
18 *in fostering, promoting, and developing minority business*
19 *enterprise, including expenses of grants, contracts, and*
20 *other agreements with public or private organizations,*
21 *\$28,381,000.*

22 *ECONOMIC AND INFORMATION INFRASTRUCTURE*

23 *ECONOMIC AND STATISTICAL ANALYSIS*

24 *SALARIES AND EXPENSES*

25 *For necessary expenses, as authorized by law, of eco-*
26 *nomical and statistical analysis programs of the Department*

1 of Commerce, \$62,515,000, to remain available until Sep-
2 tember 30, 2003.

3 *BUREAU OF THE CENSUS*

4 *SALARIES AND EXPENSES*

5 *For expenses necessary for collecting, compiling, ana-*
6 *lyzing, preparing, and publishing statistics, provided for by*
7 *law, \$168,561,000.*

8 *PERIODIC CENSUSES AND PROGRAMS*

9 *For necessary expenses to collect and publish statistics*
10 *for periodic censuses and programs provided for by law,*
11 *\$348,529,000, to remain available until expended.*

12 *NATIONAL TELECOMMUNICATIONS AND INFORMATION*

13 *ADMINISTRATION*

14 *SALARIES AND EXPENSES*

15 *For necessary expenses, as provided for by law, of the*
16 *National Telecommunications and Information Adminis-*
17 *tration (NTIA), \$14,054,000, to remain available until ex-*
18 *pended: Provided, That, notwithstanding 31 U.S.C.*
19 *1535(d), the Secretary of Commerce shall charge Federal*
20 *agencies for costs incurred in spectrum management, anal-*
21 *ysis, and operations, and related services and such fees shall*
22 *be retained and used as offsetting collections for costs of such*
23 *spectrum services, to remain available until expended: Pro-*
24 *vided further, That the Secretary of Commerce is authorized*
25 *to retain and use as offsetting collections all funds trans-*
26 *ferred, or previously transferred, from other Government*

1 *agencies for all costs incurred in telecommunications re-*
2 *search, engineering, and related activities by the Institute*
3 *for Telecommunication Sciences of NTIA, in furtherance of*
4 *its assigned functions under this paragraph, and such funds*
5 *received from other Government agencies shall remain*
6 *available until expended.*

7 *PUBLIC TELECOMMUNICATIONS FACILITIES, PLANNING AND*
8 *CONSTRUCTION*

9 *For grants authorized by section 392 of the Commu-*
10 *nications Act of 1934, as amended, \$43,466,000, to remain*
11 *available until expended as authorized by section 391 of the*
12 *Act, as amended: Provided, That not to exceed \$2,358,000*
13 *shall be available for program administration as authorized*
14 *by section 391 of the Act: Provided further, That notwith-*
15 *standing the provisions of section 391 of the Act, the prior*
16 *year unobligated balances may be made available for grants*
17 *for projects for which applications have been submitted and*
18 *approved during any fiscal year.*

19 *INFORMATION INFRASTRUCTURE GRANTS*

20 *For grants authorized by section 392 of the Commu-*
21 *nications Act of 1934, as amended, \$15,503,000, to remain*
22 *available until expended as authorized by section 391 of the*
23 *Act, as amended: Provided, That not to exceed \$3,097,000*
24 *shall be available for program administration and other*
25 *support activities as authorized by section 391: Provided*
26 *further, That, of the funds appropriated herein, not to ex-*

1 *ceed 5 percent may be available for telecommunications re-*
2 *search activities for projects related directly to the develop-*
3 *ment of a national information infrastructure: Provided*
4 *further, That, notwithstanding the requirements of sections*
5 *392(a) and 392(c) of the Act, these funds may be used for*
6 *the planning and construction of telecommunications net-*
7 *works for the provision of educational, cultural, health care,*
8 *public information, public safety, or other social services:*
9 *Provided further, That notwithstanding any other provision*
10 *of law, no entity that receives telecommunications services*
11 *at preferential rates under section 254(h) of the Act (47*
12 *U.S.C. 254(h)) or receives assistance under the regional in-*
13 *formation sharing systems grant program of the Depart-*
14 *ment of Justice under part M of title I of the Omnibus*
15 *Crime Control and Safe Streets Act of 1968 (42 U.S.C.*
16 *3796h) may use funds under a grant under this heading*
17 *to cover any costs of the entity that would otherwise be cov-*
18 *ered by such preferential rates or such assistance, as the*
19 *case may be.*

20 *PATENT AND TRADEMARK OFFICE*

21 *SALARIES AND EXPENSES*

22 *For necessary expenses of the United States Patent and*
23 *Trademark Office provided for by law, including defense*
24 *of suits instituted against the Under Secretary of Commerce*
25 *for Intellectual Property and Director of the United States*

1 *Patent and Trademark Office, \$856,701,000, to remain*
2 *available until expended, which amount shall be derived*
3 *from offsetting collections assessed and collected pursuant*
4 *to 15 U.S.C. 1113 and 35 U.S.C. 41 and 376, and shall*
5 *be retained and used for necessary expenses in this appro-*
6 *priation: Provided, That the sum herein appropriated from*
7 *the general fund shall be reduced as such offsetting collec-*
8 *tions are received during fiscal year 2002, so as to result*
9 *in fiscal year 2002 appropriation from the general fund*
10 *estimated at \$0: Provided further, That during fiscal year*
11 *2002, should the total amount of offsetting fee collections*
12 *be less than \$856,701,000, the total amounts available to*
13 *the United States Patent and Trademark Office shall be re-*
14 *duced accordingly: Provided further, That an additional*
15 *amount not to exceed \$282,300,000 from fees collected in*
16 *prior fiscal years shall be available for obligation in fiscal*
17 *year 2002, to remain available until expended: Provided*
18 *further, That from amounts provided herein, not to exceed*
19 *\$5,000 shall be made available in fiscal year 2002 for offi-*
20 *cial reception and representation expenses.*

1 *SCIENCE AND TECHNOLOGY*
2 *TECHNOLOGY ADMINISTRATION*
3 *UNDER SECRETARY FOR TECHNOLOGY/OFFICE OF*
4 *TECHNOLOGY POLICY*
5 *SALARIES AND EXPENSES*

6 *For necessary expenses for the Under Secretary for*
7 *Technology/Office of Technology Policy, \$8,238,000.*

8 *NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY*
9 *SCIENTIFIC AND TECHNICAL RESEARCH AND SERVICES*

10 *For necessary expenses of the National Institute of*
11 *Standards and Technology, \$343,296,000, to remain avail-*
12 *able until expended, of which not to exceed \$282,000 may*
13 *be transferred to the “Working Capital Fund”.*

14 *INDUSTRIAL TECHNOLOGY SERVICES*

15 *For necessary expenses of the Manufacturing Exten-*
16 *sion Partnership of the National Institute of Standards and*
17 *Technology, \$105,137,000, to remain available until ex-*
18 *pended: Provided, That the Secretary of Commerce is au-*
19 *thorized to enter into agreements with one or more non-*
20 *profit organizations for the purpose of carrying out collec-*
21 *tive research and development initiatives pertaining to 15*
22 *U.S.C. 278k paragraph (a), and is authorized to seek and*
23 *accept contributions from public and private sources to sup-*
24 *port these efforts as necessary.*

25 *In addition, for necessary expenses of the Advanced*
26 *Technology Program of the National Institute of Standards*

1 *and Technology, \$204,200,000, to remain available until*
2 *expended, of which not to exceed \$60,700,000 shall be avail-*
3 *able for the award of new grants.*

4 *CONSTRUCTION OF RESEARCH FACILITIES*

5 *For construction of new research facilities, including*
6 *architectural and engineering design, and for renovation of*
7 *existing facilities, not otherwise provided for the National*
8 *Institute of Standards and Technology, as authorized by 15*
9 *U.S.C. 278c–278e, \$43,893,000, to remain available until*
10 *expended.*

11 *NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION*

12 *OPERATIONS, RESEARCH, AND FACILITIES*

13 *(INCLUDING TRANSFERS OF FUNDS)*

14 *For necessary expenses of activities authorized by law*
15 *for the National Oceanic and Atmospheric Administration,*
16 *including maintenance, operation, and hire of aircraft;*
17 *grants, contracts, or other payments to nonprofit organiza-*
18 *tions for the purposes of conducting activities pursuant to*
19 *cooperative agreements; and relocation of facilities as au-*
20 *thorized by 33 U.S.C. 883i, \$2,273,305,000, to remain*
21 *available until expended, of which \$2,000,000 shall be for*
22 *West Coast Groundfish Cooperative Research and*
23 *\$3,000,000 shall be for Oregon Groundfish Disaster Assist-*
24 *ance, of which \$300,000 shall be available only for a vari-*
25 *able and Eurasian milfoil education and prevention pro-*

1 gram in New Hampshire and \$300,000 shall be available
2 only for the Connecticut River Partnership: Provided, That
3 fees and donations received by the National Ocean Service
4 for the management of the national marine sanctuaries
5 may be retained and used for the salaries and expenses asso-
6 ciated with those activities, notwithstanding 31 U.S.C.
7 3302: Provided further, That in addition, \$68,000,000 shall
8 be derived by transfer from the fund entitled “Promote and
9 Develop Fishery Products and Research Pertaining to
10 American Fisheries”: Provided further, That in addition,
11 not to exceed \$3,000,000 shall be derived by transfer from
12 the fund entitled “Coastal Zone Management”: Provided
13 further, That of the amounts made available to the National
14 Marine Fisheries Service, not less than \$29,000,000 shall
15 be for Alaskan Steller sea lion research: Provided further,
16 That such sums as are necessary shall be available to the
17 National Marine Fisheries Service, in collaboration with
18 the United States Fish and Wildlife Service, to conduct a
19 review of the agencies’ joint regulations governing consulta-
20 tions on Federal agency actions under subsection (a)(2) of
21 section 7 of the Endangered Species Act of 1973 (16 U.S.C.
22 1536), so as to streamline the consultation process to ensure
23 that consultations are completed within the deadlines pro-
24 vided in that section and have streamlined documentation
25 requirements consistent with that section, and to make any

1 *necessary modifications to those regulations not later than*
2 *April 1, 2003: Provided further, That grants to States pur-*
3 *suant to sections 306 and 306A of the Coastal Zone Man-*
4 *agement Act of 1972, as amended, shall not exceed*
5 *\$2,000,000: Provided further, That of the amount provided*
6 *under this heading, for conservation activities defined in*
7 *section 250(c)(4)(E) of the Balanced Budget and Emer-*
8 *gency Deficit Control Act of 1985, as amended, \$33,650,000*
9 *to remain available until expended, for the purposes of dis-*
10 *cretionary spending limits: Provided further, That not to*
11 *exceed \$23,890,000 shall be expended for Executive Direc-*
12 *tion and Administration, which consists of the Offices of*
13 *the Undersecretary, the Executive Secretariat, Policy and*
14 *Strategic Planning, International Affairs, Legislative Af-*
15 *airs, Public Affairs, Sustainable Development, the Chief*
16 *Scientist, and the General Counsel: Provided further, That*
17 *the aforementioned offices, excluding the Office of the Gen-*
18 *eral Counsel, shall not be augmented by personnel details,*
19 *temporary transfers of personnel on either a reimbursable*
20 *or nonreimbursable basis or any other type of formal or*
21 *informal transfer or reimbursement of personnel or funds*
22 *on either a temporary or long-term basis above the level*
23 *of 42 personnel: Provided further, That of the amount pro-*
24 *vided to the National Marine Fisheries Service, a total of*
25 *\$6,000,000 shall be provided to the National Oceanic and*

1 *Atmospheric Administration Office of General Counsel:*
2 *Provided further, That the National Marine Fisheries Serv-*
3 *ice shall be obligated for payment of all fisheries-related re-*
4 *imbursable work performed by the National Oceanic and*
5 *Atmospheric Administration Office of General Counsel:*
6 *Provided further, That the Secretary may proceed as he*
7 *deems necessary to have the National Oceanic and Atmos-*
8 *pheric Administration occupy and operate its research fa-*
9 *cilities which are located at Lafayette, Louisiana: Provided*
10 *further, That \$1,500,000 shall be available only for the*
11 *planning and design of research facilities which shall be*
12 *located in Lafayette, Louisiana: Provided further, That the*
13 *R/V FAIRWEATHER shall be homeported in Ketchikan,*
14 *Alaska: Provided further, That no general administrative*
15 *charge shall be applied against an assigned activity in-*
16 *cluded in this Act and, further, that any direct administra-*
17 *tive expenses applied against an assigned activity shall be*
18 *limited to 5 percent of the funds provided for that assigned*
19 *activity: Provided further, That any use of deobligated bal-*
20 *ances of funds in excess of \$22,000,000 shall be subject to*
21 *the procedures set forth in section 605 of this Act.*

22 *In addition, for necessary retired pay expenses under*
23 *the Retired Serviceman's Family Protection and Survivor*
24 *Benefits Plan, and for payments for medical care of retired*
25 *personnel and their dependents under the Dependents Med-*

1 ical Care Act (10 U.S.C. ch. 55), such sums as may be nec-
2 essary.

3 *In addition, there is hereby established the Business*
4 *Management Fund of the National Oceanic and Atmos-*
5 *spheric Administration, which shall be available without fis-*
6 *cal year limitation for expense and equipment necessary for*
7 *the maintenance and operations of such services and*
8 *projects as the Administrator of the National Oceanic and*
9 *Atmospheric Administration determines may be performed*
10 *more advantageously when centralized: Provided, That such*
11 *central services shall, to the fullest extent practicable, be*
12 *used to make unnecessary the maintenance of separate like*
13 *services in the divisions and offices of the National Oceanic*
14 *and Atmospheric Administration: Provided further, That a*
15 *separate schedule of expenditures and reimbursements, and*
16 *a statement of the current assets and liabilities of the Busi-*
17 *ness Management Fund as of the close of the completed fis-*
18 *cal year, shall be prepared each year and submitted to Con-*
19 *gress: Provided further, That notwithstanding 31 U.S.C.*
20 *3302, the Business Management Fund may be credited with*
21 *advances and reimbursements from applicable appropria-*
22 *tions of the National Oceanic and Atmospheric Administra-*
23 *tion and from funds of other agencies or entities for services*
24 *furnished pursuant to law: Provided further, That any in-*
25 *ventories, equipment, systems, real property and other as-*

1 sets over \$25,000, pertaining to the services to be provided
2 by such funds, either on hand or on order, less the related
3 liabilities or unpaid obligations, and any appropriations
4 made hereafter for the purpose of providing capital, shall
5 be used to capitalize the Business Management Fund: Pro-
6 vided further, That the National Oceanic and Atmospheric
7 Administration Business Management Fund shall be au-
8 thorized to create an initial cash corpus of \$5,000,000 from
9 deobligations and continued funding as may be or become
10 available from deobligations: Provided further, That the
11 Business Management Fund shall provide for centralized
12 services at rates which return in full all expenses of oper-
13 ation and services, including depreciation or full overhead
14 costs of fund plant and equipment, plus an amount equal
15 to projected inflation, amortization of automated data proc-
16 essing software and hardware systems, and an amount not
17 to exceed four percent necessary to maintain an operating
18 level in the fund as determined by the Administrator: Pro-
19 vided further, That full implementation of the Business
20 Management Fund will be phased in over a period not less
21 than three years nor more than five fiscal years.

22 There is hereby established the following organiza-
23 tional structure for the Business Management Fund of the
24 National Oceanic and Atmospheric Administration: Pro-
25 vided, That the overall responsibility for the National Oce-

1 *anic and Atmospheric Administration Business Manage-*
2 *ment Fund lies with the Administrator of the National Oce-*
3 *anic and Atmospheric Administration: Provided further,*
4 *That general management of the National Oceanic and At-*
5 *mospheric Administration's Business Management Fund*
6 *may be delegated by the Administrator to the Chief Finan-*
7 *cial Officer/Chief Administrative Officer of the National*
8 *Oceanic and Atmospheric Administration.*

9 *PROCUREMENT, ACQUISITION AND CONSTRUCTION*

10 *(INCLUDING TRANSFERS OF FUNDS)*

11 *For procurement, acquisition and construction of cap-*
12 *ital assets, including alteration and modification costs, of*
13 *the National Oceanic and Atmospheric Administration,*
14 *\$940,610,000, to remain available until expended: Pro-*
15 *vided, That unexpended balances of amounts previously*
16 *made available in the "Operations, Research, and Facili-*
17 *ties" account for activities funded under this heading may*
18 *be transferred to and merged with this account, to remain*
19 *available until expended for the purposes for which the*
20 *funds were originally appropriated: Provided further, That*
21 *of the amount provided under this heading for expenses nec-*
22 *essary to carry out conservation activities defined in section*
23 *250(c)(4)(E) of the Balanced Budget and Emergency Def-*
24 *icit Control Act of 1985, as amended, including funds for*
25 *the Coastal and Estuarine Land Conservation Program,*
26 *\$83,410,000 to remain available until expended: Provided*

1 *further, That, notwithstanding any other provision of law,*
2 *of the above amounts, \$60,000,000 shall be used to initiate*
3 *the “Coastal and Estuarine Land Conservation Program”,*
4 *for which there shall be no matching requirement, of which*
5 *\$2,500,000 is for coastal land acquisition at Rocky Point*
6 *in Warwick, Rhode Island: Provided further, That none of*
7 *the funds provided in this Act or any other Act under the*
8 *heading “National Oceanic and Atmospheric Administra-*
9 *tion, Procurement, Acquisition and Construction” shall be*
10 *used to fund the General Services Administration’s stand-*
11 *ard construction and tenant build-out costs of a facility at*
12 *the Suitland Federal Center.*

13 *PACIFIC COASTAL SALMON RECOVERY*

14 *For necessary expenses to carry out the conservation*
15 *activities defined in section 250(c)(4)(E) of the Balanced*
16 *Budget and Emergency Deficit Control Act of 1985, as*
17 *amended, including funds for the Endangered Species Act-*
18 *Pacific Salmon Recovery, the Columbia River Hatcheries,*
19 *the Columbia River Facilities, Pacific Salmon Treaty Im-*
20 *plementation, \$137,940,000, to remain available until ex-*
21 *pended.*

22 *COASTAL ZONE MANAGEMENT FUND*

23 *Of amounts collected pursuant to section 308 of the*
24 *Coastal Zone Management Act of 1972 (16 U.S.C. 1456a),*
25 *not to exceed \$3,000,000 shall be transferred to the Oper-*

1 *ations, Research, and Facilities account to offset the costs*
2 *of implementing such Act.*

3 *FISHERMEN'S CONTINGENCY FUND*

4 *For carrying out the provisions of title IV of Public*
5 *Law 95-372, not to exceed \$952,000, to be derived from re-*
6 *ceipts collected pursuant to that Act, to remain available*
7 *until expended.*

8 *FOREIGN FISHING OBSERVER FUND*

9 *For expenses necessary to carry out the provisions of*
10 *the Atlantic Tunas Convention Act of 1975, as amended*
11 *(Public Law 96-339), the Magnuson-Stevens Fishery Con-*
12 *servation and Management Act of 1976, as amended (Public*
13 *Law 100-627), and the American Fisheries Promotion Act*
14 *(Public Law 96-561), to be derived from the fees imposed*
15 *under the foreign fishery observer program authorized by*
16 *these Acts, not to exceed \$191,000, to remain available until*
17 *expended.*

18 *FISHERIES FINANCE PROGRAM ACCOUNT*

19 *For the cost of direct loans, \$287,000, as authorized*
20 *by the Merchant Marine Act of 1936, as amended: Provided,*
21 *That such costs, including the cost of modifying such loans,*
22 *shall be as defined in section 502 of the Congressional Budg-*
23 *et Act of 1974: Provided further, That none of the funds*
24 *made available under this heading may be used for direct*
25 *loans for any new fishing vessel that will increase the har-*
26 *vesting capacity in any United States fishery.*

1 *DEPARTMENTAL MANAGEMENT*

2 *SALARIES AND EXPENSES*

3 *For expenses necessary for the departmental manage-*
4 *ment of the Department of Commerce provided for by law,*
5 *including not to exceed \$8,000 for official entertainment,*
6 *\$42,062,000.*

7 *OFFICE OF INSPECTOR GENERAL*

8 *For necessary expenses of the Office of Inspector Gen-*
9 *eral in carrying out the provisions of the Inspector General*
10 *Act of 1978, as amended (5 U.S.C. App. 1–11, as amended*
11 *by Public Law 100–504), \$21,176,000.*

12 *GENERAL PROVISIONS—DEPARTMENT OF COMMERCE*

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

22 *SEC. 202. During the current fiscal year, appropria-*
23 *tions made available to the Department of Commerce by*
24 *this Act for salaries and expenses shall be available for hire*
25 *of passenger motor vehicles as authorized by 31 U.S.C. 1343*
26 *and 1344; services as authorized by 5 U.S.C. 3109; and uni-*

1 *forms or allowances therefore, as authorized by law (5*
2 *U.S.C. 5901–5902).*

3 *SEC. 203. None of the funds made available by this*
4 *Act may be used to support the hurricane reconnaissance*
5 *aircraft and activities that are under the control of the*
6 *United States Air Force or the United States Air Force Re-*
7 *serve.*

8 *SEC. 204. Not to exceed 5 percent of any appropriation*
9 *made available for the current fiscal year for the Depart-*
10 *ment of Commerce in this Act may be transferred between*
11 *such appropriations, but no such appropriation shall be in-*
12 *creased by more than 10 percent by any such transfers: Pro-*
13 *vided, That any transfer pursuant to this section shall be*
14 *treated as a reprogramming of funds under section 605 of*
15 *this Act and shall not be available for obligation or expendi-*
16 *ture except in compliance with the procedures set forth in*
17 *that section.*

18 *SEC. 205. Any costs incurred by a department or agen-*
19 *cy funded under this title resulting from personnel actions*
20 *taken in response to funding reductions included in this*
21 *title or from actions taken for the care and protection of*
22 *loan collateral or grant property shall be absorbed within*
23 *the total budgetary resources available to such department*
24 *or agency: Provided, That the authority to transfer funds*
25 *between appropriations accounts as may be necessary to*

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

7 *SEC. 206. The Secretary of Commerce may award con-*
8 *tracts for hydrographic, geodetic, and photogrammetric sur-*
9 *veying and mapping services in accordance with title IX*
10 *of the Federal Property and Administrative Services Act*
11 *of 1949 (40 U.S.C. 541 et seq.).*

12 *SEC. 207. The Secretary of Commerce may use the*
13 *Commerce franchise fund for expenses and equipment nec-*
14 *essary for the maintenance and operation of such adminis-*
15 *trative services as the Secretary determines may be per-*
16 *formed more advantageously as central services, pursuant*
17 *to section 403 of Public Law 103-356: Provided, That any*
18 *inventories, equipment, and other assets pertaining to the*
19 *services to be provided by such fund, either on hand or on*
20 *order, less the related liabilities or unpaid obligations, and*
21 *any appropriations made for the purpose of providing cap-*
22 *ital shall be used to capitalize such fund: Provided further,*
23 *That such fund shall be paid in advance from funds avail-*
24 *able to the Department and other Federal agencies for which*
25 *such centralized services are performed, at rates which will*

1 return in full all expenses of operation, including accrued
2 leave, depreciation of fund plant and equipment, amortiza-
3 tion of automated data processing (ADP) software and sys-
4 tems (either acquired or donated), and an amount necessary
5 to maintain a reasonable operating reserve, as determined
6 by the Secretary: Provided further, That such fund shall
7 provide services on a competitive basis: Provided further,
8 That an amount not to exceed 4 percent of the total annual
9 income to such fund may be retained in the fund for fiscal
10 year 2002 and each fiscal year thereafter, to remain avail-
11 able until expended, to be used for the acquisition of capital
12 equipment, and for the improvement and implementation
13 of department financial management, ADP, and other sup-
14 port systems: Provided further, That such amounts retained
15 in the fund for fiscal year 2002 and each fiscal year there-
16 after shall be available for obligation and expenditure only
17 in accordance with section 605 of this Act: Provided further,
18 That no later than 30 days after the end of each fiscal year,
19 amounts in excess of this reserve limitation shall be depos-
20 ited as miscellaneous receipts in the Treasury: Provided
21 further, That such franchise fund pilot program shall termi-
22 nate pursuant to section 403(f) of Public Law 103-356.

23 *SEC. 208. Notwithstanding any other provision of law,*
24 *of the amounts made available elsewhere in this title to the*
25 *“National Institute of Standards and Technology, Con-*

1 *struction of Research Facilities*”, \$5,000,000 is appro-
2 *priated to fund a cooperative agreement with the Medical*
3 *University of South Carolina, \$6,000,000 is appropriated*
4 *to the Thayer School of Engineering for the nanocrystalline*
5 *materials and biomass research initiative, \$3,000,000 is ap-*
6 *propriated to the Institute for Information Infrastructure*
7 *Protection at the Institute for Security Technology Studies,*
8 *and \$4,000,000 is appropriated for the Institute for Poli-*
9 *tics.*

10 *SEC. 209. (a) Notwithstanding any other provision of*
11 *law, the total amount of funds that may be transferred into*
12 *the “Working Capital Fund” in fiscal year 2002, or in any*
13 *fiscal year thereafter, may not exceed \$117,000,000.*

14 *(b) All transfers of funds, functions, or personnel to*
15 *or from the Working Capital Fund in fiscal year 2002 and*
16 *any fiscal year thereafter shall be subject to section 605,*
17 *without regard to the amount of the reprogramming or the*
18 *purpose of the funds so reprogrammed.*

19 *(c) Of the amounts available under this section for sal-*
20 *aries of the staff of the Department of Commerce, the*
21 *amount obligated for that purpose before December 15,*
22 *2001, may not exceed \$29,250,000.*

23 *(d)(1) Not later than December 15, 2001, the Secretary*
24 *of Commerce shall submit to the Committees on Appropria-*
25 *tions of the Senate and House of Representatives a report*

1 *setting forth the proposed disbursements from the Working*
2 *Capital Fund during fiscal year 2002.*

3 (2) *Of the proposed disbursements in the report under*
4 *paragraph (1)—*

5 (A) *not more than \$7,000,000 of the proposed*
6 *disbursements may be for the Commerce Administra-*
7 *tive Management System or support for the Com-*
8 *merce Administrative Management System Support*
9 *Center; and*

10 (B) *none of the proposed disbursements for that*
11 *System may be from or attributable to the National*
12 *Oceanic and Atmospheric Administration.*

13 (3) *Disbursements from the Working Capital Fund in*
14 *fiscal year 2002 may not be made until 15 days after the*
15 *date on which the report is submitted under paragraph (1).*

16 (4) *Any modification of a proposed disbursement from*
17 *the Working Capital Fund previously specified in the report*
18 *under paragraph (1) shall be treated as a reprogramming*
19 *of funds to which section 605 applies, without regard to*
20 *the amount of the modification or the purpose of the dis-*
21 *bursement, as so modified.*

22 (5)(A) *If a disbursement from the Working Capital*
23 *Fund in fiscal year 2002 will require any bureau or organi-*
24 *zation in the Department of Commerce to incur costs not*
25 *previously specified in the report under paragraph (1), the*

1 *disbursement may not be made until 15 days after the date*
2 *on which such bureau or organization submits to the Com-*
3 *mittees on Appropriations of the Senate and House of Rep-*
4 *resentatives a Memorandum of Agreement providing for*
5 *such bureau or organization to incur such costs.*

6 *(B) Each Memorandum of Agreement under this para-*
7 *graph shall specify the provision of statute providing au-*
8 *thority for the disbursement concerned.*

9 *(e) Amounts in the “Advances and Reimbursements”*
10 *account may not be used to assess or collect costs or charges*
11 *against or from any bureau or organization of the Depart-*
12 *ment of Commerce unless the costs or charges are incurred*
13 *for a project has been approved as a request for reprogram-*
14 *ming under section 605.*

15 *(f) The Office of Management and Budget shall issue*
16 *a quarterly Apportionment and Reapportionment Schedule,*
17 *and a Standard Form 133, for the Working Capital Fund*
18 *and the “Advances and Reimbursements” account based*
19 *upon the report required by subsection (d)(1).*

20 *SEC. 210. (a) Notwithstanding section 102 of the Ma-*
21 *rine Mammal Protection Act of 1972, as amended, or sec-*
22 *tion 9 of the Endangered Species Act of 1973, the Anchorage*
23 *Sister Cities Commission of Anchorage, Alaska, may export,*
24 *on a one-time basis, to the Town of Whitby, in the care*
25 *of the Scarborough Borough Council, Whitby, North York-*

1 *shire, United Kingdom, two bowhead whale jawbones taken*
2 *as part of a legal subsistence hunt by Native Alaskans and*
3 *identified in U.S. Fish and Wildlife Service, Convention*
4 *on International Trade of Endangered Species, permit*
5 *01US037393/9.*

6 *(b) The Anchorage Sister Cities Commission shall no-*
7 *tify the National Marine Fisheries Service Office of En-*
8 *forcement 15 days prior to shipment to ensure compliance*
9 *with all applicable export requirements.*

10 *This title may be cited as the “Department of Com-*
11 *merce and Related Agencies Appropriations Act, 2002”.*

12 *TITLE III—THE JUDICIARY*

13 *SUPREME COURT OF THE UNITED STATES*

14 *SALARIES AND EXPENSES*

15 *For expenses necessary for the operation of the Su-*
16 *preme Court, as required by law, excluding care of the*
17 *building and grounds, including purchase or hire, driving,*
18 *maintenance, and operation of an automobile for the Chief*
19 *Justice, not to exceed \$10,000 for the purpose of trans-*
20 *porting Associate Justices, and hire of passenger motor ve-*
21 *hicles as authorized by 31 U.S.C. 1343 and 1344; not to*
22 *exceed \$10,000 for official reception and representation ex-*
23 *penses; and for miscellaneous expenses, to be expended as*
24 *the Chief Justice may approve, \$39,988,000.*

1 *CARE OF THE BUILDING AND GROUNDS*

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

7 *UNITED STATES COURT OF APPEALS FOR THE FEDERAL*8 *CIRCUIT*9 *SALARIES AND EXPENSES*

10 *For salaries of the chief judge, judges, and other officers*
11 *and employees, and for necessary expenses of the court, as*
12 *authorized by law, \$19,372,000.*

13 *UNITED STATES COURT OF INTERNATIONAL TRADE*14 *SALARIES AND EXPENSES*

15 *For salaries of the chief judge and eight judges, salaries*
16 *of the officers and employees of the court, services as author-*
17 *ized by 5 U.S.C. 3109, and necessary expenses of the court,*
18 *as authorized by law, \$13,054,000.*

19 *COURTS OF APPEALS, DISTRICT COURTS, AND OTHER*20 *JUDICIAL SERVICES*21 *SALARIES AND EXPENSES*

22 *For the salaries of circuit and district judges (includ-*
23 *ing judges of the territorial courts of the United States),*
24 *justices and judges retired from office or from regular active*
25 *service, judges of the United States Court of Federal Claims,*

1 *bankruptcy judges, magistrate judges, and all other officers*
2 *and employees of the Federal Judiciary not otherwise spe-*
3 *cifically provided for, and necessary expenses of the courts,*
4 *as authorized by law, \$3,559,012,000 (including the pur-*
5 *chase of firearms and ammunition); of which not to exceed*
6 *\$27,817,000 shall remain available until expended for space*
7 *alteration projects and for furniture and furnishings related*
8 *to new space alteration and construction projects: Provided,*
9 *That, of the amount made available under this heading,*
10 *\$33,000, shall be transferred to, and merged with, funds in*
11 *the “Salaries and Expenses, United States Marshals Serv-*
12 *ice” appropriations account in title I of the Act, to be avail-*
13 *able only for court operations in Lander, Wyoming.*

14 *In addition, for expenses of the United States Court*
15 *of Federal Claims associated with processing cases under*
16 *the National Childhood Vaccine Injury Act of 1986, not to*
17 *exceed \$2,692,000, to be appropriated from the Vaccine In-*
18 *jury Compensation Trust Fund.*

19 *DEFENDER SERVICES*

20 *For the operation of Federal Public Defender and*
21 *Community Defender organizations; the compensation and*
22 *reimbursement of expenses of attorneys appointed to rep-*
23 *resent persons under the Criminal Justice Act of 1964, as*
24 *amended; the compensation and reimbursement of expenses*
25 *of persons furnishing investigative, expert and other services*
26 *under the Criminal Justice Act of 1964 (18 U.S.C.*

1 3006A(e)); the compensation (in accordance with Criminal
2 Justice Act maximums) and reimbursement of expenses of
3 attorneys appointed to assist the court in criminal cases
4 where the defendant has waived representation by counsel;
5 the compensation and reimbursement of travel expenses of
6 guardians ad litem acting on behalf of financially eligible
7 minor or incompetent offenders in connection with transfers
8 from the United States to foreign countries with which the
9 United States has a treaty for the execution of penal sen-
10 tences; and the compensation of attorneys appointed to rep-
11 resent jurors in civil actions for the protection of their em-
12 ployment, as authorized by 28 U.S.C. 1875(d),
13 \$463,756,000, of which \$257,710,000 is for federal defender
14 organizations, to remain available until expended.

15 *FEES OF JURORS AND COMMISSIONERS*

16 *For fees and expenses of jurors as authorized by 28*
17 *U.S.C. 1871 and 1876; compensation of jury commissioners*
18 *as authorized by 28 U.S.C. 1863; and compensation of com-*
19 *missioners appointed in condemnation cases pursuant to*
20 *rule 71A(h) of the Federal Rules of Civil Procedure (28*
21 *U.S.C. Appendix Rule 71A(h)), \$50,131,000, to remain*
22 *available until expended: Provided, That the compensation*
23 *of land commissioners shall not exceed the daily equivalent*
24 *of the highest rate payable under section 5332 of title 5,*
25 *United States Code.*

1 COURT SECURITY

2 *For necessary expenses, not otherwise provided for, in-*
3 *cident to the procurement, installation, and maintenance*
4 *of security equipment and protective services for the United*
5 *States Courts in courtrooms and adjacent areas, including*
6 *building ingress-egress control, inspection of mail and pack-*
7 *ages, directed security patrols, and other similar activities*
8 *as authorized by section 1010 of the Judicial Improvement*
9 *and Access to Justice Act (Public Law 100–702),*
10 *\$209,762,000, of which not to exceed \$10,000,000 shall re-*
11 *main available until expended for security systems and con-*
12 *tract costs for court security officers, to be expended directly*
13 *or transferred to the United States Marshals Service, which*
14 *shall be responsible for administering the Judicial Facility*
15 *Security Program consistent with standards or guidelines*
16 *agreed to by the Director of the Administrative Office of*
17 *the United States Courts and the Attorney General: Pro-*
18 *vided, That, of the amount made available under this head-*
19 *ing, \$3,580,000, to remain available until expended, shall*
20 *be transferred to, and merged with, funds in the*
21 *“Narrowband Communications” appropriations account in*
22 *title I of this Act, to be administered by the Department*
23 *of Justice Wireless Management Office and to be available*
24 *only for the conversion to narrowband communications and*
25 *for the operations and maintenance of legacy radio systems.*

1 28 U.S.C. 376(c), \$8,400,000; and to the United States
2 Court of Federal Claims Judges' Retirement Fund, as au-
3 thorized by 28 U.S.C. 178(l), \$1,900,000.

4 *UNITED STATES SENTENCING COMMISSION*

5 *SALARIES AND EXPENSES*

6 *For the salaries and expenses necessary to carry out*
7 *the provisions of chapter 58 of title 28, United States Code,*
8 *\$11,327,000, of which not to exceed \$1,000 is authorized*
9 *for official reception and representation expenses.*

10 *GENERAL PROVISIONS—THE JUDICIARY*

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

14 *SEC. 302. Not to exceed 5 percent of any appropriation*
15 *made available for the current fiscal year for the Judiciary*
16 *in this Act may be transferred between such appropriations,*
17 *but no such appropriation, except “Courts of Appeals, Dis-*
18 *trict Courts, and Other Judicial Services, Defender Serv-*
19 *ices” and “Courts of Appeals, District Courts, and Other*
20 *Judicial Services, Fees of Jurors and Commissioners”, shall*
21 *be increased by more than 10 percent by any such transfers:*
22 *Provided, That any transfer pursuant to this section shall*
23 *be treated as a reprogramming of funds under section 605*
24 *of this Act and shall not be available for obligation or ex-*

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

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

12 *SEC. 304. Section 140 of Public Law 97–92 (28 U.S.C.*
13 *461 note; 95 Stat. 1200) shall apply to fiscal year 2002*
14 *and each fiscal year thereafter.*

15 *SEC. 305. Of the unexpended balances transferred to*
16 *the Commission on Structural Alternatives in Federal Ap-*
17 *pellate Courts, \$400,000 shall be transferred to, and merged*
18 *with, funds in the “Federal Judicial Center, Salaries and*
19 *Expenses” appropriations account to be available only for*
20 *distance learning.*

21 *SEC. 306. Pursuant to section 140 of Public Law 97–*
22 *92, Justices and judges of the United States are authorized*
23 *during fiscal year 2002, to receive a salary adjustment in*
24 *accordance with 28 U.S.C. 461: Provided, That \$8,625,000*
25 *is appropriated for salary adjustments pursuant to this sec-*

1 *tion and such funds shall be transferred to and merged with*
 2 *appropriations in title III of this Act.*

3 *This title may be cited as this “Judiciary Appropria-*
 4 *tions Act, 2002”.*

5 *TITLE IV—DEPARTMENT OF STATE AND*
 6 *RELATED AGENCY*

7 *DEPARTMENT OF STATE*

8 *ADMINISTRATION OF FOREIGN AFFAIRS*

9 *DIPLOMATIC AND CONSULAR PROGRAMS*

10 *For necessary expenses of the Department of State and*
 11 *the Foreign Service not otherwise provided for, including*
 12 *employment, without regard to civil service and classifica-*
 13 *tion laws, of persons on a temporary basis (not to exceed*
 14 *\$700,000 of this appropriation), as authorized; representa-*
 15 *tion to certain international organizations in which the*
 16 *United States participates pursuant to treaties, ratified*
 17 *pursuant to the advice and consent of the Senate, or specific*
 18 *Acts of Congress; arms control, nonproliferation and disar-*
 19 *mament activities as authorized; acquisition by exchange*
 20 *or purchase of passenger motor vehicles as authorized by*
 21 *law; and for expenses of general administration,*
 22 *\$3,061,805,000: Provided, That, of the amount made avail-*
 23 *able under this heading, not to exceed \$4,000,000 may be*
 24 *transferred to, and merged with, funds in the “Emergencies*
 25 *in the Diplomatic and Consular Service” appropriations*

1 *account, to be available only for emergency evacuations and*
2 *terrorism rewards: Provided further, That of the amount*
3 *made available under this heading, \$7,800,000 shall be*
4 *available only to provide language, security, leadership and*
5 *management, and professional training: Provided further,*
6 *That of the amount made available under this heading,*
7 *\$6,000,000 to remain available until expended, shall be*
8 *transferred to, and merged with, funds in the “Narrowband*
9 *Communications” appropriations account in title I of this*
10 *Act, to be administered by the Department of Justice Wire-*
11 *less Management Office and to be available only for the con-*
12 *version to narrowband communications and for the oper-*
13 *ations and maintenance of legacy radio systems: Provided*
14 *further, That of the amount made available under this head-*
15 *ing, \$694,190,000 shall be available only for information*
16 *resource management: Provided further, That of the amount*
17 *made available under this heading, \$9,000,000 shall be*
18 *available only for the East-West Center: Provided further,*
19 *That, notwithstanding any other provision of law, not to*
20 *exceed \$335,000,000 of offsetting collections derived from*
21 *fees collected under the authority of section 104(a)(1) of the*
22 *Foreign Relations Authorization Act, Fiscal Years 1994*
23 *and 1995 (Public Law 103–236) during fiscal year 2002*
24 *shall be retained and used for authorized expenses in this*
25 *appropriation and shall remain available until expended:*

1 *Provided further, That any fees received in excess of*
2 *\$335,000,000 in fiscal year 2002 shall not be available for*
3 *obligation and shall be returned to the General Fund: Pro-*
4 *vided further, That notwithstanding any other provision of*
5 *law, a citizen of the United States approved by the Depart-*
6 *ment of State to serve as Deputy Director General of the*
7 *World Intellectual Property Organization shall, while serv-*
8 *ing in such position, be deemed an employee in a foreign*
9 *area within the meaning of 5 U.S.C. Section 5923, and*
10 *qualify for a living quarters allowance as authorized by 5*
11 *U.S.C. 5923(2): Provided further, That a citizen of the*
12 *United States approved by the Department of State to serve*
13 *as Deputy Director General of the World Intellectual Prop-*
14 *erty Organization shall, while serving in such position, be*
15 *deemed as an employee approved for transfer to an inter-*
16 *national organization within the meaning of 5 U.S.C. Sec-*
17 *tion 352, and eligible to continue participating in the re-*
18 *tirement, health benefit, group life insurance, and other ben-*
19 *efit programs as provided in that section: Provided further,*
20 *That advances for services authorized by 22 U.S.C. 3620(c)*
21 *may be credited to this account, to remain available until*
22 *expended for such services: Provided further, That no funds*
23 *may be obligated or expended for processing licenses for the*
24 *export of satellites of United States origin (including com-*
25 *mercial satellites and satellite components) to the People's*

1 *Republic of China, unless, at least 15 days in advance, the*
2 *Committees on Appropriations of the House of Representa-*
3 *tives and the Senate are notified of such proposed action:*
4 *Provided further, That of the amounts made available*
5 *under this heading, \$5,000,000 shall be available only for*
6 *the reimbursement costs incurred by the State of Hawaii*
7 *for security expenses relating to the May 2001 Asian Devel-*
8 *opment Bank Meeting: Provided further, That of the*
9 *amount made available under this heading, \$45,419,000*
10 *shall only be available to implement the 1999 Pacific Salm-*
11 *on Treaty Agreement, of which \$20,000,000 shall be depos-*
12 *ited in the Northern Boundary and Transboundary Rivers*
13 *Restoration and Enhancement Fund, of which \$20,000,000*
14 *shall be deposited in the Southern Boundary Restoration*
15 *and Enhancement Fund, and of which \$5,419,000 shall be*
16 *for a direct payment to the State of Washington for obliga-*
17 *tions under the 1999 Pacific Salmon Treaty Agreement.*

18 *In addition, not to exceed \$1,252,000 shall be derived*
19 *from fees collected from other executive agencies for lease*
20 *or use of facilities located at the International Center in*
21 *accordance with section 4 of the International Center Act,*
22 *as amended; in addition, as authorized by section 5 of such*
23 *Act, \$490,000, to be derived from the reserve authorized by*
24 *that section, to be used for the purposes set out in that sec-*
25 *tion; in addition, as authorized by section 810 of the United*

1 *States Information and Educational Exchange Act, not to*
2 *exceed \$6,000,000, to remain available until expended, may*
3 *be credited to this appropriation from fees or other pay-*
4 *ments received from English teaching, library, motion pic-*
5 *tures, and publication programs, and from fees from edu-*
6 *cational advising and counseling, and exchange visitor pro-*
7 *grams; and, in addition, not to exceed \$15,000, which shall*
8 *be derived from reimbursements, surcharges, and fees for use*
9 *of Blair House facilities.*

10 *In addition, for the costs of worldwide security up-*
11 *grades, \$409,363,000, to remain available until expended.*

12 *CAPITAL INVESTMENT FUND*

13 *For necessary expenses of the Capital Investment*
14 *Fund, \$210,000,000, to remain available until expended, as*
15 *authorized: Provided, That section 135(e) of Public Law*
16 *103-236 shall not apply to funds available under this head-*
17 *ing.*

18 *OFFICE OF INSPECTOR GENERAL*

19 *For necessary expenses of the Office of Inspector Gen-*
20 *eral, \$28,427,000, notwithstanding section 209(a)(1) of the*
21 *Foreign Service Act of 1980, as amended (Public Law 96-*
22 *465), as it relates to post inspections.*

23 *EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS*

24 *For expenses of educational and cultural exchange pro-*
25 *grams, as authorized, \$242,000,000, to remain available*
26 *until expended: Provided, That not to exceed \$800,000, to*

1 *remain available until expended, may be credited to this*
2 *appropriation from fees or other payments received from*
3 *or in connection with English teaching and educational ad-*
4 *vising and counseling programs as authorized.*

5 *REPRESENTATION ALLOWANCES*

6 *For representation allowances as authorized,*
7 *\$9,000,000.*

8 *PROTECTION OF FOREIGN MISSIONS AND OFFICIALS*

9 *For expenses, not otherwise provided, to enable the Sec-*
10 *retary of State to provide for extraordinary protective serv-*
11 *ices, as authorized, \$10,000,000, to remain available until*
12 *September 30, 2003.*

13 *EMBASSY SECURITY, CONSTRUCTION, AND MAINTENANCE*

14 *For necessary expenses for carrying out the Foreign*
15 *Service Buildings Act of 1926, as amended (22 U.S.C. 292–*
16 *300), preserving, maintaining, repairing, and planning for,*
17 *buildings that are owned or directly leased by the Depart-*
18 *ment of State, renovating, in addition to funds otherwise*
19 *available, the Main State Building, and carrying out the*
20 *Diplomatic Security Construction Program as authorized,*
21 *\$405,391,000, to remain available until expended as au-*
22 *thorized, of which not to exceed \$25,000 may be used for*
23 *domestic and overseas representation as authorized: Pro-*
24 *vided, That none of the funds appropriated in this para-*
25 *graph shall be available for acquisition of furniture and*

1 *furnishings and generators for other departments and agen-*
2 *cies.*

3 *In addition, for the costs of worldwide security up-*
4 *grades, acquisition, and construction, \$661,560,000, to re-*
5 *main available until expended.*

6 *EMERGENCIES IN THE DIPLOMATIC AND CONSULAR*

7 *SERVICE*

8 *For expenses necessary to enable the Secretary of State*
9 *to meet unforeseen emergencies arising in the Diplomatic*
10 *and Consular Service, \$5,465,000, to remain available until*
11 *expended as authorized, of which not to exceed \$1,000,000*
12 *may be transferred to and merged with the Repatriation*
13 *Loans Program Account, subject to the same terms and con-*
14 *ditions.*

15 *REPATRIATION LOANS PROGRAM ACCOUNT*

16 *For the cost of direct loans, \$612,000, as authorized:*
17 *Provided, That such costs, including the cost of modifying*
18 *such loans, shall be as defined in section 502 of the Congres-*
19 *sional Budget Act of 1974. In addition, for administrative*
20 *expenses necessary to carry out the direct loan program,*
21 *\$607,000, which may be transferred to and merged with the*
22 *Diplomatic and Consular Programs account under Admin-*
23 *istration of Foreign Affairs.*

24 *PAYMENT TO THE AMERICAN INSTITUTE IN TAIWAN*

25 *For necessary expenses to carry out the Taiwan Rela-*
26 *tions Act, Public Law 96–8, \$17,044,000.*

1 *PAYMENT TO THE FOREIGN SERVICE RETIREMENT AND*
2 *DISABILITY FUND*

3 *For payment to the Foreign Service Retirement and*
4 *Disability Fund, as authorized by law, \$135,629,000.*

5 *INTERNATIONAL ORGANIZATIONS AND CONFERENCES*
6 *CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS*

7 *For expenses, not otherwise provided for, necessary to*
8 *meet annual obligations of membership in international*
9 *multilateral organizations, pursuant to treaties ratified*
10 *pursuant to the advice and consent of the Senate, conven-*
11 *tions or specific Acts of Congress, \$1,091,348,000: Provided,*
12 *That any payment of arrearages under this title shall be*
13 *directed toward special activities that are mutually agreed*
14 *upon by the United States and the respective international*
15 *organization: Provided further, That none of the funds ap-*
16 *propriated in this paragraph shall be available for a United*
17 *States contribution to an international organization for the*
18 *United States share of interest costs made known to the*
19 *United States Government by such organization for loans*
20 *incurred on or after October 1, 1984, through external bor-*
21 *rowings: Provided further, That funds appropriated under*
22 *this paragraph may be obligated and expended to pay the*
23 *full United States assessment to the civil budget of the North*
24 *Atlantic Treaty Organization.*

1 *CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING*

2 *ACTIVITIES*

3 *For necessary expenses to pay assessed and other ex-*
4 *penses of international peacekeeping activities directed to*
5 *the maintenance or restoration of international peace and*
6 *security, \$773,182,000, of which 15 percent shall remain*
7 *available until September 30, 2003: Provided, That none*
8 *of the funds made available under this Act shall be obligated*
9 *or expended for any new or expanded United Nations peace-*
10 *keeping mission unless, at least 15 days in advance of vot-*
11 *ing for the new or expanded mission in the United Nations*
12 *Security Council (or in an emergency, as far in advance*
13 *as is practicable): (1) the Committees on Appropriations*
14 *of the House of Representatives and the Senate and other*
15 *appropriate committees of the Congress are notified of the*
16 *estimated cost and length of the mission, the vital national*
17 *interest that will be served, and the planned exit strategy;*
18 *and (2) a reprogramming of funds pursuant to section 605*
19 *of this Act is submitted, and the procedures therein followed,*
20 *setting forth the source of funds that will be used to pay*
21 *for the cost of the new or expanded mission.*

22 *INTERNATIONAL COMMISSIONS*

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

1 *INTERNATIONAL BOUNDARY AND WATER COMMISSION,*
2 *UNITED STATES AND MEXICO*

3 *For necessary expenses for the United States Section*
4 *of the International Boundary and Water Commission,*
5 *United States and Mexico, and to comply with laws appli-*
6 *cable to the United States Section, including not to exceed*
7 *\$6,000 for representation; as follows:*

8 *SALARIES AND EXPENSES*

9 *For salaries and expenses, not otherwise provided for,*
10 *\$7,452,000.*

11 *CONSTRUCTION*

12 *For detailed plan preparation and construction of au-*
13 *thorized projects, \$24,154,000, to remain available until ex-*
14 *pendent, as authorized.*

15 *AMERICAN SECTIONS, INTERNATIONAL COMMISSIONS*

16 *For necessary expenses, not otherwise provided for the*
17 *International Joint Commission and the International*
18 *Boundary Commission, United States and Canada, as au-*
19 *thorized by treaties between the United States and Canada*
20 *or Great Britain, and for the Border Environment Coopera-*
21 *tion Commission as authorized by Public Law 103-182,*
22 *\$6,879,000, of which not to exceed \$9,000 shall be available*
23 *for representation expenses incurred by the International*
24 *Joint Commission.*

1 *INTERNATIONAL FISHERIES COMMISSIONS*

2 *For necessary expenses for international fisheries com-*
3 *missions, not otherwise provided for, as authorized by law,*
4 *\$20,780,000: Provided, That the United States' share of*
5 *such expenses may be advanced to the respective commis-*
6 *sions, pursuant to 31 U.S.C. 3324.*

7 *OTHER*8 *PAYMENT TO THE ASIA FOUNDATION*

9 *For a grant to the Asia Foundation, as authorized by*
10 *section 501 of Public Law 101-246, \$8,000,000, to remain*
11 *available until expended, as authorized.*

12 *EISENHOWER EXCHANGE FELLOWSHIP PROGRAM TRUST*13 *FUND*

14 *For necessary expenses of Eisenhower Exchange Fel-*
15 *lowships, Incorporated, as authorized by sections 4 and 5*
16 *of the Eisenhower Exchange Fellowship Act of 1990 (20*
17 *U.S.C. 5204-5205), all interest and earnings accruing to*
18 *the Eisenhower Exchange Fellowship Program Trust Fund*
19 *on or before September 30, 2002, to remain available until*
20 *expended: Provided, That none of the funds appropriated*
21 *herein shall be used to pay any salary or other compensa-*
22 *tion, or to enter into any contract providing for the pay-*
23 *ment thereof, in excess of the rate authorized by 5 U.S.C.*
24 *5376; or for purposes which are not in accordance with*
25 *OMB Circulars A-110 (Uniform Administrative Require-*
26 *ments) and A-122 (Cost Principles for Non-profit Organi-*

1 zations), including the restrictions on compensation for per-
2 sonal services.

3 *ISRAELI ARAB SCHOLARSHIP PROGRAM*

4 *For necessary expenses of the Israeli Arab Scholarship*
5 *Program as authorized by section 214 of the Foreign Rela-*
6 *tions Authorization Act, Fiscal Years 1992 and 1993 (22*
7 *U.S.C. 2452), all interest and earnings accruing to the*
8 *Israeli Arab Scholarship Fund on or before September 30,*
9 *2002, to remain available until expended.*

10 *EAST-WEST CENTER*

11 *To enable the Secretary of State to provide for car-*
12 *rying out the provisions of the Center for Cultural and*
13 *Technical Interchange Between East and West Act of 1960,*
14 *by grant to the Center for Cultural and Technical Inter-*
15 *change Between East and West in the State of Hawaii,*
16 *\$14,000,000: Provided, That none of the funds appropriated*
17 *herein shall be used to pay any salary, or enter into any*
18 *contract providing for the payment thereof, in excess of the*
19 *rate authorized by 5 U.S.C. 5376.*

20 *NATIONAL ENDOWMENT FOR DEMOCRACY*

21 *For grants made by the Department of State to the*
22 *National Endowment for Democracy as authorized by the*
23 *National Endowment for Democracy Act, \$31,000,000, to*
24 *remain available until expended.*

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

4 *For expenses necessary to enable the Broadcasting*
5 *Board of Governors, as authorized, to carry out inter-*
6 *national communication activities, \$414,752,000, of which*
7 *not to exceed \$16,000 may be used for official receptions*
8 *within the United States as authorized, not to exceed*
9 *\$35,000 may be used for representation abroad as author-*
10 *ized, and not to exceed \$39,000 may be used for official*
11 *reception and representation expenses of Radio Free Eu-*
12 *rope/Radio Liberty; and in addition, notwithstanding any*
13 *other provision of law, not to exceed \$2,000,000 in receipts*
14 *from advertising and revenue from business ventures, not*
15 *to exceed \$500,000 in receipts from cooperating inter-*
16 *national organizations, and not to exceed \$1,000,000 in re-*
17 *ceipts from privatization efforts of the Voice of America and*
18 *the International Broadcasting Bureau, to remain avail-*
19 *able until expended for carrying out authorized purposes.*

20 *BROADCASTING TO CUBA*

21 *For necessary expenses to enable the Broadcasting*
22 *Board of Governors to carry out broadcasting to Cuba, in-*
23 *cluding the purchase, rent, construction, and improvement*
24 *of facilities for radio and television transmission and recep-*
25 *tion, and purchase and installation of necessary equipment*

1 *for radio and television transmission and reception,*
2 *\$24,872,000, to remain available until expended.*

3 *BROADCASTING CAPITAL IMPROVEMENTS*

4 *For the purchase, rent, construction, and improvement*
5 *of facilities for radio transmission and reception, and pur-*
6 *chase and installation of necessary equipment for radio and*
7 *television transmission and reception as authorized,*
8 *\$16,900,000, to remain available until expended, as author-*
9 *ized.*

10 *GENERAL PROVISIONS—DEPARTMENT OF STATE AND*
11 *RELATED AGENCY*

12 *SEC. 401. Funds appropriated under this title shall*
13 *be available, except as otherwise provided, for allowances*
14 *and differentials as authorized by subchapter 59 of title 5,*
15 *United States Code; for services as authorized by 5 U.S.C.*
16 *3109; and hire of passenger transportation pursuant to 31*
17 *U.S.C. 1343(b).*

18 *SEC. 402. Not to exceed 5 percent of any appropriation*
19 *made available for the current fiscal year for the Depart-*
20 *ment of State in this Act may be transferred between such*
21 *appropriations, but no such appropriation, except as other-*
22 *wise specifically provided, shall be increased by more than*
23 *10 percent by any such transfers: Provided, That not to ex-*
24 *ceed 5 percent of any appropriation made available for the*
25 *current fiscal year for the Broadcasting Board of Governors*
26 *in this Act may be transferred between such appropriations,*

1 *but no such appropriation, except as otherwise specifically*
2 *provided, shall be increased by more than 10 percent by*
3 *any such transfers: Provided further, That any transfer*
4 *pursuant to this section shall be treated as a reprogram-*
5 *ming of funds under section 605 of this Act and shall not*
6 *be available for obligation or expenditure except in compli-*
7 *ance with the procedures set forth in that section.*

8 *SEC. 403. None of the funds made available in this*
9 *Act may be used by the Department of State or the Broad-*
10 *casting Board of Governors to provide equipment, technical*
11 *support, consulting services, or any other form of assistance*
12 *to the Palestinian Broadcasting Corporation.*

13 *SEC. 404. Hereafter, none of the funds appropriated*
14 *or otherwise made available for the United Nations may*
15 *be used by the United Nations for the promulgation or en-*
16 *forcement of any treaty, resolution, or regulation author-*
17 *izing the United Nations, or any of its specialized agencies*
18 *or affiliated organizations, to tax any aspect of the Internet*
19 *or international currency transactions.*

20 *SEC. 405. None of the funds appropriated or otherwise*
21 *made available by this Act or any other Act for fiscal year*
22 *2002 or any fiscal year thereafter may be obligated or ex-*
23 *pended for the operation of a United States consulate or*
24 *diplomatic facility in Jerusalem unless such consulate or*

1 *diplomatic facility is under the supervision of the United*
2 *States Ambassador to Israel.*

3 *SEC. 406. None of the funds appropriated or otherwise*
4 *made available by this Act or any other Act for fiscal year*
5 *2002 or any fiscal year thereafter may be obligated or ex-*
6 *pended for the publication of any official Government docu-*
7 *ment which lists countries and their capital cities unless*
8 *the publication identifies Jerusalem as the capital of Israel.*

9 *SEC. 407. For the purposes of registration of birth, cer-*
10 *tification of nationality, or issuance of a passport of a*
11 *United States citizen born in the city of Jerusalem, the Sec-*
12 *retary of State shall, upon request of the citizen, record the*
13 *place of birth as Israel.*

14 *This title may be cited as the “Department of State*
15 *and Related Agency Appropriations Act, 2002”.*

16 *TITLE V—RELATED AGENCIES*

17 *DEPARTMENT OF TRANSPORTATION*

18 *MARITIME ADMINISTRATION*

19 *MARITIME SECURITY PROGRAM*

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

1 OPERATIONS AND TRAINING

2 *For necessary expenses of operations and training ac-*
3 *tivities authorized by law, \$89,054,000, of which*
4 *\$13,000,000 shall remain available until expended for cap-*
5 *ital improvements at the U.S. Merchant Marine Academy.*

6 MARITIME GUARANTEED LOAN (TITLE XI) PROGRAM

7 ACCOUNT

8 *For the cost of guaranteed loans, as authorized by the*
9 *Merchant Marine Act, 1936, \$100,000,000, to remain avail-*
10 *able until expended: Provided, That such costs, including*
11 *the cost of modifying such loans, shall be as defined in sec-*
12 *tion 502 of the Congressional Budget Act of 1974, as*
13 *amended.*

14 *In addition, for administrative expenses to carry out*
15 *the guaranteed loan program, not to exceed \$3,978,000,*
16 *which shall be transferred to and merged with the appro-*
17 *priation for Operations and Training.*

18 ADMINISTRATIVE PROVISIONS—MARITIME ADMINISTRATION

19 *Notwithstanding any other provision of this Act, the*
20 *Maritime Administration is authorized to furnish utilities*
21 *and services and make necessary repairs in connection with*
22 *any lease, contract, or occupancy involving Government*
23 *property under control of the Maritime Administration,*
24 *and payments received therefore shall be credited to the ap-*
25 *propriation charged with the cost thereof: Provided, That*
26 *rental payments under any such lease, contract, or occu-*

1 *pancy for items other than such utilities, services, or repairs*
2 *shall be covered into the Treasury as miscellaneous receipts.*

3 *No obligations shall be incurred during the current fis-*
4 *cal year from the construction fund established by the Mer-*
5 *chant Marine Act, 1936, or otherwise, in excess of the ap-*
6 *propriations and limitations contained in this Act or in*
7 *any prior appropriation Act.*

8 *COMMISSION FOR THE PRESERVATION OF AMERICA'S*
9 *HERITAGE ABROAD*

10 *SALARIES AND EXPENSES*

11 *For expenses for the Commission for the Preservation*
12 *of America's Heritage Abroad, \$489,000, as authorized by*
13 *section 1303 of Public Law 99-83.*

14 *COMMISSION ON CIVIL RIGHTS*

15 *SALARIES AND EXPENSES*

16 *For necessary expenses of the Commission on Civil*
17 *Rights, including hire of passenger motor vehicles,*
18 *\$9,096,000: Provided, That not to exceed \$50,000 may be*
19 *used to employ consultants: Provided further, That none of*
20 *the funds appropriated in this paragraph shall be used to*
21 *employ in excess of four full-time individuals under Sched-*
22 *ule C of the Excepted Service exclusive of one special assist-*
23 *ant for each Commissioner: Provided further, That none of*
24 *the funds appropriated in this paragraph shall be used to*
25 *reimburse Commissioners for more than 75 billable days,*

1 *with the exception of the chairperson, who is permitted 125*
2 *billable days.*

3 *COMMISSION ON OCEAN POLICY*

4 *SALARIES AND EXPENSES*

5 *For the necessary expenses of the Commission on*
6 *Ocean Policy, pursuant to Public Law 106–256,*
7 *\$2,500,000, to remain available until expended: Provided,*
8 *That the Commission shall present to the Congress within*
9 *18 months of appointment its recommendations for a na-*
10 *tional ocean policy.*

11 *COMMISSION ON SECURITY AND COOPERATION IN EUROPE*

12 *SALARIES AND EXPENSES*

13 *For necessary expenses of the Commission on Security*
14 *and Cooperation in Europe, as authorized by Public Law*
15 *94–304, \$1,432,000, to remain available until expended as*
16 *authorized by section 3 of Public Law 99–7.*

17 *CONGRESSIONAL-EXECUTIVE COMMISSION ON THE*

18 *PEOPLE’S REPUBLIC OF CHINA*

19 *SALARIES AND EXPENSES*

20 *For necessary expenses of the Congressional-Executive*
21 *Commission on the People’s Republic of China, as author-*
22 *ized, \$500,000, to remain available until expended.*

1 *EQUAL EMPLOYMENT OPPORTUNITY COMMISSION*2 *SALARIES AND EXPENSES*

3 *For necessary expenses of the Equal Employment Op-*
4 *portunity Commission as authorized by title VII of the*
5 *Civil Rights Act of 1964, as amended (29 U.S.C. 206(d)*
6 *and 621–634), the Americans with Disabilities Act of 1990,*
7 *and the Civil Rights Act of 1991, including services as au-*
8 *thorized by 5 U.S.C. 3109; hire of passenger motor vehicles*
9 *as authorized by 31 U.S.C. 1343(b); non-monetary awards*
10 *to private citizens; and not to exceed \$33,000,000 for pay-*
11 *ments to State and local enforcement agencies for services*
12 *to the Commission pursuant to title VII of the Civil Rights*
13 *Act of 1964, as amended, sections 6 and 14 of the Age Dis-*
14 *crimination in Employment Act, the Americans with Dis-*
15 *abilities Act of 1990, and the Civil Rights Act of 1991,*
16 *\$310,406,000: Provided, That the Commission is authorized*
17 *to make available for official reception and representation*
18 *expenses not to exceed \$2,500 from available funds.*

19 *FEDERAL COMMUNICATIONS COMMISSION*20 *SALARIES AND EXPENSES*

21 *For necessary expenses of the Federal Communications*
22 *Commission, as authorized by law, including uniforms and*
23 *allowances therefor, as authorized by 5 U.S.C. 5901–5902;*
24 *not to exceed \$600,000 for land and structure; not to exceed*
25 *\$500,000 for improvement and care of grounds and repair*

1 to buildings; not to exceed \$4,000 for official reception and
2 representation expenses; purchase (not to exceed 16) and
3 hire of motor vehicles; special counsel fees; and services as
4 authorized by 5 U.S.C. 3109, \$252,545,000, of which not
5 to exceed \$300,000 shall remain available until September
6 30, 2003, for research and policy studies: Provided, That
7 \$218,757,000 of offsetting collections shall be assessed and
8 collected pursuant to section 9 of title I of the Communica-
9 tions Act of 1934, as amended, and shall be retained and
10 used for necessary expenses in this appropriation, and shall
11 remain available until expended: Provided further, That the
12 sum herein appropriated shall be reduced as such offsetting
13 collections are received during fiscal year 2002 so as to re-
14 sult in a final fiscal year 2002 appropriation estimated at
15 \$29,788,000: Provided further, That any offsetting collec-
16 tions received in excess of \$218,757,000 in fiscal year 2002
17 shall remain available until expended, but shall not be
18 available for obligation until October 1, 2002.

19 *FEDERAL MARITIME COMMISSION*

20 *SALARIES AND EXPENSES*

21 *For necessary expenses of the Federal Maritime Com-*
22 *mission as authorized by section 201(d) of the Merchant*
23 *Marine Act, 1936, as amended (46 U.S.C. App. 1111), in-*
24 *cluding services as authorized by 5 U.S.C. 3109; hire of pas-*
25 *senger motor vehicles as authorized by 31 U.S.C. 1343(b);*

1 *and uniforms or allowances therefor, as authorized by 5*
2 *U.S.C. 5901–5902, \$17,450,000: Provided, That not to ex-*
3 *ceed \$2,000 shall be available for official reception and rep-*
4 *resentation expenses.*

5 *FEDERAL TRADE COMMISSION*

6 *SALARIES AND EXPENSES*

7 *For necessary expenses of the Federal Trade Commis-*
8 *sion, including uniforms or allowances therefor, as author-*
9 *ized by 5 U.S.C. 5901–5902; services as authorized by 5*
10 *U.S.C. 3109; hire of passenger motor vehicles; not to exceed*
11 *\$2,000 for official reception and representation expenses,*
12 *\$156,270,000: Provided, That not to exceed \$300,000 shall*
13 *be available for use to contract with a person or persons*
14 *for collection services in accordance with the terms of 31*
15 *U.S.C. 3718, as amended: Provided further, That, notwith-*
16 *standing any other provision of law, not to exceed*
17 *\$156,270,000 of offsetting collections derived from fees col-*
18 *lected for premerger notification filings under the Hart-*
19 *Scott-Rodino Antitrust Improvements Act of 1976 (15*
20 *U.S.C. 18a), regardless of the year of collection, shall be*
21 *retained and used for necessary expenses in this appropria-*
22 *tion, and shall remain available until expended: Provided*
23 *further, That the sum herein appropriated from the general*
24 *fund shall be reduced as such offsetting collections are re-*
25 *ceived during fiscal year 2002, so as to result in a final*

1 *fiscal year 2002 appropriation from the general fund esti-*
2 *mated at not more than \$0, to remain available until ex-*
3 *pended: Provided further, That none of the funds made*
4 *available to the Federal Trade Commission shall be avail-*
5 *able for obligation for expenses authorized by section 151*
6 *of the Federal Deposit Insurance Corporation Improvement*
7 *Act of 1991 (Public Law 102-242; 105 Stat. 2282-2285).*

8 *LEGAL SERVICES CORPORATION*

9 *PAYMENT TO THE LEGAL SERVICES CORPORATION*

10 *For payment to the Legal Services Corporation to*
11 *carry out the purposes of the Legal Services Corporation*
12 *Act of 1974, as amended, \$329,300,000, of which*
13 *\$310,000,000 is for basic field programs and required inde-*
14 *pendent audits; \$2,500,000 is for the Office of Inspector*
15 *General, of which such amounts as may be necessary may*
16 *be used to conduct additional audits of recipients;*
17 *\$12,400,000 is for management and administration and*
18 *\$4,400,000 is for client self-help and information tech-*
19 *nology: Provided, That none of such funds for management*
20 *and administration shall be obligated or expended for any*
21 *program that is in addition to, or expanded from, the pro-*
22 *grams funded under this heading for fiscal year 2001, un-*
23 *less the Legal Services Corporation prepares a spending*
24 *plan for such funds, and notifies the Committees on Appro-*

1 *priations of the House of Representatives and the Senate*
2 *concerning the contents of the spending plan.*

3 *ADMINISTRATIVE PROVISION—LEGAL SERVICES*

4 *CORPORATION*

5 *None of the funds appropriated in this Act to the Legal*
6 *Services Corporation shall be expended for any purpose pro-*
7 *hibited or limited by, or contrary to any of the provisions*
8 *of, sections 501, 502, 503, 504, 505, and 506 of Public Law*
9 *105–119, and all funds appropriated in this Act to the*
10 *Legal Services Corporation shall be subject to the same*
11 *terms and conditions set forth in such sections, except that*
12 *all references in sections 502 and 503 to 1997 and 1998*
13 *shall be deemed to refer instead to 2001 and 2002, respec-*
14 *tively.*

15 *MARINE MAMMAL COMMISSION*

16 *SALARIES AND EXPENSES*

17 *For necessary expenses of the Marine Mammal Com-*
18 *mission as authorized by title II of Public Law 92–522,*
19 *as amended, \$1,957,000.*

20 *NATIONAL VETERANS BUSINESS DEVELOPMENT*

21 *CORPORATION*

22 *For necessary expenses of the National Veterans Busi-*
23 *ness Development Corporation as authorized under section*
24 *33(a) of the Small Business Act, as amended, \$4,000,000.*

1 *SECURITIES AND EXCHANGE COMMISSION*2 *SALARIES AND EXPENSES*

3 *For necessary expenses for the Securities and Exchange*
4 *Commission, including services as authorized by 5 U.S.C.*
5 *3109, the rental of space (to include multiple year leases)*
6 *in the District of Columbia and elsewhere, and not to exceed*
7 *\$3,000 for official reception and representation expenses,*
8 *\$109,500,000 from fees collected in fiscal year 2002 to re-*
9 *main available until expended, and from fees collected in*
10 *fiscal year 2000, \$404,547,000 to remain available until ex-*
11 *pended; of which not to exceed \$10,000 may be used toward*
12 *funding a permanent secretariat for the International Or-*
13 *ganization of Securities Commissions; and of which not to*
14 *exceed \$100,000 shall be available for expenses for consulta-*
15 *tions and meetings hosted by the Commission with foreign*
16 *governmental and other regulatory officials, members of*
17 *their delegations, appropriate representatives and staff to*
18 *exchange views concerning developments relating to securi-*
19 *ties matters, development and implementation of coopera-*
20 *tion agreements concerning securities matters and provision*
21 *of technical assistance for the development of foreign securi-*
22 *ties markets, such expenses to include necessary logistic and*
23 *administrative expenses and the expenses of Commission*
24 *staff and foreign invitees in attendance at such consulta-*
25 *tions and meetings including: (1) such incidental expenses*

1 *as meals taken in the course of such attendance; (2) any*
2 *travel and transportation to or from such meetings; and*
3 *(3) any other related lodging or subsistence: Provided, That*
4 *fees and charges authorized by sections 6(b)(4) of the Secu-*
5 *rities Act of 1933 (15 U.S.C. 77f(b)(4)) and 31(d) of the*
6 *Securities Exchange Act of 1934 (15 U.S.C. 78ee(d)) shall*
7 *be credited to this account as offsetting collections: Provided*
8 *further, That fees collected as authorized by section 31 of*
9 *the Securities Exchange Act of 1934 (15 U.S.C. 78ee) for*
10 *sales transacted on, and with respect to securities registered*
11 *solely on, an exchange that is initially granted registration*
12 *as a national securities exchange after February 24, 2000*
13 *shall be credited to this account as offsetting collections:*
14 *Provided further, That for purposes of collections under sec-*
15 *tion 31, a security shall not be deemed registered on a na-*
16 *tional securities exchange solely because that national secu-*
17 *rities exchange continues or extends unlisted trading privi-*
18 *leges to that security.*

19 *SMALL BUSINESS ADMINISTRATION*

20 *SALARIES AND EXPENSES*

21 *For necessary expenses, not otherwise provided for, of*
22 *the Small Business Administration as authorized by Public*
23 *Law 105–135, including hire of passenger motor vehicles*
24 *as authorized by 31 U.S.C. 1343 and 1344, and not to ex-*
25 *ceed \$3,500 for official reception and representation ex-*

1 *penses, \$333,233,000: Provided, That the Administrator is*
2 *authorized to charge fees to cover the cost of publications*
3 *developed by the Small Business Administration, and cer-*
4 *tain loan servicing activities: Provided further, That, not-*
5 *withstanding 31 U.S.C. 3302, revenues received from all*
6 *such activities shall be credited to this account, to be avail-*
7 *able for carrying out these purposes without further appro-*
8 *priations: Provided further, That \$88,000,000 shall be*
9 *available to fund grants for performance in fiscal year 2002*
10 *or fiscal year 2003 as authorized by section 21 of the Small*
11 *Business Act, as amended: Provided further, That*
12 *\$13,700,000 shall be available in fiscal year 2002 to fund*
13 *grants authorized by section 29 of the Small Business Act.*

14 *OFFICE OF INSPECTOR GENERAL*

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

18 *BUSINESS LOANS PROGRAM ACCOUNT*

19 *For the cost of direct loans, \$1,860,000, to be available*
20 *until expended; and for the cost of guaranteed loans,*
21 *\$93,500,000, as authorized by 15 U.S.C. 631 note, of which*
22 *\$45,000,000 shall remain available until September 30,*
23 *2003: Provided, That such costs, including the cost of modi-*
24 *fying such loans, shall be as defined in section 502 of the*
25 *Congressional Budget Act of 1974, as amended: Provided*
26 *further, That during fiscal year 2002, commitments to*

1 *guarantee loans under section 503 of the Small Business*
2 *Investment Act of 1958, as amended, shall not exceed*
3 *\$4,500,000,000, as provided under section 20(h)(1)(B)(ii)*
4 *of the Small Business Act: Provided further, That during*
5 *fiscal year 2002, commitments for general business loans*
6 *authorized under section 7(a) of the Small Business Act,*
7 *as amended, shall not exceed \$10,000,000,000 without prior*
8 *notification of the Committees on Appropriations of the*
9 *House of Representatives and Senate in accordance with*
10 *section 605 of this Act: Provided further, That during fiscal*
11 *year 2002, commitments to guarantee loans for debentures*
12 *and participating securities under section 303(b) of the*
13 *Small Business Investment Act of 1958, as amended, shall*
14 *not exceed the levels established by section 20(h)(1)(C) of*
15 *the Small Business Act.*

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

20 *DISASTER LOANS PROGRAM ACCOUNT*

21 *For the cost of direct loans authorized by section 7(b)*
22 *of the Small Business Act, as amended, \$79,510,000, to re-*
23 *main available until expended: Provided, That such costs,*
24 *including the cost of modifying such loans, shall be as de-*
25 *fin ed in section 502 of the Congressional Budget Act of*
26 *1974, as amended.*

1 *In addition, for administrative expenses to carry out*
2 *the direct loan program, \$125,354,000, which may be trans-*
3 *ferred to and merged with appropriations for Salaries and*
4 *Expenses, of which \$500,000 is for the Office of Inspector*
5 *General of the Small Business Administration for audits*
6 *and reviews of disaster loans and the disaster loan program*
7 *and shall be transferred to and merged with appropriations*
8 *for the Office of Inspector General; of which \$115,000,000*
9 *is for direct administrative expenses of loan making and*
10 *servicing to carry out the direct loan program; and of which*
11 *\$9,854,000 is for indirect administrative expenses: Pro-*
12 *vided, That any amount in excess of \$9,854,000 to be trans-*
13 *ferred to and merged with appropriations for Salaries and*
14 *Expenses for indirect administrative expenses shall be treat-*
15 *ed as a reprogramming of funds under section 605 of this*
16 *Act and shall not be available for obligation or expenditure*
17 *except in compliance with the procedures set forth in that*
18 *section.*

19 *ADMINISTRATIVE PROVISION—SMALL BUSINESS*

20 *ADMINISTRATION*

21 *Not to exceed 5 percent of any appropriation made*
22 *available for the current fiscal year for the Small Business*
23 *Administration in this Act may be transferred between such*
24 *appropriations, but no such appropriation shall be in-*
25 *creased by more than 10 percent by any such transfers: Pro-*
26 *vided, That any transfer pursuant to this paragraph shall*

1 *be treated as a reprogramming of funds under section 605*
2 *of this Act and shall not be available for obligation or ex-*
3 *penditure except in compliance with the procedures set forth*
4 *in that section.*

5 *STATE JUSTICE INSTITUTE*

6 *SALARIES AND EXPENSES*

7 *For necessary expenses of the State Justice Institute,*
8 *as authorized by the State Justice Institute Authorization*
9 *Act of 1992 (Public Law 102–572; 106 Stat. 4515–4516),*
10 *\$6,225,000, to remain available until expended: Provided,*
11 *That not to exceed \$2,500 shall be available for official re-*
12 *ception and representation expenses.*

13 *UNITED STATES-CANADA ALASKA RAIL COMMISSION*

14 *SALARIES AND EXPENSES*

15 *For necessary expenses of the “United States-Canada*
16 *Alaska Rail Commission”, as authorized by Title III of*
17 *Public Law 106–520, \$4,000,000, to remain available until*
18 *expended.*

19 *TITLE VI—GENERAL PROVISIONS*

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

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

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

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

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

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

19 *(d) Subject to the authority of the Attorney General,*
20 *the Deputy Attorney General for Combating Domestic Ter-*
21 *rorism shall serve as the principal advisor to the Attorney*
22 *General on, and, with the Deputy Director of the Federal*
23 *Emergency Management Agency, serve as one of two key*
24 *government officials responsible for domestic*
25 *counterterrorism and antiterrorism policy.*

1 (e) *The Deputy Attorney General for Combating Ter-*
2 *rorism together with the Deputy Director of the Federal*
3 *Emergency Management Agency shall coordinate all func-*
4 *tions of the Federal Government related to domestic*
5 *counterterrorism and antiterrorism activities, including—*

6 (1) *the development of a National Strategy for*
7 *Combating Domestic Terrorism that shall establish*
8 *national policies, objectives, and priorities for pre-*
9 *venting, preparing for, and responding to domestic*
10 *terrorism within the United States;*

11 (2) *the coordination of the implementation of the*
12 *National Strategy for Combating Domestic Terrorism*
13 *by the departments and agencies of the Federal Gov-*
14 *ernment and by State and local entities with respon-*
15 *sibilities for combating domestic terrorism; and*

16 (3) *the recommendation of changes in the organi-*
17 *zation and management of Federal departments and*
18 *agencies and State and local entities engaged in com-*
19 *bating domestic terrorism to the Congress, the Presi-*
20 *dent, the Vice President, the Attorney General, and*
21 *the Director of the Federal Emergency Management*
22 *Agency.*

23 (f) *Subject to the authority of the Attorney General,*
24 *the Deputy Attorney General for Combating Domestic Ter-*
25 *rorism shall be responsible for State and local preparedness*

1 *for weapons of mass destruction, security classifications*
2 *and clearances within the Department of Justice, and con-*
3 *tingency operations within the Department of Justice.*

4 *(g) For necessary expenses of the Office of the Deputy*
5 *Attorney General for Combating Domestic Terrorism,*
6 *\$23,000,000, to remain available until expended.*

7 *(h) Notwithstanding any other provision of law, all*
8 *authorities, liabilities, funding, personnel, equipment, and*
9 *real property associated with the Office of State and Local*
10 *Domestic Preparedness Support, the National Domestic*
11 *Preparedness Office, the Executive Office of National Secu-*
12 *rity, and such components which relate to domestic*
13 *counterterrorism and antiterrorism activities in the Office*
14 *of Intelligence Policy and Review as are appropriate shall*
15 *be transferred to the Deputy Attorney General for Com-*
16 *bating Domestic Terrorism not later than 90 days after en-*
17 *actment of this Act.*

18 *SEC. 605. (a) None of the funds provided under this*
19 *Act, or provided under previous appropriations Acts to the*
20 *agencies funded by this Act that remain available for obli-*
21 *gation or expenditure in fiscal year 2002, or provided from*
22 *any accounts in the Treasury of the United States derived*
23 *by the collection of fees available to the agencies funded by*
24 *this Act, shall be available for obligation or expenditure*
25 *through a reprogramming of funds which: (1) creates new*

1 *programs; (2) eliminates a program, project, or activity;*
2 *(3) increases funds or personnel by any means for any*
3 *project or activity for which funds have been denied or re-*
4 *stricted; (4) relocates an office or employees; (5) reorganizes*
5 *offices, programs, or activities; or (6) contracts out or*
6 *privatizes any functions, or activities presently performed*
7 *by Federal employees; unless the Appropriations Commit-*
8 *tees of both Houses of Congress are notified 15 days in ad-*
9 *vance of such reprogramming of funds.*

10 *(b) None of the funds provided under this Act, or pro-*
11 *vided under previous appropriations Acts to the agencies*
12 *funded by this Act that remain available for obligation or*
13 *expenditure in fiscal year 2002, or provided from any ac-*
14 *counts in the Treasury of the United States derived by the*
15 *collection of fees available to the agencies funded by this*
16 *Act, shall be available for obligation or expenditure for ac-*
17 *tivities, programs, or projects through a reprogramming of*
18 *funds in excess of \$500,000 or 10 percent, whichever is less,*
19 *that: (1) augments existing programs, projects, or activities;*
20 *(2) reduces by 10 percent funding for any existing program,*
21 *project, or activity, or numbers of personnel by 10 percent*
22 *as approved by Congress; or (3) results from any general*
23 *savings from a reduction in personnel which would result*
24 *in a change in existing programs, activities, or projects as*
25 *approved by Congress; unless the Appropriations Commit-*

1 *tees of both Houses of Congress are notified 15 days in ad-*
2 *vance of such reprogramming of funds.*

3 *SEC. 606. Section 286(d) of Public Law 82-414, as*
4 *amended, is further amended—*

5 *(1) in subsection (d), by striking “\$6” and in-*
6 *serting “\$6.50”; and*

7 *(2) in subsection (h), by adding at the end the*
8 *following new paragraph:*

9 *“(3) Not less than nine percent of the total*
10 *amounts deposited under this subsection in a fiscal*
11 *year shall be available only to automate or otherwise*
12 *improve the speed, accuracy, or security of the inspec-*
13 *tion process.”.*

14 *SEC. 607. None of the funds made available in this*
15 *Act may be used for the construction, repair (other than*
16 *emergency repair), overhaul, conversion, or modernization*
17 *of vessels for the National Oceanic and Atmospheric Admin-*
18 *istration in shipyards located outside of the United States.*

19 *SEC. 608. Section 140 of Public Law 97-92 (28 U.S.C.*
20 *461 note; 95 Stat. 1200) is amended by adding at the end*
21 *the following: “This section shall apply to fiscal year 1981*
22 *and each fiscal year thereafter.”.*

23 *SEC. 609. None of the funds made available in this*
24 *Act may be used to implement, administer, or enforce any*
25 *guidelines of the Equal Employment Opportunity Commis-*

1 *sion covering harassment based on religion, when such*
2 *guidelines do not differ in any respect from the proposed*
3 *guidelines published by the Commission on October 1, 1993*
4 *(58 Fed. Reg. 51266).*

5 *SEC. 610. None of the funds made available by this*
6 *Act may be used for any United Nations undertaking when:*
7 *(1) the United Nations undertaking is a peacekeeping mis-*
8 *sion; (2) such undertaking will involve United States*
9 *Armed Forces under the command or operational control*
10 *of a foreign national; and (3) the President's military advi-*
11 *sors have not submitted to the President a recommendation*
12 *that such involvement is in the national security interests*
13 *of the United States and the President has not submitted*
14 *to the Congress such a recommendation.*

15 *SEC. 611. (a) None of the funds appropriated or other-*
16 *wise made available by this Act shall be expended for any*
17 *purpose for which appropriations are prohibited by section*
18 *609 of the Departments of Commerce, Justice, and State,*
19 *the Judiciary, and Related Agencies Appropriations Act,*
20 *1999.*

21 *(b) The requirements in subparagraphs (A) and (B)*
22 *of section 609 of that Act shall continue to apply during*
23 *fiscal year 2002.*

24 *SEC. 612. Hereafter, none of the funds appropriated*
25 *or otherwise made available to the Bureau of Prisons shall*

1 *be used to provide the following amenities or personal com-*
2 *forts in the Federal prison system—*

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

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

8 (3) *any instruction (live or through broadcasts)*
9 *or training equipment for boxing, wrestling, judo, ka-*
10 *rate, or other martial art, or any bodybuilding or*
11 *weightlifting equipment of any sort;*

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

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

16 *SEC. 613. Any costs incurred by a department or agen-*
17 *cy funded under this Act resulting from personnel actions*
18 *taken in response to funding reductions included in this*
19 *Act shall be absorbed within the total budgetary resources*
20 *available to such department or agency: Provided, That the*
21 *authority to transfer funds between appropriations ac-*
22 *counts as may be necessary to carry out this section is pro-*
23 *vided in addition to authorities included elsewhere in this*
24 *Act: Provided further, That use of funds to carry out this*
25 *section shall be treated as a reprogramming of funds under*

1 *section 605 of this Act and shall not be available for obliga-*
2 *tion or expenditure except in compliance with the proce-*
3 *dures set forth in that section.*

4 *SEC. 614. Hereafter, none of the funds appropriated*
5 *or otherwise made available to the Federal Bureau of Pris-*
6 *ons may be used to distribute or make available any com-*
7 *mercially published information or material to a prisoner*
8 *when such information or material is sexually explicit or*
9 *features nudity.*

10 *SEC. 615. (a) None of the funds appropriated or other-*
11 *wise made available by this Act shall be expended for any*
12 *purpose for which appropriations are prohibited by section*
13 *616 of the Departments of Commerce, Justice, and State,*
14 *the Judiciary, and Related Agencies Appropriations Act,*
15 *1999, as amended.*

16 *(b) The requirements in subsections (b) and (c) of sec-*
17 *tion 616 of that Act shall continue to apply during fiscal*
18 *year 2002.*

19 *SEC. 616. None of the funds appropriated pursuant*
20 *to this Act or any other provision of law may be used for:*
21 *(1) the implementation of any tax or fee in connection with*
22 *the implementation of 18 U.S.C. 922(t); and (2) any system*
23 *to implement 18 U.S.C. 922(t) that does not require and*
24 *result in the destruction of any identifying information*

1 *submitted by or on behalf of any person who has been deter-*
2 *mined not to be prohibited from owning a firearm.*

3 *SEC. 617. Notwithstanding any other provision of law,*
4 *amounts deposited or available in the Fund established*
5 *under 42 U.S.C. 10601 in any fiscal year in excess of*
6 *\$576,462,000 shall not be available for obligation until the*
7 *following fiscal year.*

8 *SEC. 618. Hereafter, none of the funds appropriated*
9 *or otherwise made available to the Department of State and*
10 *the Department of Justice shall be available for the purpose*
11 *of granting either immigrant or nonimmigrant visas, or*
12 *both, consistent with the Secretary's determination under*
13 *section 243(d) of the Immigration and Nationality Act, to*
14 *citizens, subjects, nationals, or residents of countries that*
15 *the Attorney General has determined deny or unreasonably*
16 *delay accepting the return of citizens, subjects, nationals,*
17 *or residents under that section.*

18 *SEC. 619. None of the funds made available to the De-*
19 *partment of Justice in this Act may be used for the purpose*
20 *of transporting an individual who is a prisoner pursuant*
21 *to conviction for crime under State or Federal law and is*
22 *classified as a maximum or high security prisoner, other*
23 *than to a prison or other facility certified by the Federal*
24 *Bureau of Prisons as appropriately secure for housing such*
25 *a prisoner.*

1 *SEC. 620. Section 504(a)(16) of the Commerce, Justice,*
2 *and State, the Judiciary, and Related Agencies Appropria-*
3 *tions Act, 1996 (110 Stat. 1321–55; Public Law 104–134)*
4 *is amended by striking beginning with “, except that”*
5 *through “representation”.*

6 *SEC. 621. The requirements of section 312(a)(3) of the*
7 *Magnuson-Stevens Fishery Conservation and Management*
8 *Act shall not apply to funds made available by section 2201*
9 *of Public Law 106–246.*

10 *SEC. 622. (a) Section 203(i) of the Act entitled “An*
11 *Act to approve a governing international agreement be-*
12 *tween the United States and the Republic of Poland, and*
13 *for other purposes”, approved November 13, 1998, is*
14 *amended by striking “2001” and inserting “2006”.*

15 *(b) Section 203 of such Act, as amended by subsection*
16 *(a), is further amended by adding at the end the following:*

17 *“(j) Not later than December 31, 2001, and every 2*
18 *years thereafter, the Pacific State Marine Fisheries Com-*
19 *mission shall submit to the Committee on Commerce,*
20 *Science, and Transportation of the Senate and the Com-*
21 *mittee on Resources of the House of Representatives a report*
22 *on the health and management of the Dungeness Crab fish-*
23 *ery located off the coasts of the States of Washington, Or-*
24 *egon, and California.”.*

1 *SEC. 623. None of the funds made available in this*
2 *Act may be used by the Department of Justice or the De-*
3 *partment of State to file a motion in any court opposing*
4 *a civil action against any Japanese person or corporation*
5 *for compensation or reparations in which the plaintiff al-*
6 *leges that, as an American prisoner of war during World*
7 *War II, he or she was used as slave or forced labor.*

8 *SEC. 624. None of the funds appropriated or otherwise*
9 *made available by this Act shall be available for cooperation*
10 *with, or assistance or other support to, the International*
11 *Criminal Court or the Preparatory Commission. This sub-*
12 *section shall not be construed to apply to any other entity*
13 *outside the Rome treaty.*

14 *SEC. 625. PROHIBITION ON SALE OF DISASTER*
15 *LOANS. Notwithstanding any other provision of law, no*
16 *amount made available under this Act may be used to sell*
17 *any disaster loan authorized by section 7(b) of the Small*
18 *Business Act (15 U.S.C. 636(b)) to any private company*
19 *or other entity.*

20 *SEC. 626. SENSE OF THE SENATE REGARDING THE*
21 *REPUBLIC OF KOREA'S IMPROPER BAILOUT OF HYNIX*
22 *SEMICONDUCTOR. (a) FINDINGS.—Congress finds that—*

23 *(1) the Government of the Republic of Korea over*
24 *many years has supplied aid to the Korean semicon-*

1 *ductor industry enabling that industry to be the Re-*
2 *public of Korea's leading exporter;*

3 *(2) this assistance has occurred through a coordi-*
4 *nated series of government programs and policies,*
5 *consisting of preferential access to credit, low-interest*
6 *loans, government grants, preferential tax programs,*
7 *government inducement of private sector loans, tariff*
8 *reductions, and other measures;*

9 *(3) in December 1997, the United States, the*
10 *International Monetary Fund (IMF), other foreign*
11 *government entities, and a group of international fi-*
12 *nancial institutions assembled an unprecedented*
13 *\$58,000,000,000 financial package to prevent the Ko-*
14 *rean economy from declaring bankruptcy;*

15 *(4) as part of that rescue package, the Republic*
16 *of Korea agreed to put an end to corporate cronyism,*
17 *and to overhaul the banking and financial sectors;*

18 *(5) Korea also pledged to permit and require*
19 *banks to run on market principles, to allow and en-*
20 *able bankruptcies and workouts to occur rather than*
21 *bailouts, and to end subsidies;*

22 *(6) the Republic of Korea agreed to all of these*
23 *provisions in the Stand-by Arrangement with the*
24 *IMF dated December 3, 1997;*

1 (7) *section 602 of the Foreign Operations, Ex-*
2 *port Financing, and Related Agencies Appropriations*
3 *Act, 1999, as enacted by section 101(d) of division A*
4 *of the Omnibus Consolidated and Emergency Supple-*
5 *mental Appropriations Act (Public Law 105–277;*
6 *112 Stat. 2681–220) specified that the United States*
7 *would not authorize further IMF payments to Korea*
8 *unless the Secretary of the Treasury certified that the*
9 *provisions of the IMF Standby Arrangement were ad-*
10 *hered to;*

11 (8) *the Secretary of the Treasury certified to*
12 *Congress on December 11, 1998, April 5, 1999, and*
13 *July 2, 1999, that the Stand-by Arrangement was*
14 *being adhered to, and assured Congress that consulta-*
15 *tions had been held with the Government of the Re-*
16 *public of Korea in connection with the certifications;*

17 (9) *the Republic of Korea has acceded to the*
18 *World Trade Organization, and to the Agreement on*
19 *Subsidies and Countervailing Measures (as defined in*
20 *section 101(d)(12) of the Uruguay Round Agreements*
21 *Act);*

22 10) *the Agreement on Subsidies and Counter-*
23 *vailing Measures specifically prohibits export sub-*
24 *sidies, and makes actionable other subsidies bestowed*
25 *upon a specific enterprise that causes adverse effects;*

1 (11) *Hynix Semiconductor is a major exporter of*
2 *semiconductor products from the Republic of Korea to*
3 *the United States; and*

4 (12) *the Republic of Korea has now engaged in*
5 *a massive \$5,000,000,000 bailout of Hynix Semicon-*
6 *ductor which contravenes the commitments the Gov-*
7 *ernment of the Republic of Korea made to the IMF,*
8 *the World Trade Organization and in other agree-*
9 *ments, and the understandings and certifications*
10 *made to Congress under the Omnibus Consolidated*
11 *and Emergency Supplemental Appropriations Act,*
12 *1999.*

13 (b) *SENSE OF THE SENATE.—It is the sense of the Sen-*
14 *ate that—*

15 (1) *the Secretary of the Treasury, the Secretary*
16 *of Commerce, and the United States Trade Represent-*
17 *ative should forthwith request consultations with the*
18 *Republic of Korea under Article 4 and Article 7 of the*
19 *Agreement on Subsidies and Countervailing Measures*
20 *of the World Trade Organization, and take imme-*
21 *diately such other actions as are necessary to assure*
22 *that the improper bailout by the Republic of Korea is*
23 *stopped, and its effects fully offset or reversed;*

24 (2) *the relationship between the United States*
25 *and the Republic of Korea has been and will continue*

1 *to be harmed significantly by the bailout of a major*
2 *exporter of products from Korea to the United States;*

3 *(3) the Republic of Korea should end imme-*
4 *diately the bailout of Hynix Semiconductor;*

5 *(4) the Republic of Korea should comply imme-*
6 *diately with its commitments to the IMF, with its*
7 *trade agreements, and with the assurances it made to*
8 *the Secretary of the Treasury; and*

9 *(5) the United States Trade Representative and*
10 *the Secretary of Commerce should monitor and report*
11 *to Congress on steps that have been taken to end this*
12 *bailout and reverse its effects.*

13 *SEC. 627. Notwithstanding any other provision of law,*
14 *no amount made available under this Act may be used to*
15 *sell any disaster loan authorized by section 7(b) of the*
16 *Small Business Act (15 U.S.C. 636(b)) to any private com-*
17 *pany or other entity.*

18 *SEC. 628. No funds appropriated by this Act may be*
19 *used by Federal prisons to purchase cable television services,*
20 *to rent or purchase videocassettes, videocassette recorders,*
21 *or other audiovisual or electronic equipment used primarily*
22 *for recreational purposes. The preceding sentence does not*
23 *preclude the renting, maintenance, or purchase of audio-*
24 *visual or electronic equipment for inmate training, reli-*
25 *gious, or educational programs.*

1 *SEC. 629. Section 2002 of the Victims of Trafficking*
2 *and Violence Protection Act of 2000 (Public Law 106–386;*
3 *114 Stat. 1542) is amended—*

4 *(1) in subsection (a)(2)(A)—*

5 *(A) by striking “or” at the end of clause (i);*

6 *(B) in clause (ii)—*

7 *(i) by striking “February 17, 1999,”*
8 *and inserting “May 17, 1996, May 7, 1997,*
9 *February 17, 1999, December 15, 1999,”;*

10 *(ii) by inserting “October 22, 1999,”*
11 *after “February 17, 1999,”; and*

12 *(iii) by striking the semicolon at the*
13 *end and inserting “; or”; and*

14 *(C) by adding at the end the following new*
15 *clause:*

16 *“(iii) a member of the plaintiff class in*
17 *Case Number 1:00CV03110(ESG) in the*
18 *United States District Court for the District*
19 *of Columbia;”; and*

20 *(2) in subsection (b)(2)—*

21 *(A) by redesignating subparagraphs (A)*
22 *and (B) as clauses (i) and (ii), respectively;*

23 *(B) by inserting “(A)” before “For pur-*
24 *poses” and*

25 *(C) by adding at the end the following:*

1 “(B) For any judgment rendered in Case Num-
2 ber 1:00CV03110(ESG) in the United States District
3 Court for the District of Columbia, in addition to the
4 amounts available under subsection (a), the Secretary
5 of the Treasury shall make such further payment as
6 necessary to satisfy the judgment by—

7 “(i) liquidating those assets without third
8 party interest of those countries designated as
9 state sponsors of terrorism, under section 40(d)
10 of the Arms Control Act or section 6(i) of the Ex-
11 port Administration Act of 1979, held or blocked
12 by the United States; and

13 “(ii) in the event the judgment remains not
14 fully satisfied after such liquidation, using any
15 other available means collect from Iran, with
16 one-third of any amount collected by these other
17 means to be remitted to the Treasury of the
18 United States.”.

19 SEC. 630. Clause (ii) of section 621(5)(A) of the Com-
20 munications Satellite Act of 1962 (47 U.S.C. 763(5)(A)) is
21 amended by striking “on or about October 1, 2000,” and
22 all that follows through the end and inserting “not later
23 than December 31, 2001, except that the Commission may
24 extend this deadline to not later than June 30, 2003.

25 SEC. 631. (a) The Senate finds that—

1 (1) *all Americans are united in condemning, in*
2 *the strongest possible terms, the terrorists who*
3 *planned and carried out the September 11, 2001 at-*
4 *tacks against the United States as well as their spon-*
5 *sors, and in pursuing all of those responsible until*
6 *they are brought to justice and punished;*

7 (2) *the Arab American and American Muslim*
8 *communities, are a vital part of our nation;*

9 (3) *the prayer of Cardinal Theodore McCarrick,*
10 *the Archbishop of Washington in a Mass on Sep-*
11 *tember 12, 2001 for our Nation and the victims in the*
12 *immediate aftermath of the terrorist hijackings and*
13 *attacks in New York City, Washington, D.C., and*
14 *Pennsylvania reminds all Americans that “we must*
15 *seek the guilty and not strike out against the innocent*
16 *or we become like them who are without moral guid-*
17 *ance or direction”;*

18 (4) *the heads of state of several Arab and pre-*
19 *dominantly Moslem countries have condemned the ter-*
20 *rorist attacks in the United States and the senseless*
21 *loss of innocent lives; and*

22 (5) *vengeful threats and incidents directed at*
23 *law-abiding, patriotic Americans of Arab descent and*
24 *Islamic faith have already occurred such as shots*

1 *fired at an Islamic Center and police having to turn*
 2 *back 300 people who tried to march on a mosque.*

3 *(b) The Senate—*

4 *(1) declares that in the quest to identify, bring*
 5 *to justice, and punish the perpetrators and sponsors*
 6 *of the terrorist attacks on the United States on Sep-*
 7 *tember 11, 2001, that the civil rights and civil lib-*
 8 *erties of all Americans, including Arab-Americans*
 9 *and American Muslims, should be protected; and*

10 *(2) condemns any acts of violence or discrimina-*
 11 *tion against any Americans, including Arab-Ameri-*
 12 *cans and American Muslims.*

13 ***TITLE VII—RESCISSIONS***

14 ***DEPARTMENT OF STATE AND RELATED AGENCY***

15 ***INTERNATIONAL ORGANIZATIONS AND CONFERENCES***

16 ***CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING***

17 ***ACTIVITIES***

18 ***(RESCISSION)***

19 *Of the unobligated balances available under this head-*
 20 *ing, \$126,620,000 are rescinded.*

21 ***TITLE VIII—TERRORISM***

22 ***SEC. 801. SHORT TITLE.***

23 *This title may be cited as the “Combating Terrorism*
 24 *Act of 2001”.*

1 **Subtitle A—Antiterrorism Policy**
2 **and Practices**

3 **SEC. 811. ASSESSMENT OF NATIONAL GUARD CAPABILITIES**
4 **TO PREEMPTIVELY DISRUPT DOMESTIC TER-**
5 **RORIST ATTACKS INVOLVING WEAPONS OF**
6 **MASS DESTRUCTION.**

7 (a) *REPORT.*—Not later than 60 days after the date
8 of the enactment of this Act, the Comptroller General shall
9 submit to Congress a report containing an assessment of
10 the capabilities of the National Guard to preemptively dis-
11 rupt a terrorist attack within the United States involving
12 weapons of mass destruction, and to respond to such an
13 attack.

14 (b) *ELEMENTS.*—The report required under subsection
15 (a) shall include—

16 (1) an assessment of the legal restrictions on the
17 use of the National Guard to contain and capture
18 weapons of mass destruction materials that are dis-
19 covered by law enforcement agencies within the
20 United States;

21 (2) an assessment of the physical readiness of the
22 National Guard to carry out a mission to contain
23 and capture such materials;

24 (3) a description of the modifications in the
25 structure of the National Guard, and in law enforce-

1 *ment intelligence dissemination capabilities, that are*
2 *necessary to effect a credible, preemptive strike capa-*
3 *bility for the National Guard against a terrorist at-*
4 *tack within the United States involving a weapon of*
5 *mass destruction; and*

6 *(4) an identification of the Federal agency best*
7 *suited to carry out a preemptive strike against orga-*
8 *nizations possessing weapons of mass destruction ma-*
9 *terials in the United States.*

10 **SEC. 812. LONG-TERM RESEARCH AND DEVELOPMENT TO**

11 **ADDRESS CATASTROPHIC TERRORIST AT-**
12 **TACKS.**

13 *(a) SENSE OF CONGRESS.—It is the sense of Congress*
14 *that—*

15 *(1) there has not been sufficient emphasis on*
16 *long-term research and development with respect to*
17 *technologies useful in fighting terrorism; and*

18 *(2) the United States should make better use of*
19 *its considerable accomplishments in science and tech-*
20 *nology to prevent or address terrorist attacks in the*
21 *future, particularly attacks involving chemical, bio-*
22 *logical, or nuclear agents.*

23 *(b) ESTABLISHMENT OF PROGRAM.—(1) Not later*
24 *than six months after the date of the enactment of this Act,*
25 *the President shall establish a comprehensive program of*

1 *long-term research and development with respect science*
2 *and technology necessary to prevent, preempt, detect, inter-*
3 *dict, and respond to catastrophic terrorist attacks.*

4 (2) *In establishing the program, the President shall—*

5 (A) *establish a comprehensive set of requirements*
6 *for the program; and*

7 (B) *either—*

8 (i) *establish in an appropriate Federal*
9 *agency an element with responsibility for the*
10 *program; or*

11 (ii) *assign to a current element of a Federal*
12 *agency responsibility for the program.*

13 (c) *REPORT ON PROPOSED PROGRAM.—Not later than*
14 *60 days before the commencement of the program required*
15 *by subsection (b), the President shall submit to Congress*
16 *a report on the proposed program. The report shall set forth*
17 *the element of the Federal Government proposed to be estab-*
18 *lished or assigned responsibility under subsection (b)(2)(B),*
19 *including the proposed organization and responsibilities of*
20 *the element for purposes of the program.*

21 (d) *CATASTROPHIC TERRORIST ATTACK DEFINED.—*

22 *In this section, the term “catastrophic terrorist attack”*
23 *means a terrorist attack against the United States per-*
24 *petrated by a state, substate, or nonstate actor that involves*
25 *mass casualties or the use of a weapon of mass destruction.*

1 **SEC. 813. REVIEW OF AUTHORITY OF FEDERAL AGENCIES**
2 **TO ADDRESS CATASTROPHIC TERRORIST AT-**
3 **TACKS.**

4 (a) *REVIEW REQUIRED.*—*The Attorney General shall*
5 *conduct a review of the legal authority of the agencies of*
6 *the Federal Government, including the Department of De-*
7 *fense, to respond to, and to prevent, preempt, detect, and*
8 *interdict, catastrophic terrorist attacks.*

9 (b) *REPORT.*—*Not later than six months after the date*
10 *of the enactment of this Act, the Attorney General shall sub-*
11 *mit to Congress a report on the review conducted under sub-*
12 *section (a). The report shall include any recommendations*
13 *that the Attorney General considers appropriate, including*
14 *recommendations as to whether additional legal authority*
15 *for any particular Federal agency is advisable in order to*
16 *enhance the capability of the Federal Government to re-*
17 *spond to, and to prevent, preempt, detect, and interdict, cat-*
18 *astrophic terrorist attacks.*

19 (c) *CATASTROPHIC TERRORIST ATTACK DEFINED.*—*In*
20 *this section, the term “catastrophic terrorist attack” means*
21 *a terrorist attack against the United States perpetrated by*
22 *a state, substate, or nonstate actor that involves mass cas-*
23 *ualties or the use of a weapon of mass destruction.*

1 **SEC. 814. GUIDELINES ON RECRUITMENT OF TERRORIST**
2 **INFORMANTS.**

3 *The Director of Central Intelligence shall rescind the*
4 *provisions of the 1995 Central Intelligence Agency guide-*
5 *lines on recruitment of terrorist informants that relate to*
6 *the recruitment of persons who have access to intelligence*
7 *related terrorist plans, intentions and capabilities.*

8 **SEC. 815. DISCLOSURE BY LAW ENFORCEMENT AGENCIES**
9 **OF CERTAIN INTELLIGENCE OBTAINED BY**
10 **INTERCEPTION OF COMMUNICATIONS.**

11 *(a) REPORT ON AUTHORITIES RELATING TO SHARING*
12 *OF CRIMINAL WIRETAP INFORMATION.—Not later than 60*
13 *days after the date of the enactment of this Act, the Presi-*
14 *dent shall submit to Congress a report on the legal authori-*
15 *ties that govern the sharing of criminal wiretap informa-*
16 *tion under applicable Federal laws, including section 104*
17 *of the National Security Act of 1947 (50 U.S.C. 403–4).*

18 *(b) ELEMENTS.—The report under subsection (a) shall*
19 *include—*

20 *(1) a description of the type of information that*
21 *can be shared by the Department of Justice, or other*
22 *law enforcement agencies, with other elements of the*
23 *intelligence community; and*

24 *(2) any recommendations that the President con-*
25 *siders appropriate, including a proposal for legisla-*
26 *tion to implement such recommendations, to improve*

1 *the capability of the Department of Justice, or other*
2 *law enforcement agencies, to share foreign intelligence*
3 *information or counterintelligence information with*
4 *other elements of the intelligence community on mat-*
5 *ters such as counterterrorism.*

6 *(c) DEFINITIONS.—In this section:*

7 *(1) FOREIGN INTELLIGENCE, COUNTERINTEL-*
8 *LIGENCE.—The terms “foreign intelligence” and*
9 *“counterintelligence” have the meanings given those*
10 *terms in section 3 of the National Security Act of*
11 *1947 (50 U.S.C. 401a).*

12 *(2) ELEMENT OF THE INTELLIGENCE COMMU-*
13 *NITY.—The term “element of the intelligence commu-*
14 *nity” means any element of the intelligence commu-*
15 *nity specified or designated under section 3(4) of the*
16 *National Security Act of 1947.*

17 **SEC. 816. JOINT TASK FORCE ON TERRORIST FUNDRAISING.**

18 *It is the sense of Congress that—*

19 *(1) many terrorist groups secretly solicit and ex-*
20 *plot the resources of international nongovernmental*
21 *organizations, companies, and wealthy individuals;*
22 *and*

23 *(2) the Federal Government is not fully utilizing*
24 *all the tools available to it to prevent, deter, or dis-*

1 *rupt the fundraising activities of international ter-*
2 *rorist organizations, and it should do so.*

3 **SEC. 817. IMPROVEMENT OF CONTROLS ON PATHOGENS**
4 **AND EQUIPMENT FOR PRODUCTION OF BIO-**
5 **LOGICAL WEAPONS.**

6 *(a) REPORT ON IMPROVEMENT OF CONTROLS.—(1)*
7 *Not later than 60 days after the date of the enactment of*
8 *this Act, the Attorney General shall submit to Congress a*
9 *report on the means of improving United States controls*
10 *of biological pathogens and the equipment necessary to de-*
11 *velop, produce, or deliver biological weapons.*

12 *(2) The Attorney General shall prepare the report*
13 *under paragraph (1) in consultation with the Secretary of*
14 *Defense, the Secretary of the Treasury, the Secretary of*
15 *Commerce, the Secretary of Health and Human Services,*
16 *the Secretary of Agriculture, the Director of Central Intel-*
17 *ligence, the Commissioner of Customs, and other appro-*
18 *priate Federal officials.*

19 *(3) The report under paragraph (1) shall include—*

20 *(A) a list of the equipment identified under that*
21 *paragraph as critical to the development, production,*
22 *or delivery of biological weapons;*

23 *(B) recommendations, if any, for legislation to*
24 *make illegal the possession of the equipment identified*
25 *under subparagraph (A), for other than a legitimate*

1 *purpose, including attempts and conspiracies to do*
2 *the same;*

3 *(C) recommendations, if any, for legislation to*
4 *control the domestic sale and transfer of the equip-*
5 *ment identified under subparagraph (A); and*

6 *(D) recommendations, if any, for legislation to*
7 *require the tagging or other means of marking of the*
8 *equipment identified under subparagraph (A).*

9 *(b) IMPROVED SECURITY OF FACILITIES.—(1) Com-*
10 *mencing not later than 60 days after the date of the enact-*
11 *ment of this Act, the President shall undertake appropriate*
12 *actions to enhance the standards for the physical protection*
13 *and security of the biological pathogens described in sub-*
14 *section (a) at the research laboratories and other govern-*
15 *ment and private facilities in the United States that create,*
16 *possess, handle, store, or transport such pathogens in order*
17 *to protect against the theft or other wrongful diversion of*
18 *such pathogens.*

19 *(2) Not later than six months after the date of the en-*
20 *actment of this Act, the President shall submit to Congress*
21 *a report on the actions undertaken under paragraph (1).*

1 **SEC. 818. REIMBURSEMENT OF PERSONNEL PERFORMING**
2 **COUNTERTERRORISM DUTIES FOR PROFES-**
3 **SIONAL LIABILITY INSURANCE.**

4 (a) *REQUIREMENT FOR FULL REIMBURSEMENT.*—(1)
5 *Notwithstanding any other provision of law and subject to*
6 *paragraph (2), the head of an agency employing a qualified*
7 *employee shall reimburse the qualified employee for the costs*
8 *incurred by the employee for professional liability insur-*
9 *ance.*

10 (2) *Reimbursement of a qualified employee under*
11 *paragraph (1) shall be contingent on the submission by the*
12 *qualified employee to the head of the agency concerned of*
13 *such information or documentation as the head of the agen-*
14 *cy concerned shall require.*

15 (3) *Amounts for reimbursements under paragraph (1)*
16 *shall be derived from amounts available to the agency con-*
17 *cerned for salaries and expenses.*

18 (b) *QUALIFIED EMPLOYEE.*—*In this section, the term*
19 *“qualified employee” means an employee of an agency*
20 *whose position is that of—*

21 (1) *a law enforcement officer performing official*
22 *counterterrorism duties; or*

23 (2) *an official of an element of the intelligence*
24 *community performing official counterterrorism du-*
25 *ties outside the United States.*

26 (c) *DEFINITIONS.*—*In this section:*

1 (1) *AGENCY*.—*The term “agency” means any*
2 *Executive agency, as that term is defined in section*
3 *105 of title 5, United States Code, and includes any*
4 *agency of the legislative branch of Government.*

5 (2) *ELEMENT OF THE INTELLIGENCE COMMU-*
6 *NITY*.—*The term “element of the intelligence commu-*
7 *nity” means any element of the intelligence commu-*
8 *nity specified or designated under section 3(4) of the*
9 *National Security Act of 1947 (50 U.S.C. 401a(4)).*

10 (3) *LAW ENFORCEMENT OFFICER; PROFESSIONAL*
11 *LIABILITY INSURANCE*.—*The terms “law enforcement*
12 *officer” and “professional liability insurance” have*
13 *the meanings given those terms in section 636(c) of*
14 *the Treasury, Postal Service, and General Govern-*
15 *ment Appropriations Act, 1997 (5 U.S.C. prec. 5941*
16 *note).*

17 ***Subtitle B—Criminal Matters***

18 ***SEC. 831. LAUNDERING OF PROCEEDS OF TERRORISM.***

19 *Section 1956(c)(7)(D) of title 18, United States Code,*
20 *is amending by inserting “or 2339B” after “2339A”.*

1 **SEC. 832. MODIFICATION OF AUTHORITIES RELATING TO**
2 **USE OF PEN REGISTERS AND TRAP AND**
3 **TRACE DEVICES.**

4 (a) *GENERAL LIMITATION ON USE BY GOVERNMENTAL*
5 *AGENCIES.*—Section 3121(c) of title 18, United States
6 Code, is amended—

7 (1) by inserting “or trap and trace device” after
8 “pen register”;

9 (2) by inserting “, routing, addressing,” after
10 “dialing”; and

11 (3) by striking “call processing” and inserting
12 “the processing and transmitting of wire and elec-
13 tronic communications”.

14 (b) *ISSUANCE OF ORDERS.*—

15 (1) *IN GENERAL.*—Subsection (a) of section 3123
16 of that title is amended to read as follows:

17 “(a) *IN GENERAL.*—(1) Upon an application made
18 under section 3122(a)(1) of this title, the court shall enter
19 an *ex parte* order authorizing the installation and use of
20 a pen register or trap and trace device if the court finds
21 that the attorney for the Government has certified to the
22 court that the information likely to be obtained by such in-
23 stallation and use is relevant to an ongoing criminal inves-
24 tigation. The order shall, upon service of the order, apply
25 to any entity providing wire or electronic communication

1 *service in the United States whose assistance is required*
2 *to effectuate the order.*

3 “(2) *Upon an application made under section*
4 *3122(a)(2) of this title, the court shall enter an ex parte*
5 *order authorizing the installation and use of a pen register*
6 *or trap and trace device within the jurisdiction of the court*
7 *if the court finds that the State investigative or law enforce-*
8 *ment officer has certified to the court that the information*
9 *likely to be obtained by such installation and use is relevant*
10 *to an ongoing criminal investigation.”.*

11 (2) *CONTENTS OF ORDER.—Subsection (b)(1) of*
12 *that section is amended—*

13 (A) *in subparagraph (A)—*

14 (i) *by inserting “or other facility”*
15 *after “telephone line”; and*

16 (ii) *by inserting before the semicolon at*
17 *the end “or applied”; and*

18 (B) *by striking subparagraph (C) and in-*
19 *serting the following new subparagraph (C):*

20 “(C) *a description of the communications to*
21 *which the order applies, including the number or*
22 *other identifier and, if known, the location of the*
23 *telephone line or other facility to which the pen*
24 *register or trap and trace device is to be attached*
25 *or applied, and, in the case of an order author-*

1 *izing installation and use of a trap and trace de-*
2 *vice under subsection (a)(2), the geographic lim-*
3 *its of the order; and”.*

4 (3) *NONDISCLOSURE REQUIREMENTS.*—Sub-
5 *section (d)(2) of that section is amended—*

6 (A) *by inserting “or other facility” after*
7 *“the line”; and*

8 (B) *by striking “, or who has been ordered*
9 *by the court” and inserting “or applied, or who*
10 *is obligated by the order”.*

11 (c) *EMERGENCY INSTALLATION.*—

12 (1) *AUTHORITY FOR UNITED STATES ATTOR-*
13 *NEYS.*—Section 3125(a) of that title is amended in
14 *the matter preceding paragraph (1) by striking “or*
15 *any Deputy Assistant Attorney General,” and insert-*
16 *ing “any Deputy Assistant Attorney General, or any*
17 *United States Attorney,”.*

18 (2) *EXPANSION OF EMERGENCY CIR-*
19 *CUMSTANCES.*—Section 3125(a)(1) of that title is
20 *amended—*

21 (A) *in subparagraph (A), by striking “or”*
22 *at the end;*

23 (B) *in subparagraph (B), by striking the*
24 *comma at the end and inserting a semicolon;*
25 *and*

1 (C) by inserting after subparagraph (B) the
2 following new subparagraphs:

3 “(C) immediate threat to the national secu-
4 rity interests of the United States;

5 “(D) immediate threat to public health or
6 safety; or

7 “(E) an attack on the integrity or avail-
8 ability of a protected computer which attack
9 would be an offense punishable under section
10 1030(c)(2)(C) of this title.”.

11 (d) DEFINITIONS.—

12 (1) COURT OF COMPETENT JURISDICTION.—
13 Paragraph (2) of section 3127 of that title is amended
14 by striking subparagraph (A) and inserting the fol-
15 lowing new subparagraph (A):

16 “(A) any district court of the United States
17 (including a magistrate judge of such a court) or
18 any United States Court of Appeals having ju-
19 risdiction over the offense being investigated; or”.

20 (2) PEN REGISTER.—Paragraph (3) of that sec-
21 tion is amended—

22 (A) by striking “electronic or other im-
23 pulses” and all that follows through “is at-
24 tached” and inserting “dialing, routing, address-
25 ing, or signalling information transmitted by an

1 *instrument or facility from which a wire or elec-*
2 *tronic communication is transmitted*"; and

3 *(B) by inserting "or process" after "device"*
4 *each place it appears.*

5 *(3) TRAP AND TRACE DEVICE.—Paragraph (4) of*
6 *that section is amended—*

7 *(A) by inserting "or process" after "a de-*
8 *vice"; and*

9 *(B) by striking "of an instrument" and all*
10 *that follows through the end and inserting "or*
11 *other dialing, routing, addressing, and signalling*
12 *information relevant to identifying the source of*
13 *a wire or electronic communication;".*

14 **SEC. 833. AUTHORITY TO INTERCEPT WIRE, ORAL, AND**
15 **ELECTRONIC COMMUNICATIONS RELATING**
16 **TO TERRORISM OFFENSES.**

17 *Section 2516(1) of title 18, United States Code, is*
18 *amended—*

19 *(1) by redesignating paragraph (p), as so redesi-*
20 *gnated by section 434(2) of the Antiterrorism and*
21 *Effective Death Penalty Act of 1996 (Public Law*
22 *104–132; 110 Stat. 1274), as paragraph (r); and*

23 *(2) by inserting after paragraph (p) as so redesi-*
24 *gnated by section 201(3) of the Illegal Immigration*
25 *Reform and Immigrant Responsibility Act of 1996*

1 *(division C of Public Law 104–208; 110 Stat. 3009–*
2 *565), the following new paragraph:*

3 *“(q) any criminal violation of sections*
4 *2332, 2332a, 2332b, 2332d, 2339A, or 2339B of*
5 *this title (relating to terrorism); or”.*

6 **SEC. 834. AUTHORITY TO INTERCEPT WIRE, ORAL, AND**
7 **ELECTRONIC COMMUNICATIONS RELATING**
8 **TO COMPUTER FRAUD AND ABUSE.**

9 *Section 2516(1)(c) of title 18, United States Code, is*
10 *amended by striking “and section 1341 (relating to mail*
11 *fraud),” and inserting “section 1341 (relating to mail*
12 *fraud), a felony violation of section 1030 (relating to com-*
13 *puter fraud and abuse),”.*

14 *This Act may be cited as the “Departments of Com-*
15 *merce, Justice, and State, the Judiciary, and Related Agen-*
16 *cies Appropriations Act, 2002.”*

Attest:

Secretary.

107TH CONGRESS
1ST SESSION

H. R. 2500

AMENDMENT