

Calendar No. 95

107TH CONGRESS
1ST SESSION

S. 1215

[Report No. 107–42]

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.

IN THE SENATE OF THE UNITED STATES

JULY 20, 2001

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

A BILL

Making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 2002, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the following sums are appropriated, out of any
4 money in the Treasury not otherwise appropriated, for the
5 fiscal year ending September 30, 2002, and for other pur-
6 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 ex-
6 ceed \$3,317,000 is for the Facilities Program 2000, to
7 remain available until expended: *Provided*, That not to ex-
8 ceed 43 permanent positions and 44 full-time equivalent
9 workyears and \$8,136,000 shall be expended for the De-
10 partment Leadership Program: *Provided further*, That not
11 to exceed 41 permanent positions and 48 full-time equiva-
12 lent workyears and \$4,811,000 shall be expended for the
13 Offices of Legislative Affairs and Public Affairs: *Provided*
14 *further*, That the Attorney General is authorized to trans-
15 fer, under such terms and conditions as the Attorney Gen-
16 eral shall specify, forfeited real or personal property of
17 limited or marginal value, as such value is determined by
18 guidelines established by the Attorney General, to a State
19 or local government agency, or its designated contractor
20 or transferee, for use to support drug abuse treatment,
21 drug and crime prevention and education, housing, job
22 skills, and other community-based public health and safety
23 programs: *Provided further*, That any transfer under the
24 preceding proviso shall not create or confer any private
25 right of action in any person against the United States,

1 and shall be treated as a reprogramming under section
2 605 of this Act.

3 JOINT AUTOMATED BOOKING SYSTEM

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

8 LEGAL ACTIVITIES OFFICE AUTOMATION

9 For necessary office-automation expenses of organi-
10 zations funded under the headings “Salaries and Ex-
11 penses”, General Legal Activities, and “Salaries and Ex-
12 penses”, General Administration, and of the United States
13 Attorneys, the United States Marshals Service, the Anti-
14 trust Division, the United States Trustee Program, the
15 Executive Office for Immigration Review, and the Com-
16 munity Relations Service, \$34,600,000, to remain avail-
17 able until expended.

18 NARROWBAND COMMUNICATIONS

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

23 PORT SECURITY

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

1 \$39,950,000, to remain available until expended, to be
 2 available only for facilities, equipment, and supplies occu-
 3 pied or used by federal law enforcement agencies, includ-
 4 ing the United States 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
 11 Trustee who shall exercise all power and functions author-
 12 ized by law relating to the detention of Federal prisoners
 13 in non-Federal institutions or otherwise in the custody of
 14 the United States Marshals Service; and the detention of
 15 aliens in the custody of the Immigration and Naturaliza-
 16 tion Service, \$88,884,000, of which \$87,166,000 shall be
 17 available only for prisoner movements handled by the Jus-
 18 tice Prisoner and Alien Transportation System: *Provided*,
 19 That the Trustee shall be responsible for overseeing con-
 20 struction of detention facilities or for housing related to
 21 such detention; the management of funds appropriated to
 22 the Department for the exercise of any detention func-
 23 tions; and the direction of the United States Marshals
 24 Service and Immigration and Naturalization Service with
 25 respect to the exercise of detention policy setting and oper-
 26 ations for the Department.

1 OFFICE OF INSPECTOR GENERAL

2 For necessary expenses of the Office of Inspector
3 General in carrying out the provisions of the Inspector
4 General Act of 1978, as amended, \$46,006,000; including
5 not to exceed \$10,000 to meet unforeseen emergencies of
6 a confidential character, to be expended under the direc-
7 tion of, and to be accounted for solely under the certificate
8 of, the Attorney General; and for the acquisition, lease,
9 maintenance, and operation of motor vehicles, without re-
10 gard to the general purchase price limitation for the cur-
11 rent fiscal year.

12 UNITED STATES PAROLE COMMISSION

13 SALARIES AND EXPENSES

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

16 LEGAL ACTIVITIES

17 SALARIES AND EXPENSES, GENERAL LEGAL ACTIVITIES

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

1 \$2,612,000 shall remain available until expended only for
 2 courtroom technology: *Provided further*, That of the total
 3 amount appropriated, not to exceed \$1,000 shall be avail-
 4 able to the United States National Central Bureau,
 5 INTERPOL, for representation expenses.

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

11 SALARIES AND EXPENSES, ANTITRUST DIVISION

12 For expenses necessary for the enforcement of anti-
 13 trust and kindred laws, \$130,791,000: *Provided*, That,
 14 notwithstanding any other provision of law, not to exceed
 15 \$130,791,000 of offsetting collections derived from fees
 16 collected for premerger notification filings under the Hart-
 17 Scott-Rodino Antitrust Improvements Act of 1976 (15
 18 U.S.C. 18a), regardless of the year of collection, shall be
 19 retained and used for necessary expenses in this appro-
 20 priation, and shall remain available until expended: *Pro-*
 21 *vided further*, That the sum herein appropriated from the
 22 general fund shall be reduced as such offsetting collections
 23 are received during fiscal year 2002, so as to result in
 24 a final fiscal year 2002 appropriation from the general
 25 fund estimated 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 coop-
4 erative agreements, \$1,260,353,000; of which not to ex-
5 ceed \$2,500,000 shall be available until September 30,
6 2003, for: (1) training personnel in debt collection; (2) lo-
7 cating debtors and their property; (3) paying the net costs
8 of selling property; and (4) tracking debts owed to the
9 United States Government: *Provided*, That of the total
10 amount appropriated, not to exceed \$8,000 shall be avail-
11 able for official reception and representation expenses:
12 *Provided further*, That of the amount made available
13 under this heading, \$6,000,000 shall be available only to
14 procure, operate, and maintain gunfire surveillance equip-
15 ment to support gun prosecution initiatives in high crime
16 areas: *Provided further*, That not to exceed \$10,000,000
17 of those funds available for automated litigation support
18 contracts shall remain available until expended: *Provided*
19 *further*, That, notwithstanding any other provision of law,
20 the Attorney General shall transfer to the Department of
21 Justice Working Capital Fund, unobligated, all unex-
22 pended funds appropriated by the first heading of chapter
23 2 of title II of division B of Public Law 106–246 and by
24 section 202 of division A of appendix H.R. 5666 of Public
25 Law 106–554: *Provided further*, That not to exceed

1 \$2,500,000 for the operation of the National Advocacy
 2 Center shall remain available until expended: *Provided fur-*
 3 *ther*, That the fourth proviso under the heading “Salaries
 4 and Expenses, United States Attorneys” in title I of H.R.
 5 3421 of the 106th Congress, as enacted by section
 6 1000(a)(1) of Public Law 106–113 shall apply to amounts
 7 made available under this heading for fiscal year 2002:
 8 *Provided further*, That, in addition to reimbursable full-
 9 time equivalent workyears available to the Offices of the
 10 United States Attorneys, not to exceed 9,539 positions
 11 and 9,607 full-time equivalent workyears shall be sup-
 12 ported from the funds appropriated in this Act for the
 13 United States Attorneys.

14 UNITED STATES TRUSTEE SYSTEM FUND

15 For necessary expenses of the United States Trustee
 16 Program, as authorized by 28 U.S.C. 589a(a),
 17 \$154,044,000, to remain available until expended and to
 18 be derived from the United States Trustee System Fund:
 19 *Provided*, That, notwithstanding any other provision of
 20 law, deposits to the Fund shall be available in such
 21 amounts as may be necessary to pay refunds due deposi-
 22 tors: *Provided further*, That, notwithstanding any other
 23 provision of law, \$154,044,000 of offsetting collections
 24 pursuant to 28 U.S.C. 589a(b) shall be retained and used
 25 for necessary expenses in this appropriation and remain
 26 available until expended: *Provided further*, That the sum

1 herein appropriated from the Fund shall be reduced as
2 such offsetting collections are received during fiscal year
3 2002, so as to result in a final fiscal year 2002 appropria-
4 tion from the Fund estimated at \$0.

5 SALARIES AND EXPENSES, FOREIGN CLAIMS

6 SETTLEMENT COMMISSION

7 For expenses necessary to carry out the activities of
8 the Foreign Claims Settlement Commission, including
9 services as authorized by 5 U.S.C. 3109, \$1,130,000.

10 SALARIES AND EXPENSES, UNITED STATES MARSHALS

11 SERVICE

12 For necessary expenses of the United States Mar-
13 shals Service, including the acquisition, lease, mainte-
14 nance, and operation of vehicles, and the purchase of pas-
15 senger motor vehicles for police-type use, without regard
16 to the general purchase price limitation for the current
17 fiscal year, \$644,746,000; of which not to exceed \$6,000
18 shall be available for official reception and representation
19 expenses; and of which not to exceed \$4,000,000 for devel-
20 opment, implementation, maintenance and support, and
21 training for an automated prisoner information system
22 shall remain available until expended.

23 In addition, for the costs of courthouse security
24 equipment, including furnishings, relocations, and tele-
25 phone systems and cabling, \$18,145,000, to remain avail-
26 able until expended.

1 CONSTRUCTION

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

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

10 For necessary expenses to procure replacement air-
11 craft, \$53,050,000, to remain available until expended,
12 shall be available only for the purchase of two long-range,
13 wide body aircraft.

14 FEDERAL PRISONER DETENTION

15 For expenses, related to United States prisoners in
16 the custody of the United States Marshals Service, but
17 not including expenses otherwise provided for in appro-
18 priations available to the Attorney General, \$724,682,000,
19 to remain available until expended.

20 FEES AND EXPENSES OF WITNESSES

21 For expenses, mileage, compensation, and per diems
22 of witnesses, for expenses of contracts for the procurement
23 and supervision of expert witnesses, for private counsel ex-
24 penses, and for per diems in lieu of subsistence, as author-
25 ized by law, including advances, \$156,145,000, to remain
26 available until expended; of which not to exceed

1 \$6,000,000 may be made available for planning, construc-
2 tion, renovations, maintenance, remodeling, and repair of
3 buildings, and the purchase of equipment incident thereto,
4 for protected witness safesites; of which not to exceed
5 \$1,000,000 may be made available for the purchase and
6 maintenance of armored vehicles for transportation of pro-
7 tected witnesses; and of which not to exceed \$5,000,000
8 may be made available for the purchase, installation, and
9 maintenance of secure telecommunications equipment and
10 a secure automated information network to store and re-
11 trieve the identities and locations of protected witnesses.

12 SALARIES AND EXPENSES, COMMUNITY RELATIONS

13 SERVICE

14 For necessary expenses of the Community Relations
15 Service, \$9,269,000 and, in addition, up to \$1,000,000 of
16 funds made available to the Department of Justice in this
17 Act may be transferred by the Attorney General to this
18 account.

19 ASSETS FORFEITURE FUND

20 For expenses authorized by 28 U.S.C.
21 524(c)(1)(A)(ii), (B), (F), and (G), as amended,
22 \$22,949,000, to be derived from the Department of Jus-
23 tice 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

7 TRUST FUND

8 For payments to the Radiation Exposure Compensa-
9 tion Trust Fund of claims covered by the Radiation Expo-
10 sure Compensation Act as in effect on June 1, 2000,
11 \$10,776,000.

12 INTERAGENCY LAW ENFORCEMENT

13 INTERAGENCY CRIME AND DRUG ENFORCEMENT

14 For necessary expenses for the detection, investiga-
15 tion, and prosecution of individuals involved in organized
16 crime drug trafficking not otherwise provided for, to in-
17 clude inter-governmental agreements with State and local
18 law enforcement agencies engaged in the investigation and
19 prosecution of individuals involved in organized crime drug
20 trafficking, \$336,966,000, of which \$50,000,000 shall re-
21 main available until expended: *Provided*, That any
22 amounts obligated from appropriations under this heading
23 may be used under authorities available to the organiza-
24 tions reimbursed from this appropriation: *Provided fur-*
25 *ther*, That any unobligated balances remaining available
26 at the end of the fiscal year shall revert to the Attorney

1 General for reallocation among participating organizations
2 in succeeding fiscal years, subject to the reprogramming
3 procedures described in section 605 of this Act.

4 FEDERAL BUREAU OF INVESTIGATION

5 SALARIES AND EXPENSES

6 For necessary expenses of the Federal Bureau of In-
7 vestigation for detection, investigation, and prosecution of
8 crimes against the United States; including purchase for
9 police-type use of not to exceed 1,354 passenger motor ve-
10 hicles, of which 1,190 will be for replacement only, without
11 regard to the general purchase price limitation for the cur-
12 rent fiscal year, and hire of passenger motor vehicles; ac-
13 quisition, lease, maintenance, and operation of aircraft;
14 and not to exceed \$70,000 to meet unforeseen emergencies
15 of a confidential character, to be expended under the di-
16 rection of, and to be accounted for solely under the certifi-
17 cate of, the Attorney General, \$3,425,041,000; of which
18 not to exceed \$50,000,000 for automated data processing
19 and telecommunications and technical investigative equip-
20 ment and not to exceed \$1,000,000 for undercover oper-
21 ations shall remain available until September 30, 2003;
22 of which not less than \$485,278,000 shall be for
23 counterterrorism investigations, foreign counterintel-
24 ligence, and other activities related to our national secu-
25 rity; of which not to exceed \$10,000,000 is authorized to

1 be made available for making advances for expenses arising out of contractual or reimbursable agreements with State and local law enforcement agencies while engaged in cooperative activities related to violent crime, terrorism, organized crime, and drug investigations: *Provided*, That not to exceed \$45,000 shall be available for official reception and representation expenses: *Provided further*, That of the amount made available under this heading, \$53,000 shall be available only to reimburse Acadian Ambulance & Air Med Services for costs incurred during the December 1999 prison riot in St. Martin Parish Correctional Center, St. Martin Parish, Louisiana.

13 CONSTRUCTION

14 For necessary expenses to construct or acquire buildings and sites by purchase, or as otherwise authorized by law (including equipment for such buildings); conversion and extension of federally-owned buildings; and preliminary planning and design of projects; \$44,074,000, to remain available until expended.

20 DRUG ENFORCEMENT ADMINISTRATION

21 SALARIES AND EXPENSES

22 For necessary expenses of the Drug Enforcement Administration, including not to exceed \$70,000 to meet unforeseen emergencies of a confidential character, to be expended under the direction of, and to be accounted for solely under the certificate of, the Attorney General; ex-

1 penses for conducting drug education and training pro-
2 grams, including travel and related expenses for partici-
3 pants in such programs and the distribution of items of
4 token value that promote the goals of such programs; pur-
5 chase of not to exceed 1,477 passenger motor vehicles, of
6 which 1,354 will be for replacement only, for police-type
7 use without regard to the general purchase price limitation
8 for the current fiscal year; and acquisition, lease, mainte-
9 nance, and operation of aircraft, \$1,489,779,000; of which
10 \$33,000,000 for permanent change of station shall remain
11 available until September 30, 2003; of which not to exceed
12 \$1,800,000 for research shall remain available until ex-
13 pended, and of which not to exceed \$4,000,000 for pur-
14 chase of evidence and payments for information, not to
15 exceed \$10,000,000 for contracting for automated data
16 processing and telecommunications equipment, and not to
17 exceed \$2,000,000 for laboratory equipment, \$4,000,000
18 for technical equipment, and \$2,000,000 for aircraft re-
19 placement retrofit and parts, shall remain available until
20 September 30, 2003; of which not to exceed \$50,000 shall
21 be available for official reception and representation ex-
22 penses.

1 IMMIGRATION AND NATURALIZATION SERVICE

2 SALARIES AND EXPENSES

3 For expenses, not otherwise provided for, necessary
4 for the administration and enforcement of the laws relat-
5 ing to immigration, naturalization, and alien registration,
6 including not to exceed \$50,000 to meet unforeseen emer-
7 gencies of a confidential character, to be expended under
8 the direction of, and to be accounted for solely under the
9 certificate of, the Attorney General; purchase for police-
10 type use (not less than 3,165 passenger motor vehicles,
11 of which not less than 2,211 are for replacement only),
12 without regard to the general purchase price limitation for
13 the current fiscal year, and hire of passenger motor vehi-
14 cles; acquisition, lease, maintenance and operation of air-
15 craft; research related to immigration enforcement; for
16 protecting and maintaining the integrity of the borders of
17 the United States including, without limitation, equipping,
18 maintaining, and making improvements to the infrastruc-
19 ture; and for the care and housing of Federal detainees
20 held in the joint Immigration and Naturalization Service
21 and United States Marshals Service's Buffalo Detention
22 Facility, \$3,176,037,000; of which not to exceed \$400,000
23 for research shall remain available until expended; of
24 which not to exceed \$10,000,000 shall be available for
25 costs associated with the training program for basic officer

1 training; of which not to exceed \$5,000,000 is for pay-
2 ments or advances arising out of contractual or reimburs-
3 able agreements with State and local law enforcement
4 agencies while engaged in cooperative activities related to
5 immigration; of which not to exceed \$5,000,000 is to fund
6 or reimburse other Federal agencies for the costs associ-
7 ated with the care, maintenance, and repatriation of
8 smuggled illegal aliens: *Provided*, That none of the funds
9 available to the Immigration and Naturalization Service
10 shall be available to pay any employee overtime pay in an
11 amount in excess of \$1,153 per pay period during the cal-
12 endar year beginning January 1, 2002: *Provided further*,
13 That uniforms may be purchased without regard to the
14 general purchase price limitation for the current fiscal
15 year: *Provided further*, That not to exceed \$45,000 shall
16 be available for official reception and representation ex-
17 penses: *Provided further*, That not to exceed 30 permanent
18 positions and 30 full-time equivalent workyears and not
19 to exceed \$4,300,000 shall be expended for the Offices of
20 Legislative Affairs and Public Affairs: *Provided further*,
21 That the latter two aforementioned offices shall be aug-
22 mented by personnel details, temporary transfers of per-
23 sonnel on either a reimbursable or non-reimbursable basis,
24 or any other type of formal or informal transfer or reim-
25 bursement of personnel or funds on either a temporary

1 or long-term basis and such augmentation may not exceed
 2 10 full-time equivalent workyears.

3 CONSTRUCTION

4 For planning, purchase of construction vehicles, con-
 5 struction, renovation, equipping, and maintenance of
 6 buildings and facilities necessary for the administration
 7 and enforcement of the laws relating to immigration, natu-
 8 ralization, and alien registration, not otherwise provided
 9 for, \$205,015,000, to remain available until expended, of
 10 which \$3,000,000 shall be available only to comply with
 11 Occupational Safety and Health Administration programs.

12 FEDERAL PRISON SYSTEM

13 SALARIES AND EXPENSES

14 For expenses necessary for the administration, oper-
 15 ation, and maintenance of Federal penal and correctional
 16 institutions, including purchase (not to exceed 685, of
 17 which 610 are for replacement only) and hire of law en-
 18 forcement and passenger motor vehicles, and for the provi-
 19 sion of technical assistance and advice on corrections re-
 20 lated issues to foreign governments, \$3,786,228,000: *Pro-*
 21 *vided*, That the Attorney General may transfer to the
 22 Health Resources and Services Administration such
 23 amounts as may be necessary for direct expenditures by
 24 that Administration for medical relief for inmates of Fed-
 25 eral penal and correctional institutions: *Provided further*,
 26 That the Director of the Federal Prison System (FPS),

1 where necessary, may enter into contracts with a fiscal
2 agent/fiscal intermediary claims processor to determine
3 the amounts payable to persons who, on behalf of FPS,
4 furnish health services to individuals committed to the
5 custody of FPS: *Provided further*, That not to exceed
6 \$6,000 shall be available for official reception and rep-
7 resentation expenses: *Provided further*, That not to exceed
8 \$50,000,000 shall remain available for necessary oper-
9 ations until September 30, 2003: *Provided further*, That,
10 of the amounts provided for Contract Confinement, not
11 to exceed \$20,000,000 shall remain available until ex-
12 pended to make payments in advance for grants, contracts
13 and reimbursable agreements, and other expenses author-
14 ized by section 501(c) of the Refugee Education Assist-
15 ance Act of 1980, as amended, for the care and security
16 in the United States of Cuban and Haitian entrants: *Pro-*
17 *vided further*, That the Director of the Federal Prison Sys-
18 tem may accept donated property and services relating to
19 the operation of the prison card program from a not-for-
20 profit entity which has operated such program in the past
21 notwithstanding the fact that such not-for-profit entity
22 furnishes services under contracts to the Federal Prison
23 System relating to the operation of pre-release services,
24 halfway houses or other custodial facilities.

BUILDINGS AND FACILITIES

1
2 For planning, acquisition of sites and construction of
3 new facilities; purchase and acquisition of facilities and re-
4 modeling, and equipping of such facilities for penal and
5 correctional use, including all necessary expenses incident
6 thereto, by contract or force account; and constructing,
7 remodeling, and equipping necessary buildings and facili-
8 ties at existing penal and correctional institutions, includ-
9 ing all necessary expenses incident thereto, by contract or
10 force account, \$899,797,000, to remain available until ex-
11 pended, of which not to exceed \$14,000,000 shall be avail-
12 able to construct areas for inmate work programs: *Pro-*
13 *vided*, That labor of United States prisoners may be used
14 for work performed under this appropriation: *Provided*
15 *further*, That, of the amount made available under this
16 heading, \$66,524,000, to remain available until expended,
17 shall be transferred to, and merged with, funds in the
18 “Immigration and Naturalization Service, Construction”
19 appropriations account, to be available only for the con-
20 struction of detention facilities: *Provided further*, That not
21 to exceed 10 percent of the funds appropriated to “Build-
22 ings and Facilities” in this or any other Act may be trans-
23 ferred to “Salaries and Expenses”, Federal Prison Sys-
24 tem, upon notification by the Attorney General to the
25 Committees on Appropriations of the House of Represent-

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

3 FEDERAL PRISON INDUSTRIES, INCORPORATED

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

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

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

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

4 OFFICE OF JUSTICE PROGRAMS

5 JUSTICE ASSISTANCE

6 For grants, contracts, cooperative agreements, and
 7 other assistance authorized by title I of the Omnibus
 8 Crime Control and Safe Streets Act of 1968, as amended
 9 (“the 1968 Act”), and the Missing Children’s Assistance
 10 Act, as amended, including salaries and expenses in con-
 11 nection therewith, and with the Victims of Crime Act of
 12 1984, as amended, \$200,738,000, to remain available
 13 until expended, as authorized by section 1001 of title I
 14 of the Omnibus Crime Control and Safe Streets Act of
 15 1968, as amended by Public Law 102–534 (106 Stat.
 16 3524).

17 In addition, for grants, cooperative agreements, and
 18 other assistance authorized by sections 819 and 821 of
 19 the Antiterrorism and Effective Death Penalty Act of
 20 1996 and for other counterterrorism programs,
 21 \$364,000,000, to remain available until expended.

22 STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE

23 For assistance authorized by the Violent Crime Con-
 24 trol and Law Enforcement Act of 1994 (Public Law 103–
 25 322), as amended (“the 1994 Act”); the Omnibus Crime
 26 Control and Safe Streets Act of 1968, as amended (“the

1 1968 Act”); and the Victims of Child Abuse Act of 1990,
 2 as amended (“the 1990 Act”), \$2,089,990,000 (including
 3 amounts for administrative costs, which shall be trans-
 4 ferred to and merged with the “Justice Assistance” ac-
 5 count), to remain available until expended as follows:

6 (1) \$400,000,000 for Local Law Enforcement
 7 Block Grants, pursuant to H.R. 728 as passed by
 8 the House of Representatives on February 14, 1995,
 9 except that for purposes of this Act, Guam shall be
 10 considered a “State”, the Commonwealth of Puerto
 11 Rico shall be considered a “unit of local govern-
 12 ment” as well as a “State”, for the purposes set
 13 forth in paragraphs (A), (B), (D), (F), and (I) of
 14 section 101(a)(2) of H.R. 728 and for establishing
 15 crime prevention programs involving cooperation be-
 16 tween community residents and law enforcement
 17 personnel in order to control, detect, or investigate
 18 crime or the prosecution of criminals: *Provided*, That
 19 no funds provided under this heading may be used
 20 as matching funds for any other Federal grant pro-
 21 gram, of which:

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

1 also be used to defray the costs of indemnifica-
2 tion insurance for law enforcement officers, and

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

6 (2) \$265,000,000 for the State Criminal Alien
7 Assistance Program, as authorized by section 242(j)
8 of the Immigration and Nationality Act, as amend-
9 ed;

10 (3) \$35,000,000 shall be available for the Coop-
11 erative Agreement Program;

12 (4) \$35,191,000 shall be available for grants
13 under section 20109(a)(2) of subtitle A of title II of
14 the 1994 Act;

15 (5) \$7,982,000 for the Tribal Courts Initiative;

16 (6) \$578,125,000 for programs authorized by
17 part E of title I of the 1968 Act, notwithstanding
18 the provisions of section 511 of said Act, of which
19 \$78,125,000 shall be for discretionary grants under
20 the Edward Byrne Memorial State and Local Law
21 Enforcement Assistance Programs;

22 (7) \$11,975,000 for the Court Appointed Spe-
23 cial Advocate Program, as authorized by section 218
24 of the 1990 Act;

1 (8) \$2,296,000 for Child Abuse Training Pro-
2 grams for Judicial Personnel and Practitioners, as
3 authorized by section 224 of the 1990 Act;

4 (9) \$184,937,000 for Grants to Combat Vio-
5 lence Against Women, to States, units of local gov-
6 ernment, and Indian tribal governments, as author-
7 ized by section 1001(a)(18) of the 1968 Act, of
8 which:

9 (a) \$1,000,000 shall be for the Bureau of
10 Justice Statistics for grants, contracts, and
11 other assistance for domestic violence federal
12 case processing study,

13 (b) \$5,200,000 shall be for the National
14 Institute of Justice for grants, contracts, and
15 other assistance for research and evaluation of
16 violence against women, and

17 (c) \$10,000,000 shall be for the Office of
18 Juvenile Justice and Delinquency Prevention
19 for the Safe Start Program, to be administered
20 as authorized by part C of the Juvenile Justice
21 and Delinquency Act of 1974, as amended;

22 (10) \$64,925,000 for Grants to Encourage Ar-
23 rest Policies to States, units of local government,
24 and Indian tribal governments, as authorized by sec-
25 tion 1001(a)(19) of the 1968 Act;

1 (11) \$39,945,000 for Rural Domestic Violence
2 and Child Abuse Enforcement Assistance Grants, as
3 authorized by section 40295 of the 1994 Act;

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

8 (13) \$998,000 for grants for televised testi-
9 mony, as authorized by section 1001(a)(7) of the
10 1968 Act;

11 (14) \$3,000,000 for grants to States and units
12 of local government to improve the process for enter-
13 ing data regarding stalking and domestic violence
14 into local, State, and national crime information
15 databases, as authorized by section 40602 of the
16 1994 Act;

17 (15) \$10,000,000 for grants to reduce Violent
18 Crimes Against Women on Campus, as authorized
19 by section 1108(a) of Public Law 106–386;

20 (16) \$40,000,000 for Legal Assistance for Vic-
21 tims, as authorized by section 1201 of Public Law
22 106–386;

23 (17) \$5,000,000 for enhancing protection for
24 older and disabled women from domestic violence

1 and sexual assault as authorized by section 40801 of
2 the 1994 Act;

3 (18) \$15,000,000 for the Safe Havens for Chil-
4 dren Pilot Program as authorized by section 1301 of
5 Public Law 106–386;

6 (19) \$7,500,000 for Education and Training to
7 end violence against and abuse of women with dis-
8 abilities, as authorized by section 1402 of Public
9 Law 106–386;

10 (20) \$68,000,000 for grants for residential sub-
11 stance abuse treatment for State prisoners, as au-
12 thorized by section 1001(a)(17) of the 1968 Act:
13 *Provided*, That States that have in-prison drug
14 treatment programs, in compliance with Federal re-
15 quirements, may use their residential substance
16 abuse grants funds for treatment, both during incar-
17 ceration and after release;

18 (21) \$4,989,000 for demonstration grants on
19 alcohol and crime in Indian Country;

20 (22) \$898,000 for the Missing Alzheimer’s Dis-
21 ease Patient Alert Program, as authorized by section
22 240001(c) of the 1994 Act;

23 (23) \$50,000,000 for Drug Courts, as author-
24 ized by title V of the 1994 Act;

1 (24) \$1,497,000 for Law Enforcement Family
2 Support Programs, as authorized by section
3 1001(a)(21) of the 1968 Act;

4 (25) \$1,995,000 for public awareness programs
5 addressing marketing scams aimed at senior citi-
6 zens, as authorized by section 250005(3) of the
7 1994 Act;

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

18 (27) \$1,298,000 for the Motor Vehicle Theft
19 Prevention Programs, as authorized by section
20 220002(h) of the 1994 Act:

21 *Provided*, That funds made available in fiscal year 2002
22 under subpart 1 of part E of title I of the 1968 Act may
23 be obligated for programs to assist States in the litigation
24 processing of death penalty Federal habeas corpus peti-
25 tions and for drug testing initiatives: *Provided further*,

1 That, if a unit of local government uses any of the funds
2 made available under this title to increase the number of
3 law enforcement officers, the unit of local government will
4 achieve a net gain in the number of law enforcement offi-
5 cers who perform nonadministrative public safety service.

6 WEED AND SEED PROGRAM FUND

7 For necessary expenses, including salaries and re-
8 lated expenses of the Executive Office for Weed and Seed,
9 to implement “Weed and Seed” program activities,
10 \$58,925,000, to remain available until expended, for inter-
11 governmental agreements, including grants, cooperative
12 agreements, and contracts, with State and local law en-
13 forcement agencies, non-profit organizations, and agencies
14 of local government, engaged in the investigation and
15 prosecution of violent crimes and drug offenses in “Weed
16 and Seed” designated communities, and for either reim-
17 bursements or transfers to appropriation accounts of the
18 Department of Justice and other Federal agencies which
19 shall be specified by the Attorney General to execute the
20 “Weed and Seed” program strategy: *Provided*, That funds
21 designated by Congress through language for other De-
22 partment of Justice appropriation accounts for “Weed and
23 Seed” program activities shall be managed and executed
24 by the Attorney General through the Executive Office for
25 Weed and Seed: *Provided further*, That the Attorney Gen-
26 eral may direct the use of other Department of Justice

1 funds and personnel in support of “Weed and Seed” pro-
2 gram activities only after the Attorney General notifies the
3 Committees on Appropriations of the House of Represent-
4 atives and the Senate in accordance with section 605 of
5 this Act.

6 COMMUNITY ORIENTED POLICING SERVICES

7 For activities authorized by the Violent Crime Con-
8 trol and Law Enforcement Act of 1994, Public Law 103–
9 322 (“the 1994 Act”) (including administrative costs),
10 \$1,019,874,000, to remain available until expended; of
11 which \$150,962,000 shall be available to the Office of Jus-
12 tice Programs to carry out section 102 of the Crime Ident-
13 tification Technology Act of 1998 (42 U.S.C. 14601), of
14 which \$35,000,000 is for grants to upgrade criminal
15 records, as authorized under the Crime Identification
16 Technology Act of 1998 (42 U.S.C. 14601), of which
17 \$35,000,000 is for DNA testing as authorized by the DNA
18 Analysis Backlog Elimination Act of 2000 (Public Law
19 106–546), of which \$35,000,000 is for the State and local
20 DNA laboratories as authorized by section 1001(a)(22) of
21 the 1968 Act, and improvements to the State and local
22 forensic general science capabilities to reduce State and
23 local DNA convicted offender sample backlog and for
24 awards to State, local, and private laboratories, and of
25 which \$17,000,000 is for the National Institute of Justice

1 for grants, contracts, and other agreements to develop
2 school safety technologies and training; of which
3 \$510,524,000 is for Public Safety and Community Policing
4 Grants pursuant to title I of the 1994 Act, of which
5 \$190,291,000 shall be available for the COPS hiring program,
6 of which \$180,000,000 shall be available for school resource
7 officers, of which \$31,315,000 shall be used to improve tribal
8 law enforcement including equipment and training, of which
9 \$25,444,000 shall be used for the Matching Grant Program
10 for Law Enforcement Armor Vests pursuant to section 2501 of
11 part Y of the Omnibus Crime Control and Safe Streets Act of
12 1968 (“the 1968 Act”), as amended, of which \$30,000,000
13 shall be used for Police Corps education, training, and service
14 as set forth in sections 200101–200113 of the 1994 Act, and
15 of which \$20,662,000 shall be used to provide training and
16 technical assistance; of which \$155,467,000 shall be used
17 for a law enforcement technology program, of which
18 \$7,202,000, to remain available until September 30, 2003,
19 shall be transferred to, and merged with, funds in the Federal
20 Bureau of Investigation, “Salaries and Expenses” appropriations
21 account to be available only to maintain or establish not more
22 than 4 regional computer forensic labs in affiliation with the
23 Federal Bureau of Investigation Laboratory Division, of which
24 \$1,005,000, to remain

1 available until September 30, 2003, shall be transferred
2 to, and merged with, funds in the Federal Bureau of In-
3 vestigation, “Salaries and Expenses” appropriations ac-
4 count to be available only to expand the Violent Criminal
5 Apprehension Program to include sexual assault, of which
6 \$350,000 shall be transferred to, and merged with, funds
7 in the “Salaries and Expenses”, General Legal Activities
8 appropriations account to be available only for equipment
9 to connect Interpol to the National Law Enforcement
10 Telecommunications System, and of which \$4,000,000, to
11 remain available until September 30, 2003, shall be trans-
12 ferred to, and merged with, funds in the Federal Bureau
13 of Investigation, “Salaries and Expenses” appropriations
14 account to be available only to maintain or establish not
15 more than 4 regional mitochondrial DNA forensic labs in
16 affiliation with the Federal Bureau of Investigation Lab-
17 oratory Division; of which \$48,393,000 shall be used for
18 policing initiatives to combat methamphetamine produc-
19 tion and trafficking and to enhance policing initiatives in
20 drug “hot spots”; of which \$99,780,000 for a prosecution
21 assistance program to reimburse State, county, parish, or
22 municipal governments only for Federal costs associated
23 with the prosecution of criminal cases declined by local
24 U.S. Attorneys’ offices, of which \$49,780,000 shall be for
25 a national program to reduce gun violence, and of which

1 \$50,000,000 shall be for the Southwest Border Prosecutor
 2 Initiative; of which \$16,963,000 shall be for a police integ-
 3 rity program; of which \$22,851,000 is for the Safe Schools
 4 Initiative; and of which \$14,934,000 shall be for an of-
 5 fender re-entry program: *Provided*, That of the amount
 6 provided for Public Safety and Community Policing
 7 Grants, not to exceed \$32,812,000 shall be expended for
 8 program management and administration: *Provided fur-*
 9 *ther*, That of the prior year balances available in this pro-
 10 gram, \$46,000,000 shall be available for the direct hiring
 11 of law enforcement officers through the Universal Hiring
 12 Program: *Provided further*, That Section 1703(b) and (c)
 13 of the 1968 Act shall not apply to non-hiring grants made
 14 pursuant to part Q of title I thereof (42 U.S.C. 3796 d.d.
 15 et seq.).

16 JUVENILE JUSTICE PROGRAMS

17 For grants, contracts, cooperative agreements, and
 18 other assistance authorized by the Juvenile Justice and
 19 Delinquency Prevention Act of 1974, as amended, (“the
 20 Act”), including salaries and expenses in connection there-
 21 with to be transferred to and merged with the appropria-
 22 tions for Justice Assistance, \$320,026,000, to remain
 23 available until expended, as authorized by section 299 of
 24 part I of title II and section 506 of title V of the Act,
 25 as amended by Public Law 102–586, of which: (1) not-
 26 withstanding any other provision of law, \$6,847,000 shall

1 be available for expenses authorized by part A of title II
2 of the Act, \$88,804,000 shall be available for expenses au-
3 thorized by part B of title II of the Act, and \$55,691,000
4 shall be available for expenses authorized by part C of title
5 II of the Act: *Provided*, That \$26,442,000 of the amounts
6 provided for part B of title II of the Act, as amended,
7 is for the purpose of providing additional formula grants
8 under part B to States that provide assurances to the Ad-
9 ministrator that the State has in effect (or will have in
10 effect no later than 1 year after date of application) poli-
11 cies and programs, that ensure that juveniles are subject
12 to accountability-based sanctions for every act for which
13 they are adjudicated delinquent; (2) \$11,974,000 shall be
14 available for expenses authorized by sections 281 and 282
15 of part D of title II of the Act for prevention and treat-
16 ment programs relating to juvenile gangs; (3) \$9,978,000
17 shall be available for expenses authorized by section 285
18 of part E of title II of the Act; (4) \$15,965,000 shall be
19 available for expenses authorized by part G of title II of
20 the Act for juvenile mentoring programs; and (5)
21 \$130,767,000 shall be available for expenses authorized
22 by title V of the Act for incentive grants for local delin-
23 quency prevention programs; of which \$12,472,000 shall
24 be for delinquency prevention, control, and system im-
25 provement programs for tribal youth; of which

1 \$25,000,000 shall be available for grants of \$360,000 to
2 each State and \$6,640,000 shall be available for discre-
3 tionary grants to States, for programs and activities to
4 enforce State laws prohibiting the sale of alcoholic bev-
5 erages to minors or the purchase or consumption of alco-
6 holic beverages by minors, prevention and reduction of
7 consumption of alcoholic beverages by minors, and for
8 technical assistance and training; and of which
9 \$15,000,000 shall be available for the Safe Schools Initia-
10 tive: *Provided further*, That of amounts made available
11 under the Juvenile Justice Programs of the Office of Jus-
12 tice Programs to carry out part B (relating to Federal
13 Assistance for State and Local Programs), subpart II of
14 part C (relating to Special Emphasis Prevention and
15 Treatment Programs), part D (relating to Gang-Free
16 Schools and Communities and Community-Based Gang
17 Intervention), part E (relating to State Challenge Activi-
18 ties), and part G (relating to Mentoring) of title II of the
19 Juvenile Justice and Delinquency Prevention Act of 1974,
20 and to carry out the At-Risk Children's Program under
21 title V of that Act, not more than 10 percent of each such
22 amount may be used for research, evaluation, and statis-
23 tics activities designed to benefit the programs or activities
24 authorized under the appropriate part or title, and not
25 more than 2 percent of each such amount may be used

1 for training and technical assistance activities designed to
 2 benefit the programs or activities authorized under that
 3 part or title.

4 In addition, for grants, contracts, cooperative agree-
 5 ments, and other assistance authorized by the Victims of
 6 Child Abuse Act of 1990, as amended, \$8,481,000, to re-
 7 main available until expended, as authorized by section
 8 214B of the Act.

9 PUBLIC SAFETY OFFICERS BENEFITS

10 To remain available until expended, for payments au-
 11 thorized by part L of title I of the Omnibus Crime Control
 12 and Safe Streets Act of 1968 (42 U.S.C. 3796), as amend-
 13 ed, such sums as are necessary, as authorized by section
 14 6093 of Public Law 100–690 (102 Stat. 4339–4340); and
 15 \$2,395,000, to remain available until expended for pay-
 16 ments as authorized by section 1201(b) of said Act.

17 GENERAL PROVISIONS—DEPARTMENT OF JUSTICE

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

1 SEC. 102. Section 124 of the Departments of Com-
2 merce, Justice, and State, the Judiciary, and Related
3 Agencies Appropriations Act, 1999, as contained in the
4 Omnibus Consolidated and Emergency Supplemental Ap-
5 propriations Act, 1999, is repealed.

6 SEC. 103. Notwithstanding any other provision of
7 law, not to exceed \$10,000,000 of the funds made avail-
8 able in this Act may be used to establish and publicize
9 a program under which publicly advertised, extraordinary
10 rewards may be paid, which shall not be subject to spend-
11 ing limitations contained in sections 3059 and 3072 of
12 title 18, United States Code: *Provided*, That any reward
13 of \$100,000 or more, up to a maximum of \$2,000,000,
14 may not be made without the personal approval of the
15 President or the Attorney General and such approval may
16 not be delegated.

17 SEC. 104. Not to exceed 5 percent of any appropria-
18 tion made available for the current fiscal year for the De-
19 partment of Justice in this Act may be transferred be-
20 tween such appropriations, but no such appropriation, ex-
21 cept as otherwise specifically provided, shall be increased
22 by more than 10 percent by any such transfers: *Provided*,
23 That any transfer pursuant to this section shall be treated
24 as a reprogramming of funds under section 605 of this

1 Act and shall not be available for obligation except in com-
 2 pliance with the procedures set forth in that section.

3 SEC. 105. Section 286(q)(1)(A) of the Immigration
 4 and Nationality Act of 1953, as amended, is further
 5 amended by striking “6” and inserting “96”.

6 SEC. 106. Notwithstanding any other provision of
 7 law, \$1,000,000 shall be available for technical assistance
 8 from the funds appropriated for part G of title II of the
 9 Juvenile Justice and Delinquency Prevention Act of 1974,
 10 as amended.

11 SEC. 107. Section 11231 of the National Capital Re-
 12 vitalization and Self-Government Improvement Act of
 13 1997, Public Law 105–33, is amended—

14 (1) in the catchline of paragraphs (a)(1) and
 15 (2), by striking “of Parole Commission”;

16 (2) in subsections (a) and (c), by replacing
 17 “United States Parole Commission” and “Parole
 18 Commission”, each place they currently appear, with
 19 “agency established under section 11233”;

20 (3) in paragraph (a)(1), by replacing “one year
 21 after date of enactment of this Act” with “Sep-
 22 tember 30, 2002”, by replacing “Board of Parole of
 23 the District of Columbia” with “United States Pa-
 24 role Commission”, by striking “exclusive”, and by

1 replacing all the matter from “felons,” to the period,
2 inclusive, with “felons.”;

3 (4) by replacing all the matter after the catch-
4 line of paragraph (a)(2) with “Not later than Sep-
5 tember 30, 2002, the agency established under sec-
6 tion 11233 shall assume all powers, duties, and ju-
7 risdiction transferred to the United States Parole
8 Commission by this paragraph as in effect on Janu-
9 ary 1, 2001.”; and

10 (5) in subsection (c), by replacing all the matter
11 from “Columbia,” to the period, inclusive, with “Co-
12 lumbia.”.

13 SEC. 108. In instances where the Attorney General
14 determines that law enforcement-, security-, or mission-
15 related considerations mitigate against obtaining mainte-
16 nance or repair services from private sector entities for
17 equipment under warranty, the Attorney General is au-
18 thorized to seek reimbursement from such entities for war-
19 ranty work performed at Department of Justice facilities
20 and, notwithstanding any other provision of law, to credit
21 any payment made for such work to any appropriation
22 charged therefore.

23 SEC. 109. Section 286(e)(1) of the Immigration and
24 Nationality Act (8 U.S.C. 1356(e)(1)) is amended to read
25 as follows:

1 “(1)(A) Except as provided in subparagraph (B), the
2 Attorney General is authorized to charge and collect a fee
3 in the amount of \$3 for each individual with respect to
4 whom immigration inspection services or preinspection
5 services are provided in connection with the arrival in the
6 United States of the individual as a passenger on a com-
7 mercial vessel, if the passenger’s journey originated in any
8 of the following:

9 “(i) Mexico.

10 “(ii) Canada.

11 “(iii) A State, territory, or possession of the
12 United States.

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

15 “(B) The authority of subparagraph (A) does not
16 apply to immigration inspection services or preinspection
17 services provided at a designated port of entry in connec-
18 tion with the arrival of a passenger by means of a Great
19 Lakes international ferry, or by means of any vessel that
20 transits the Great Lakes or its connecting waterways, if
21 the ferry or other vessel operates on a regular schedule.”.

22 SEC. 110. Section 245(i) of the Immigration and Na-
23 tionality Act (8 U.S.C. 1255(i)) is amended—

24 (1) in paragraph (1), by amending the first sen-
25 tence to read as follows: “Notwithstanding the provi-

1 sions of subsections (a) and (c) of this section, an
2 alien physically present in the United States who—

3 “(A) entered the United States without in-
4 spection; or

5 “(B) is within one of the classes enumer-
6 ated in subsection (c) of this section, may apply
7 to the Attorney General for the adjustment of
8 his or her status to that of an alien lawfully ad-
9 mitted for permanent residence.”; and

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

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

19 SEC. 111. Section 1402(d)(3) of the Victims of Crime
20 Act of 1984 (42 U.S.C. 10601(d)(3)), is amended by strik-
21 ing the period at the end and inserting “, and for a Victim
22 Notification System.”.

23 This title may be cited as the “Department of Justice
24 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
6 REPRESENTATIVE

7 SALARIES AND EXPENSES

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

15 INTERNATIONAL TRADE COMMISSION

16 SALARIES AND EXPENSES

17 For necessary expenses of the International Trade
18 Commission, including hire of passenger motor vehicles,
19 and services as authorized by 5 U.S.C. 3109, and not to
20 exceed \$2,500 for official reception and representation ex-
21 penses, \$49,386,000, to remain available until expended.

1 DEPARTMENT OF COMMERCE

2 INTERNATIONAL TRADE ADMINISTRATION

3 OPERATIONS AND ADMINISTRATION

4 For necessary expenses for international trade activi-
5 ties of the Department of Commerce provided for by law,
6 and engaging in trade promotional activities abroad, in-
7 cluding expenses of grants and cooperative agreements for
8 the purpose of promoting exports of United States firms,
9 without regard to 44 U.S.C. 3702 and 3703; full medical
10 coverage for dependent members of immediate families of
11 employees stationed overseas and employees temporarily
12 posted overseas; travel and transportation of employees of
13 the United States and Foreign Commercial Service be-
14 tween two points abroad, without regard to 49 U.S.C.
15 1517; employment of Americans and aliens by contract for
16 services; rental of space abroad for periods not exceeding
17 10 years, and expenses of alteration, repair, or improve-
18 ment; purchase or construction of temporary demountable
19 exhibition structures for use abroad; payment of tort
20 claims, in the manner authorized in the first paragraph
21 of 28 U.S.C. 2672 when such claims arise in foreign coun-
22 tries; not to exceed \$327,000 for official representation
23 expenses abroad; purchase of passenger motor vehicles for
24 official use abroad, not to exceed \$30,000 per vehicle; ob-
25 taining insurance on official motor vehicles; and rental of

1 tie lines, \$347,090,000, to remain available until ex-
 2 pended, of which \$3,000,000 is to be derived from fees
 3 to be retained and used by the International Trade Admin-
 4 istration, notwithstanding 31 U.S.C. 3302: *Provided*, That
 5 \$66,820,000 shall be for Trade Development,
 6 \$27,441,000 shall be for Market Access and Compliance,
 7 \$42,859,000 shall be for the Import Administration,
 8 \$193,824,000 shall be for the United States and Foreign
 9 Commercial Service, and \$13,146,000 shall be for Execu-
 10 tive Direction and Administration: *Provided further*, That
 11 the provisions of the first sentence of section 105(f) and
 12 all of section 108(c) of the Mutual Educational and Cul-
 13 tural Exchange Act of 1961 (22 U.S.C. 2455(f) and
 14 2458(c)) shall apply in carrying out these activities with-
 15 out regard to section 5412 of the Omnibus Trade and
 16 Competitiveness Act of 1988 (15 U.S.C. 4912); and that
 17 for the purpose of this Act, contributions under the provi-
 18 sions of the Mutual Educational and Cultural Exchange
 19 Act shall include payment for assessments for services pro-
 20 vided as part of these activities.

21 EXPORT ADMINISTRATION

22 OPERATIONS AND ADMINISTRATION

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

1 export administration field activities both domestically and
2 abroad; full medical coverage for dependent members of
3 immediate families of employees stationed overseas; em-
4 ployment of Americans and aliens by contract for services
5 abroad; payment of tort claims, in the manner authorized
6 in the first paragraph of 28 U.S.C. 2672 when such claims
7 arise in foreign countries; not to exceed \$15,000 for offi-
8 cial representation expenses abroad; awards of compensa-
9 tion to informers under the Export Administration Act of
10 1979, and as authorized by 22 U.S.C. 401(b); purchase
11 of passenger motor vehicles for official use and motor vehi-
12 cles for law enforcement use with special requirement vehi-
13 cles eligible for purchase without regard to any price limi-
14 tation otherwise established by law, \$68,893,000, to re-
15 main available until expended, of which \$7,250,000 shall
16 be for inspections and other activities related to national
17 security: *Provided*, That the provisions of the first sen-
18 tence of section 105(f) and all of section 108(c) of the
19 Mutual Educational and Cultural Exchange Act of 1961
20 (22 U.S.C. 2455(f) and 2458(c)) shall apply in carrying
21 out these activities: *Provided further*, That payments and
22 contributions collected and accepted for materials or serv-
23 ices provided as part of such activities may be retained
24 for use in covering the cost of such activities, and for pro-
25 viding information to the public with respect to the export

1 administration and national security activities of the De-
 2 partment of Commerce and other export control programs
 3 of the United States and other governments.

4 ECONOMIC DEVELOPMENT ADMINISTRATION

5 ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

6 For grants for economic development assistance as
 7 provided by the Public Works and Economic Development
 8 Act of 1965, as amended, and for trade adjustment assist-
 9 ance, \$341,000,000, to remain available until expended.

10 SALARIES AND EXPENSES

11 For necessary expenses of administering the eco-
 12 nomic development assistance programs as provided for by
 13 law, \$30,557,000: *Provided*, That these funds may be used
 14 to monitor projects approved pursuant to title I of the
 15 Public Works Employment Act of 1976, as amended, title
 16 II of the Trade Act of 1974, as amended, and the Commu-
 17 nity Emergency Drought Relief Act of 1977.

18 MINORITY BUSINESS DEVELOPMENT AGENCY

19 MINORITY BUSINESS DEVELOPMENT

20 For necessary expenses of the Department of Com-
 21 merce in fostering, promoting, and developing minority
 22 business enterprise, including expenses of grants, con-
 23 tracts, and other agreements with public or private organi-
 24 zations, \$28,381,000.

1 ECONOMIC AND INFORMATION INFRASTRUCTURE

2 ECONOMIC AND STATISTICAL ANALYSIS

3 SALARIES AND EXPENSES

4 For necessary expenses, as authorized by law, of eco-
5 nomic and statistical analysis programs of the Department
6 of Commerce, \$62,515,000, to remain available until Sep-
7 tember 30, 2003.

8 BUREAU OF THE CENSUS

9 SALARIES AND EXPENSES

10 For expenses necessary for collecting, compiling, ana-
11 lyzing, preparing, and publishing statistics, provided for
12 by law, \$168,561,000.

13 PERIODIC CENSUSES AND PROGRAMS

14 For necessary expenses to collect and publish statis-
15 tics for periodic censuses and programs provided for by
16 law, \$348,529,000, to remain available until expended.

17 NATIONAL TELECOMMUNICATIONS AND INFORMATION

18 ADMINISTRATION

19 SALARIES AND EXPENSES

20 For necessary expenses, as provided for by law, of
21 the National Telecommunications and Information Ad-
22 ministration (NTIA), \$14,054,000, to remain available
23 until expended: *Provided*, That, notwithstanding 31
24 U.S.C. 1535(d), the Secretary of Commerce shall charge
25 Federal agencies for costs incurred in spectrum manage-
26 ment, analysis, and operations, and related services and

1 such fees shall be retained and used as offsetting collec-
 2 tions for costs of such spectrum services, to remain avail-
 3 able until expended: *Provided further*, That the Secretary
 4 of Commerce is authorized to retain and use as offsetting
 5 collections all funds transferred, or previously transferred,
 6 from other Government agencies for all costs incurred in
 7 telecommunications research, engineering, and related ac-
 8 tivities by the Institute for Telecommunication Sciences
 9 of NTIA, in furtherance of its assigned functions under
 10 this paragraph, and such funds received from other Gov-
 11 ernment agencies shall remain available until expended.

12 PUBLIC TELECOMMUNICATIONS FACILITIES, PLANNING
 13 AND CONSTRUCTION

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

24 INFORMATION INFRASTRUCTURE GRANTS

25 For grants authorized by section 392 of the Commu-
 26 nications Act of 1934, as amended, \$15,503,000, to re-

1 main available until expended as authorized by section 391
2 of the Act, as amended: *Provided*, That not to exceed
3 \$3,097,000 shall be available for program administration
4 and other support activities as authorized by section 391:
5 *Provided further*, That, of the funds appropriated herein,
6 not to exceed 5 percent may be available for telecommuni-
7 cations research activities for projects related directly to
8 the development of a national information infrastructure:
9 *Provided further*, That, notwithstanding the requirements
10 of sections 392(a) and 392(c) of the Act, these funds may
11 be used for the planning and construction of telecommuni-
12 cations networks for the provision of educational, cultural,
13 health care, public information, public safety, or other so-
14 cial services: *Provided further*, That notwithstanding any
15 other provision of law, no entity that receives tele-
16 communications services at preferential rates under sec-
17 tion 254(h) of the Act (47 U.S.C. 254(h)) or receives as-
18 sistance under the regional information sharing systems
19 grant program of the Department of Justice under part
20 M of title I of the Omnibus Crime Control and Safe
21 Streets Act of 1968 (42 U.S.C. 3796h) may use funds
22 under a grant under this heading to cover any costs of
23 the entity that would otherwise be covered by such pref-
24 erential rates or such assistance, as the case may be.

PATENT AND TRADEMARK OFFICE

SALARIES AND EXPENSES

For necessary expenses of the United States Patent and Trademark Office provided for by law, including defense of suits instituted against the Under Secretary of Commerce for Intellectual Property and Director of the United States Patent and Trademark Office, \$856,701,000, to remain available until expended, which amount shall be derived from offsetting collections assessed and collected pursuant to 15 U.S.C. 1113 and 35 U.S.C. 41 and 376, and shall be retained and used for necessary expenses in this appropriation: *Provided*, That the sum herein appropriated from the general fund shall be reduced as such offsetting collections are received during fiscal year 2002, so as to result in fiscal year 2002 appropriation from the general fund estimated at \$0: *Provided further*, That during fiscal year 2002, should the total amount of offsetting fee collections be less than \$856,701,000, the total amounts available to the United States Patent and Trademark Office shall be reduced accordingly: *Provided further*, That an additional amount not to exceed \$282,300,000 from fees collected in prior fiscal years shall be available for obligation in fiscal year 2002, to remain available until expended: *Provided further*, That from amounts provided herein, not to exceed \$5,000 shall

1 be made available in fiscal year 2002 for official reception
 2 and representation expenses.

3 SCIENCE AND TECHNOLOGY

4 TECHNOLOGY ADMINISTRATION

5 UNDER SECRETARY FOR TECHNOLOGY/OFFICE OF

6 TECHNOLOGY POLICY

7 SALARIES AND EXPENSES

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

10 NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY

11 SCIENTIFIC AND TECHNICAL RESEARCH AND SERVICES

12 For necessary expenses of the National Institute of
 13 Standards and Technology, \$343,296,000, to remain
 14 available until expended, of which not to exceed \$282,000
 15 may be transferred to the “Working Capital Fund”.

16 INDUSTRIAL TECHNOLOGY SERVICES

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

1 In addition, for necessary expenses of the Advanced
 2 Technology Program of the National Institute of Stand-
 3 ards and Technology, \$204,200,000, to remain available
 4 until expended, of which not to exceed \$60,700,000 shall
 5 be available for the award of new grants.

6 CONSTRUCTION OF RESEARCH FACILITIES

7 For construction of new research facilities, including
 8 architectural and engineering design, and for renovation
 9 of existing facilities, not otherwise provided for the Na-
 10 tional Institute of Standards and Technology, as author-
 11 ized by 15 U.S.C. 278c-278e, \$43,893,000, to remain
 12 available until expended.

13 NATIONAL OCEANIC AND ATMOSPHERIC

14 ADMINISTRATION

15 OPERATIONS, RESEARCH, AND FACILITIES

16 (INCLUDING TRANSFERS OF FUNDS)

17 For necessary expenses of activities authorized by law
 18 for the National Oceanic and Atmospheric Administration,
 19 including maintenance, operation, and hire of aircraft;
 20 grants, contracts, or other payments to nonprofit organi-
 21 zations for the purposes of conducting activities pursuant
 22 to cooperative agreements; and relocation of facilities as
 23 authorized by 33 U.S.C. 883i, \$2,267,705,000, to remain
 24 available until expended: *Provided*, That fees and dona-
 25 tions received by the National Ocean Service for the man-

1 agement of the national marine sanctuaries may be re-
 2 tained and used for the salaries and expenses associated
 3 with those activities, notwithstanding 31 U.S.C. 3302:
 4 *Provided further*, That in addition, \$68,000,000 shall be
 5 derived by transfer from the fund entitled “Promote and
 6 Develop Fishery Products and Research Pertaining to
 7 American Fisheries”: *Provided further*, That in addition,
 8 not to exceed \$3,000,000 shall be derived by transfer from
 9 the fund entitled “Coastal Zone Management”: *Provided*
 10 *further*, That of the amounts made available to the Na-
 11 tional Marine Fisheries Service, not less than \$29,000,000
 12 shall be for Alaskan Steller sea lion research: *Provided fur-*
 13 *ther*, That grants to States pursuant to sections 306 and
 14 306A of the Coastal Zone Management Act of 1972, as
 15 amended, shall not exceed \$2,000,000: *Provided further*,
 16 That of the amount provided under this heading, for ex-
 17 penses necessary to carry out “NOAA Operations, Re-
 18 search and Facilities sub-category” in section
 19 250(c)(4)(E) of the Balanced Budget and Emergency Def-
 20 icit Control Act of 1985, as amended, \$33,650,000 to re-
 21 main available until expended, for the purposes of discre-
 22 tionary spending limits: *Provided further*, That not to ex-
 23 ceed \$54,255,000 shall be expended for Executive Direc-
 24 tion and Administration, which consists of the Offices of
 25 the Undersecretary, the Executive Secretariat, Policy and

1 Strategic Planning, International Affairs, Legislative Af-
2 fairs, Public Affairs, Sustainable Development, the Chief
3 Scientist, and the General Counsel: *Provided further*, That
4 the aforementioned offices, excluding the Office of the
5 General Counsel, shall not be augmented by personnel de-
6 tails, temporary transfers of personnel on either a reim-
7 bursable or nonreimbursable basis or any other type of
8 formal or informal transfer or reimbursement of personnel
9 or funds on either a temporary or long-term basis above
10 the level of 42 personnel: *Provided further*, That of the
11 amount provided to the National Marine Fisheries Service,
12 a total of \$6,000,000 shall be provided to the National
13 Oceanic and Atmospheric Administration Office of Gen-
14 eral Counsel: *Provided further*, That the National Marine
15 Fisheries Service shall be obligated for payment of all fish-
16 eries-related reimbursable work performed by the National
17 Oceanic and Atmospheric Administration Office of Gen-
18 eral Counsel: *Provided further*, That the Secretary may
19 proceed as he deems necessary to have the National Oce-
20 anic and Atmospheric Administration occupy and operate
21 its research facilities which are located at Lafayette, Lou-
22 isiana: *Provided further*, That the R/V FAIRWEATHER
23 shall be homeported in Ketchikan, Alaska: *Provided fur-*
24 *ther*, That no general administrative charge shall be ap-
25 plied against an assigned activity included in this Act and,

1 further, that any direct administrative expenses applied
 2 against an assigned activity shall be limited to 5 percent
 3 of the funds provided for that assigned activity: *Provided*
 4 *further*, That any use of deobligated balances of funds pro-
 5 vided under this heading in previous years shall be subject
 6 to the procedures set forth in section 605 of this Act.

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

13 In addition, there is hereby established the Business
 14 Management Fund of the National Oceanic and Atmos-
 15 pheric Administration, which shall be available without fis-
 16 cal year limitation for expense and equipment necessary
 17 for the maintenance and operations of such services and
 18 projects as the Administrator of the National Oceanic and
 19 Atmospheric Administration determines may be performed
 20 more advantageously when centralized: *Provided*, That
 21 such central services shall, to the fullest extent practicable,
 22 be used to make unnecessary the maintenance of separate
 23 like services in the divisions and offices of the National
 24 Oceanic and Atmospheric Administration: *Provided fur-*
 25 *ther*, That a separate schedule of expenditures and reim-

1 bursements, and a statement of the current assets and li-
2 abilities of the Business Management Fund as of the close
3 of the completed fiscal year, shall be prepared each year
4 and submitted to Congress: *Provided further*, That not-
5 withstanding 31 U.S.C. 3302, the Business Management
6 Fund may be credited with advances and reimbursements
7 from applicable appropriations of the National Oceanic
8 and Atmospheric Administration and from funds of other
9 agencies or entities for services furnished pursuant to law:
10 *Provided further*, That any inventories, equipment, sys-
11 tems, real property and other assets over \$25,000, per-
12 taining to the services to be provided by such funds, either
13 on hand or on order, less the related liabilities or unpaid
14 obligations, and any appropriations made hereafter for the
15 purpose of providing capital, shall be used to capitalize
16 the Business Management Fund: *Provided further*, That
17 the National Oceanic and Atmospheric Administration
18 Business Management Fund shall be authorized to create
19 an initial cash corpus of \$5,000,000 from deobligations
20 and continued funding as may be or become available from
21 deobligations: *Provided further*, That the Business Man-
22 agement Fund shall provide for centralized services at
23 rates which return in full all expenses of operation and
24 services, including depreciation or full overhead costs of
25 fund plant and equipment, plus an amount equal to pro-

1 jected inflation, amortization of automated data proc-
 2 essing software and hardware systems, and an amount not
 3 to exceed four percent necessary to maintain an operating
 4 level in the fund as determined by the Administrator: *Pro-*
 5 *vided further*, That full implementation of the Business
 6 Management Fund will be phased in over a period not less
 7 than three years nor more than five fiscal years.

8 There is hereby established the following organiza-
 9 tional structure for the Business Management Fund of the
 10 National Oceanic and Atmospheric Administration: *Pro-*
 11 *vided*, That the overall responsibility for the National Oee-
 12 anic and Atmospheric Administration Business Manage-
 13 ment Fund lies with the Administrator of the National
 14 Oceanic and Atmospheric Administration: *Provided fur-*
 15 *ther*, That general management of the National Oceanic
 16 and Atmospheric Administration's Business Management
 17 Fund may be delegated by the Administrator to the Chief
 18 Financial Officer/Chief Administrative Officer of the Na-
 19 tional Oceanic and Atmospheric Administration.

20 PROCUREMENT, ACQUISITION AND CONSTRUCTION

21 (INCLUDING TRANSFERS OF FUNDS)

22 For procurement, acquisition and construction of
 23 capital assets, including alteration and modification costs,
 24 of the National Oceanic and Atmospheric Administration,
 25 \$939,610,000, to remain available until expended: *Pro-*
 26 *vided*, That unexpended balances of amounts previously

1 made available in the “Operations, Research, and Facili-
2 ties” account for activities funded under this heading may
3 be transferred to and merged with this account, to remain
4 available until expended for the purposes for which the
5 funds were originally appropriated: *Provided further*, That
6 of the amount provided under this heading for expenses
7 necessary to carry out the “NOAA Procurement, Acquisi-
8 tion, and Construction sub-category” in section
9 250(c)(4)(E) of the Balanced Budget and Emergency Def-
10 icit Control Act of 1985, as amended, the Coastal and Es-
11 tuarine Land Conservation Program, \$83,410,000 to re-
12 main available until expended, and to be for conservation
13 spending category activities pursuant to Section 251(c) of
14 the Balanced Budget and Emergency Deficit Control Act
15 of 1985, as amended, for the purposes of discretionary
16 spending limits: *Provided further*, That of the above
17 amounts, \$60,000,000 shall be for the “Coastal and Estu-
18 arine Land Conservation Program”: *Provided further*,
19 That none of the funds provided in this Act or any other
20 Act under the heading “National Oceanic and Atmos-
21 pheric Administration, Procurement, Acquisition and Con-
22 struction” shall be used to fund the General Services Ad-
23 ministration’s standard construction and tenant build-out
24 costs of a facility at the Suitland Federal Center.

1 PACIFIC COASTAL SALMON RECOVERY

2 For necessary expenses to carry out the “NOAA Pa-
3 cific Coastal Salmon Recovery sub-category” in section
4 250(c)(4)(E) of the Balanced Budget and Emergency Def-
5 icit Control Act of 1985, as amended, the Endangered
6 Species Act-Pacific Salmon Recovery, the Columbia River
7 Hatcheries, the Columbia River Facilities, Pacific Salmon
8 Treaty Implementation, \$133,940,000, to remain avail-
9 able until expended, and to be for conservation spending
10 category activities pursuant to Section 251(c) of the Bal-
11 anced Budget and Emergency Deficit Control Act of 1985,
12 as amended, for the purposes of discretionary spending
13 limits.

14 COASTAL ZONE MANAGEMENT FUND

15 Of amounts collected pursuant to section 308 of the
16 Coastal Zone Management Act of 1972 (16 U.S.C.
17 1456a), not to exceed \$3,000,000 shall be transferred to
18 the Operations, Research, and Facilities account to offset
19 the costs of implementing such Act.

20 FISHERMEN’S CONTINGENCY FUND

21 For carrying out the provisions of title IV of Public
22 Law 95–372, not to exceed \$952,000, to be derived from
23 receipts collected pursuant to that Act, to remain available
24 until expended.

1 FOREIGN FISHING OBSERVER FUND

2 For expenses necessary to carry out the provisions
3 of the Atlantic Tunas Convention Act of 1975, as amend-
4 ed (Public Law 96–339), the Magnuson-Stevens Fishery
5 Conservation and Management Act of 1976, as amended
6 (Public Law 100–627), and the American Fisheries Pro-
7 motion Act (Public Law 96–561), to be derived from the
8 fees imposed under the foreign fishery observer program
9 authorized by these Acts, not to exceed \$191,000, to re-
10 main available until expended.

11 FISHERIES FINANCE PROGRAM ACCOUNT

12 For the cost of direct loans, \$287,000, as authorized
13 by the Merchant Marine Act of 1936, as amended: *Pro-*
14 *vided*, That such costs, including the cost of modifying
15 such loans, shall be as defined in section 502 of the Con-
16 gressional Budget Act of 1974: *Provided further*, That
17 none of the funds made available under this heading may
18 be used for direct loans for any new fishing vessel that
19 will increase the harvesting capacity in any United States
20 fishery.

21 DEPARTMENTAL MANAGEMENT

22 SALARIES AND EXPENSES

23 For expenses necessary for the departmental manage-
24 ment of the Department of Commerce provided for by law,
25 including not to exceed \$8,000 for official entertainment,
26 \$42,062,000.

1 OFFICE OF INSPECTOR GENERAL

2 For necessary expenses of the Office of Inspector
3 General in carrying out the provisions of the Inspector
4 General Act of 1978, as amended (5 U.S.C. App. 1–11,
5 as amended by Public Law 100–504), \$21,176,000.

6 GENERAL PROVISIONS—DEPARTMENT OF COMMERCE

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

17 SEC. 202. During the current fiscal year, appropria-
18 tions made available to the Department of Commerce by
19 this Act for salaries and expenses shall be available for
20 hire of passenger motor vehicles as authorized by 31
21 U.S.C. 1343 and 1344; services as authorized by 5 U.S.C.
22 3109; and uniforms or allowances therefore, as authorized
23 by law (5 U.S.C. 5901–5902).

24 SEC. 203. None of the funds made available by this
25 Act may be used to support the hurricane reconnaissance

1 aircraft and activities that are under the control of the
2 United States Air Force or the United States Air Force
3 Reserve.

4 SEC. 204. Not to exceed 5 percent of any appropria-
5 tion made available for the current fiscal year for the De-
6 partment of Commerce in this Act may be transferred be-
7 tween such appropriations, but no such appropriation shall
8 be increased by more than 10 percent by any such trans-
9 fers: *Provided*, That any transfer pursuant to this section
10 shall be treated as a reprogramming of funds under sec-
11 tion 605 of this Act and shall not be available for obliga-
12 tion or expenditure except in compliance with the proce-
13 dures set forth in that section.

14 SEC. 205. Any costs incurred by a department or
15 agency funded under this title resulting from personnel
16 actions taken in response to funding reductions included
17 in this title or from actions taken for the care and protec-
18 tion of loan collateral or grant property shall be absorbed
19 within the total budgetary resources available to such de-
20 partment or agency: *Provided*, That the authority to trans-
21 fer funds between appropriations accounts as may be nec-
22 essary to carry out this section is provided in addition to
23 authorities included elsewhere in this Act: *Provided fur-*
24 *ther*, That use of funds to carry out this section shall be
25 treated as a reprogramming of funds under section 605

1 of this Act and shall not be available for obligation or ex-
2 penditure except in compliance with the procedures set
3 forth in that section.

4 SEC. 206. The Secretary of Commerce may award
5 contracts for hydrographic, geodetic, and photo-
6 grammetric surveying and mapping services in accordance
7 with title IX of the Federal Property and Administrative
8 Services Act of 1949 (40 U.S.C. 541 et seq.).

9 SEC. 207. The Secretary of Commerce may use the
10 Commerce franchise fund for expenses and equipment nec-
11 essary for the maintenance and operation of such adminis-
12 trative services as the Secretary determines may be per-
13 formed more advantageously as central services, pursuant
14 to section 403 of Public Law 103–356: *Provided*, That any
15 inventories, equipment, and other assets pertaining to the
16 services to be provided by such fund, either on hand or
17 on order, less the related liabilities or unpaid obligations,
18 and any appropriations made for the purpose of providing
19 capital shall be used to capitalize such fund: *Provided fur-*
20 *ther*, That such fund shall be paid in advance from funds
21 available to the Department and other Federal agencies
22 for which such centralized services are performed, at rates
23 which will return in full all expenses of operation, includ-
24 ing accrued leave, depreciation of fund plant and equip-
25 ment, amortization of automated data processing (ADP)

1 software and systems (either acquired or donated), and
2 an amount necessary to maintain a reasonable operating
3 reserve, as determined by the Secretary: *Provided further*,
4 That such fund shall provide services on a competitive
5 basis: *Provided further*, That an amount not to exceed 4
6 percent of the total annual income to such fund may be
7 retained in the fund for fiscal year 2002 and each fiscal
8 year thereafter, to remain available until expended, to be
9 used for the acquisition of capital equipment, and for the
10 improvement and implementation of department financial
11 management, ADP, and other support systems: *Provided*
12 *further*, That such amounts retained in the fund for fiscal
13 year 2002 and each fiscal year thereafter shall be available
14 for obligation and expenditure only in accordance with sec-
15 tion 605 of this Act: *Provided further*, That no later than
16 30 days after the end of each fiscal year, amounts in ex-
17 cess of this reserve limitation shall be deposited as mis-
18 cellaneous receipts in the Treasury: *Provided further*, That
19 such franchise fund pilot program shall terminate pursu-
20 ant to section 403(f) of Public Law 103–356.

21 SEC. 208. Notwithstanding any other provision of
22 law, of the amounts made available elsewhere in this title
23 to the “National Institute of Standards and Technology,
24 Construction of Research Facilities”, \$5,000,000 is appro-
25 priated to fund a cooperative agreement with the Medical

1 University of South Carolina, \$6,000,000 is appropriated
2 to the Thayer School of Engineering for the
3 nanocrystalline materials and biomass research initiative,
4 \$3,000,000 is appropriated to the Institute for Informa-
5 tion Infrastructure Protection at the Institute for Security
6 Technology Studies, and \$4,000,000 is appropriated for
7 the Institute for Politics.

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

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

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

22 (d)(1) Not later than December 15, 2001, the Sec-
23 retary of Commerce shall submit to the Committees on
24 Appropriations of the Senate and House of Representa-

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

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

5 (A) not more than \$40,000,000 of the proposed
6 disbursements may be for the Commerce Adminis-
7 trative Management System; and

8 (B) not more than \$15,000,000 of the proposed
9 disbursements for that System may be from or at-
10 tributable to the National Oceanic and Atmospheric
11 Administration.

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

16 (4) Any modification of a proposed disbursement
17 from the Working Capital Fund previously specified in the
18 report under paragraph (1) shall be treated as a re-
19 programming of funds to which section 605 applies, with-
20 out regard to the amount of the modification or the pur-
21 pose of the disbursement, as so modified.

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

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

7 (B) Each Memorandum of Agreement under this
 8 paragraph shall specify the provision of statute providing
 9 authority for the disbursement concerned.

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

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

18 TITLE III—THE JUDICIARY

19 SUPREME COURT OF THE UNITED STATES

20 SALARIES AND EXPENSES

21 For expenses necessary for the operation of the Su-
 22 preme Court, as required by law, excluding care of the
 23 building and grounds, including purchase or hire, driving,
 24 maintenance, and operation of an automobile for the Chief
 25 Justice, not to exceed \$10,000 for the purpose of trans-

1 porting Associate Justices, and hire of passenger motor
 2 vehicles as authorized by 31 U.S.C. 1343 and 1344; not
 3 to exceed \$10,000 for official reception and representation
 4 expenses; and for miscellaneous expenses, to be expended
 5 as the Chief Justice may approve, \$39,988,000.

6 CARE OF THE BUILDING AND GROUNDS

7 For such expenditures as may be necessary to enable
 8 the Architect of the Capitol to carry out the duties im-
 9 posed upon the Architect by the Act approved May 7,
 10 1934 (40 U.S.C. 13a–13b), \$7,530,000, of which
 11 \$4,460,000 shall remain available until expended.

12 UNITED STATES COURT OF APPEALS FOR THE FEDERAL
 13 CIRCUIT

14 SALARIES AND EXPENSES

15 For salaries of the chief judge, judges, and other offi-
 16 cers and employees, and for necessary expenses of the
 17 court, as authorized by law, \$19,372,000.

18 UNITED STATES COURT OF INTERNATIONAL TRADE

19 SALARIES AND EXPENSES

20 For salaries of the chief judge and eight judges, sala-
 21 ries of the officers and employees of the court, services
 22 as authorized by 5 U.S.C. 3109, and necessary expenses
 23 of the court, as authorized by law, \$13,054,000.

In addition, for expenses of the United States Court
of Federal Claims associated with processing cases under
the National Childhood Vaccine Injury Act of 1986, not

1 to exceed \$2,692,000, to be appropriated from the Vaccine
2 Injury Compensation Trust Fund.

3 DEFENDER SERVICES

4 For the operation of Federal Public Defender and
5 Community Defender organizations; the compensation and
6 reimbursement of expenses of attorneys appointed to rep-
7 resent persons under the Criminal Justice Act of 1964,
8 as amended; the compensation and reimbursement of ex-
9 penses of persons furnishing investigative, expert and
10 other services under the Criminal Justice Act of 1964 (18
11 U.S.C. 3006A(e)); the compensation (in accordance with
12 Criminal Justice Act maximums) and reimbursement of
13 expenses of attorneys appointed to assist the court in
14 criminal cases where the defendant has waived representa-
15 tion by counsel; the compensation and reimbursement of
16 travel expenses of guardians ad litem acting on behalf of
17 financially eligible minor or incompetent offenders in con-
18 nection with transfers from the United States to foreign
19 countries with which the United States has a treaty for
20 the execution of penal sentences; and the compensation of
21 attorneys appointed to represent jurors in civil actions for
22 the protection of their employment, as authorized by 28
23 U.S.C. 1875(d), \$463,756,000, of which \$257,710,000 is
24 for federal defender organizations, to remain available
25 until expended.

1 FEES OF JURORS AND COMMISSIONERS

2 For fees and expenses of jurors as authorized by 28
3 U.S.C. 1871 and 1876; compensation of jury commis-
4 sioners as authorized by 28 U.S.C. 1863; and compensa-
5 tion of commissioners appointed in condemnation cases
6 pursuant to rule 71A(h) of the Federal Rules of Civil Pro-
7 cedure (28 U.S.C. Appendix Rule 71A(h)), \$50,131,000,
8 to remain available until expended: *Provided*, That the
9 compensation of land commissioners shall not exceed the
10 daily equivalent of the highest rate payable under section
11 5332 of title 5, United States Code.

12 COURT SECURITY

13 For necessary expenses, not otherwise provided for,
14 incident to the procurement, installation, and maintenance
15 of security equipment and protective services for the
16 United States Courts in courtrooms and adjacent areas,
17 including building ingress-egress control, inspection of
18 mail and packages, directed security patrols, and other
19 similar activities as authorized by section 1010 of the Ju-
20 dicial Improvement and Access to Justice Act (Public Law
21 100–702), \$209,762,000, of which not to exceed
22 \$10,000,000 shall remain available until expended for se-
23 curity systems and contract costs for court security offi-
24 cers, to be expended directly or transferred to the United
25 States Marshals Service, which shall be responsible for ad-

1 ministering the Judicial Facility Security Program con-
2 sistent with standards or guidelines agreed to by the Di-
3 rector of the Administrative Office of the United States
4 Courts and the Attorney General: *Provided*, That, of the
5 amount made available under this heading, \$3,580,000,
6 to remain available until expended, shall be transferred to,
7 and merged with, funds in the “Narrowband Communica-
8 tions” appropriations account in title I of this Act, to be
9 administered by the Department of Justice Wireless Man-
10 agement Office and to be available only for the conversion
11 to narrowband communications and for the operations and
12 maintenance of legacy radio systems.

13 ADMINISTRATIVE OFFICE OF THE UNITED STATES

14 COURTS

15 SALARIES AND EXPENSES

16 For necessary expenses of the Administrative Office
17 of the United States Courts as authorized by law, includ-
18 ing travel as authorized by 31 U.S.C. 1345, hire of a pas-
19 senger motor vehicle as authorized by 31 U.S.C. 1343(b),
20 advertising and rent in the District of Columbia and else-
21 where, \$58,212,000, of which \$3,000,000 shall only be
22 available, by grant, for caption training, and of which not
23 to exceed \$8,500 is authorized for official reception and
24 representation expenses.

1 FEDERAL JUDICIAL CENTER

2 SALARIES AND EXPENSES

3 For necessary expenses of the Federal Judicial Cen-
4 ter, as authorized by Public Law 90–219, \$19,742,000;
5 of which \$1,800,000 shall remain available through Sep-
6 tember 30, 2003, to provide education and training to
7 Federal court personnel; and of which not to exceed
8 \$1,000 is authorized for official reception and representa-
9 tion expenses.

10 JUDICIAL RETIREMENT FUNDS

11 PAYMENT TO JUDICIARY TRUST FUNDS

12 For payment to the Judicial Officers' Retirement
13 Fund, as authorized by 28 U.S.C. 377(o), \$26,700,000;
14 to the Judicial Survivors' Annuities Fund, as authorized
15 by 28 U.S.C. 376(c), \$8,400,000; and to the United
16 States Court of Federal Claims Judges' Retirement Fund,
17 as authorized by 28 U.S.C. 178(l), \$1,900,000.

18 UNITED STATES SENTENCING COMMISSION

19 SALARIES AND EXPENSES

20 For the salaries and expenses necessary to carry out
21 the provisions of chapter 58 of title 28, United States
22 Code, \$11,327,000, of which not to exceed \$1,000 is au-
23 thorized for official reception and representation expenses.

1 GENERAL PROVISIONS—THE JUDICIARY

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

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

18 SEC. 303. Notwithstanding any other provision of
19 law, the salaries and expenses appropriation for district
20 courts, courts of appeals, and other judicial services shall
21 be available for official reception and representation ex-
22 penses of the Judicial Conference of the United States:
23 *Provided*, That such available funds shall not exceed
24 \$11,000 and shall be administered by the Director of the

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

3 SEC. 304. Section 140 of Public Law 97–92 (28
4 U.S.C. 461 note; 95 Stat. 1200) shall apply to fiscal year
5 2002 and each fiscal year thereafter.

6 SEC. 305. Of the unexpended balances transferred to
7 the Commission on Structural Alternatives in Federal Ap-
8 pellate Courts, \$400,000 shall be transferred to, and
9 merged with, funds in the “Federal Judicial Center, Sala-
10 ries and Expenses” appropriations account to be available
11 only for distance learning.

12 This title may be cited as this “Judiciary Appropria-
13 tions Act, 2002”.

14 TITLE IV—DEPARTMENT OF STATE AND
15 RELATED AGENCY

16 DEPARTMENT OF STATE

17 ADMINISTRATION OF FOREIGN AFFAIRS

18 DIPLOMATIC AND CONSULAR PROGRAMS

19 For necessary expenses of the Department of State
20 and the Foreign Service not otherwise provided for, includ-
21 ing employment, without regard to civil service and classi-
22 fication laws, of persons on a temporary basis (not to ex-
23 ceed \$700,000 of this appropriation), as authorized; rep-
24 resentation to certain international organizations in which
25 the United States participates pursuant to treaties, rati-

1 fied pursuant to the advice and consent of the Senate, or
2 specific Acts of Congress; arms control, nonproliferation
3 and disarmament activities as authorized; acquisition by
4 exchange or purchase of passenger motor vehicles as au-
5 thorized by law; and for expenses of general administra-
6 tion, \$3,088,990,000: *Provided*, That, of the amount made
7 available under this heading, not to exceed \$4,000,000
8 may be transferred to, and merged with, funds in the
9 “Emergencies in the Diplomatic and Consular Service”
10 appropriations account, to be available only for emergency
11 evacuations and terrorism rewards: *Provided further*, That
12 of the amount made available under this heading,
13 \$7,800,000 shall be available only to provide language, se-
14 curity, leadership and management, and professional
15 training: *Provided further*, That of the amount made avail-
16 able under this heading, \$6,000,000 to remain available
17 until expended, shall be transferred to, and merged with,
18 funds in the “Narrowband Communications” appropria-
19 tions account in title I of this Act, to be administered by
20 the Department of Justice Wireless Management Office
21 and to be available only for the conversion to narrowband
22 communications and for the operations and maintenance
23 of legacy radio systems: *Provided further*, That of the
24 amount made available under this heading, \$694,190,000
25 shall be available only for information resource manage-

1 ment: *Provided further*, That of the amount made available
2 under this heading, \$9,000,000 shall be available only for
3 the East-West Center: *Provided further*, That, notwith-
4 standing any other provision of law, not to exceed
5 \$335,000,000 of offsetting collections derived from fees
6 collected under the authority of section 104(a)(1) of the
7 Foreign Relations Authorization Act, Fiscal Years 1994
8 and 1995 (Public Law 103–236) during fiscal year 2002
9 shall be retained and used for authorized expenses in this
10 appropriation and shall remain available until expended:
11 *Provided further*, That any fees received in excess of
12 \$335,000,000 in fiscal year 2002 shall not be available
13 for obligation and shall be returned to the General Fund:
14 *Provided further*, That notwithstanding any other provi-
15 sion of law, a citizen of the United States approved by
16 the Department of State to serve as Deputy Director Gen-
17 eral of the World Intellectual Property Organization shall,
18 while serving in such position, be deemed an employee in
19 a foreign area within the meaning of 5 U.S.C. Section
20 5923, and qualify for a living quarters allowance as au-
21 thorized by 5 U.S.C. 5923(2): *Provided further*, That a
22 citizen of the United States approved by the Department
23 of State to serve as Deputy Director General of the World
24 Intellectual Property Organization shall, while serving in
25 such position, be deemed as an employee approved for

1 transfer to an international organization within the mean-
2 ing of 5 U.S.C. Section 352, and eligible to continue par-
3 ticipating in the retirement, health benefit, group life in-
4 surance, and other benefit programs as provided in that
5 section: *Provided further*, That advances for services au-
6 thorized by 22 U.S.C. 3620(c) may be credited to this ac-
7 count, to remain available until expended for such services:
8 *Provided further*, That no funds may be obligated or ex-
9 pended for processing licenses for the export of satellites
10 of United States origin (including commercial satellites
11 and satellite components) to the People's Republic of
12 China, unless, at least 15 days in advance, the Committees
13 on Appropriations of the House of Representatives and the
14 Senate are notified of such proposed action: *Provided fur-*
15 *ther*, That of the amounts made available under this head-
16 ing, \$5,000,000 shall be available only for the reimburse-
17 ment costs incurred by the State of Hawaii for security
18 expenses relating to the May 2001 Asian Development
19 Bank Meeting: *Provided further*, That of the amount made
20 available under this heading, \$45,419,000 shall only be
21 available to implement the 1999 Pacific Salmon Treaty
22 Agreement, of which \$20,000,000 shall be deposited in the
23 Northern Boundary and Transboundary Rivers Restora-
24 tion and Enhancement Fund, of which \$20,000,000 shall
25 be deposited in the Southern Boundary Restoration and

1 Enhancement Fund, and of which \$5,419,000 shall be for
2 a direct payment to the State of Washington for obliga-
3 tions under the 1999 Pacific Salmon Treaty Agreement.

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

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

23 CAPITAL INVESTMENT FUND

24 For necessary expenses of the Capital Investment
25 Fund, \$210,000,000, to remain available until expended,
26 as authorized: *Provided*, That section 135(e) of Public

1 Law 103–236 shall not apply to funds available under this
2 heading.

3 OFFICE OF INSPECTOR GENERAL

4 For necessary expenses of the Office of Inspector
5 General, \$28,427,000, notwithstanding section 209(a)(1)
6 of the Foreign Service Act of 1980, as amended (Public
7 Law 96–465), as it relates to post inspections.

8 EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS

9 For expenses of educational and cultural exchange
10 programs, as authorized, \$242,000,000, to remain avail-
11 able until expended: *Provided*, That not to exceed
12 \$800,000, to remain available until expended, may be
13 credited to this appropriation from fees or other payments
14 received from or in connection with English teaching and
15 educational advising and counseling programs as author-
16 ized.

17 REPRESENTATION ALLOWANCES

18 For representation allowances as authorized,
19 \$9,000,000.

20 PROTECTION OF FOREIGN MISSIONS AND OFFICIALS

21 For expenses, not otherwise provided, to enable the
22 Secretary of State to provide for extraordinary protective
23 services, as authorized, \$10,000,000, to remain available
24 until September 30, 2003.

1 EMBASSY SECURITY, CONSTRUCTION, AND MAINTENANCE

2 For necessary expenses for carrying out the Foreign
 3 Service Buildings Act of 1926, as amended (22 U.S.C.
 4 292–300), preserving, maintaining, repairing, and plan-
 5 ning for, buildings that are owned or directly leased by
 6 the Department of State, renovating, in addition to funds
 7 otherwise available, the Main State Building, and carrying
 8 out the Diplomatic Security Construction Program as au-
 9 thorized, \$405,391,000, to remain available until ex-
 10 pended as authorized, of which not to exceed \$25,000 may
 11 be used for domestic and overseas representation as au-
 12 thorized: *Provided*, That none of the funds appropriated
 13 in this paragraph shall be available for acquisition of fur-
 14 niture and furnishings and generators for other depart-
 15 ments and agencies.

16 In addition, for the costs of worldwide security up-
 17 grades, acquisition, and construction, \$661,560,000, to re-
 18 main available until expended.

19 EMERGENCIES IN THE DIPLOMATIC AND CONSULAR
 20 SERVICE

21 For expenses necessary to enable the Secretary of
 22 State to meet unforeseen emergencies arising in the Diplo-
 23 matic and Consular Service, \$5,465,000, to remain avail-
 24 able until expended as authorized, of which not to exceed
 25 \$1,000,000 may be transferred to and merged with the

1 Repatriation Loans Program Account, subject to the same
2 terms and conditions.

3 REPATRIATION LOANS PROGRAM ACCOUNT

4 For the cost of direct loans, \$612,000, as authorized:
5 *Provided*, That such costs, including the cost of modifying
6 such loans, shall be as defined in section 502 of the Con-
7 gressional Budget Act of 1974. In addition, for adminis-
8 trative expenses necessary to carry out the direct loan pro-
9 gram, \$607,000, which may be transferred to and merged
10 with the Diplomatic and Consular Programs account
11 under Administration of Foreign Affairs.

12 PAYMENT TO THE AMERICAN INSTITUTE IN TAIWAN

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

15 PAYMENT TO THE FOREIGN SERVICE RETIREMENT AND

16 DISABILITY FUND

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

19 INTERNATIONAL ORGANIZATIONS AND CONFERENCES

20 CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

21 For expenses, not otherwise provided for, necessary
22 to meet annual obligations of membership in international
23 multilateral organizations, pursuant to treaties ratified
24 pursuant to the advice and consent of the Senate, conven-
25 tions or specific Acts of Congress, \$1,091,348,000: *Pro-*
26 *vided*, That any payment of arrearages under this title

For necessary expenses to pay assessed and other ex-
penses of international peacekeeping activities directed to
the maintenance or restoration of international peace and
security, \$773,182,000, of which 15 percent shall remain
available until September 30, 2003: *Provided*, That none
of the funds made available under this Act shall be obli-
gated or expended for any new or expanded United Na-
tions peacekeeping mission unless, at least 15 days in ad-
vance of voting for the new or expanded mission in the
United Nations Security Council (or in an emergency, as
far in advance as is practicable): (1) the Committees on
Appropriations of the House of Representatives and the

1 Senate and other appropriate committees of the Congress
2 are notified of the estimated cost and length of the mis-
3 sion, the vital national interest that will be served, and
4 the planned exit strategy; and (2) a reprogramming of
5 funds pursuant to section 605 of this Act is submitted,
6 and the procedures therein followed, setting forth the
7 source of funds that will be used to pay for the cost of
8 the new or expanded mission.

9 INTERNATIONAL COMMISSIONS

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

13 INTERNATIONAL BOUNDARY AND WATER COMMISSION,
14 UNITED STATES AND MEXICO

15 For necessary expenses for the United States Section
16 of the International Boundary and Water Commission,
17 United States and Mexico, and to comply with laws appli-
18 cable to the United States Section, including not to exceed
19 \$6,000 for representation; as follows:

20 SALARIES AND EXPENSES

21 For salaries and expenses, not otherwise provided for,
22 \$7,452,000.

23 CONSTRUCTION

24 For detailed plan preparation and construction of au-
25 thorized projects, \$24,154,000, to remain available until
26 expended, as authorized.

1 AMERICAN SECTIONS, INTERNATIONAL COMMISSIONS

2 For necessary expenses, not otherwise provided for
 3 the International Joint Commission and the International
 4 Boundary Commission, United States and Canada, as au-
 5 thorized by treaties between the United States and Can-
 6 ada or Great Britain, and for the Border Environment
 7 Cooperation Commission as authorized by Public Law
 8 103–182, \$6,879,000, of which not to exceed \$9,000 shall
 9 be available for representation expenses incurred by the
 10 International Joint Commission.

11 INTERNATIONAL FISHERIES COMMISSIONS

12 For necessary expenses for international fisheries
 13 commissions, not otherwise provided for, as authorized by
 14 law, \$20,780,000: *Provided*, That the United States' share
 15 of such expenses may be advanced to the respective com-
 16 missions, pursuant to 31 U.S.C. 3324.

17 OTHER

18 PAYMENT TO THE ASIA FOUNDATION

19 For a grant to the Asia Foundation, as authorized
 20 by section 501 of Public Law 101–246, \$8,000,000, to
 21 remain available until expended, as authorized.

22 EISENHOWER EXCHANGE FELLOWSHIP PROGRAM TRUST

23 FUND

24 For necessary expenses of Eisenhower Exchange Fel-
 25 lowships, Incorporated, as authorized by sections 4 and
 26 5 of the Eisenhower Exchange Fellowship Act of 1990 (20

1 U.S.C. 5204–5205), all interest and earnings accruing to
 2 the Eisenhower Exchange Fellowship Program Trust
 3 Fund on or before September 30, 2002, to remain avail-
 4 able until expended: *Provided*, That none of the funds ap-
 5 propriated herein shall be used to pay any salary or other
 6 compensation, or to enter into any contract providing for
 7 the payment thereof, in excess of the rate authorized by
 8 5 U.S.C. 5376; or for purposes which are not in accord-
 9 ance with OMB Circulars A–110 (Uniform Administrative
 10 Requirements) and A–122 (Cost Principles for Non-profit
 11 Organizations), including the restrictions on compensation
 12 for personal services.

13 ISRAELI ARAB SCHOLARSHIP PROGRAM

14 For necessary expenses of the Israeli Arab Scholar-
 15 ship Program as authorized by section 214 of the Foreign
 16 Relations Authorization Act, Fiscal Years 1992 and 1993
 17 (22 U.S.C. 2452), all interest and earnings accruing to
 18 the Israeli Arab Scholarship Fund on or before September
 19 30, 2002, to remain available until expended.

20 EAST-WEST CENTER

21 To enable the Secretary of State to provide for car-
 22 rying out the provisions of the Center for Cultural and
 23 Technical Interchange Between East and West Act of
 24 1960, by grant to the Center for Cultural and Technical
 25 Interchange Between East and West in the State of Ha-
 26 waii, \$14,000,000: *Provided*, That none of the funds ap-

1 appropriated herein shall be used to pay any salary, or enter
2 into any contract providing for the payment thereof, in
3 excess of the rate authorized by 5 U.S.C. 5376.

4 NATIONAL ENDOWMENT FOR DEMOCRACY

5 For grants made by the Department of State to the
6 National Endowment for Democracy as authorized by the
7 National Endowment for Democracy Act, \$31,000,000, to
8 remain available until expended.

9 RELATED AGENCY

10 BROADCASTING BOARD OF GOVERNORS

11 INTERNATIONAL BROADCASTING OPERATIONS

12 For expenses necessary to enable the Broadcasting
13 Board of Governors, as authorized, to carry out inter-
14 national communication activities, \$414,752,000, of which
15 not to exceed \$16,000 may be used for official receptions
16 within the United States as authorized, not to exceed
17 \$35,000 may be used for representation abroad as author-
18 ized, and not to exceed \$39,000 may be used for official
19 reception and representation expenses of Radio Free Eu-
20 rope/Radio Liberty; and in addition, notwithstanding any
21 other provision of law, not to exceed \$2,000,000 in re-
22 ceipts from advertising and revenue from business ven-
23 tures, not to exceed \$500,000 in receipts from cooperating
24 international organizations, and not to exceed \$1,000,000
25 in receipts from privatization efforts of the Voice of Amer-
26 ica and the International Broadcasting Bureau, to remain

1 available until expended for carrying out authorized pur-
2 poses.

3 BROADCASTING TO CUBA

4 For necessary expenses to enable the Broadcasting
5 Board of Governors to carry out broadcasting to Cuba,
6 including the purchase, rent, construction, and improve-
7 ment of facilities for radio and television transmission and
8 reception, and purchase and installation of necessary
9 equipment for radio and television transmission and recep-
10 tion, \$24,872,000, to remain available until expended.

11 BROADCASTING CAPITAL IMPROVEMENTS

12 For the purchase, rent, construction, and improve-
13 ment of facilities for radio transmission and reception, and
14 purchase and installation of necessary equipment for radio
15 and television transmission and reception as authorized,
16 \$16,900,000, to remain available until expended, as au-
17 thorized.

18 GENERAL PROVISIONS—DEPARTMENT OF STATE AND
19 RELATED AGENCY

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

1 SEC. 402. Not to exceed 5 percent of any appropria-
2 tion made available for the current fiscal year for the De-
3 partment of State in this Act may be transferred between
4 such appropriations, but no such appropriation, except as
5 otherwise specifically provided, shall be increased by more
6 than 10 percent by any such transfers: *Provided*, That not
7 to exceed 5 percent of any appropriation made available
8 for the current fiscal year for the Broadcasting Board of
9 Governors in this Act may be transferred between such
10 appropriations, but no such appropriation, except as oth-
11 erwise specifically provided, shall be increased by more
12 than 10 percent by any such transfers: *Provided further*,
13 That any transfer pursuant to this section shall be treated
14 as a reprogramming of funds under section 605 of this
15 Act and shall not be available for obligation or expenditure
16 except in compliance with the procedures set forth in that
17 section.

18 SEC. 403. None of the funds made available in this
19 Act may be used by the Department of State or the Broad-
20 casting Board of Governors to provide equipment, tech-
21 nical support, consulting services, or any other form of
22 assistance to the Palestinian Broadcasting Corporation.

23 SEC. 404. There is hereby enacted into law S. 787
24 of the 107th Congress (as introduced on April 26, 2001).

1 SEC. 405. Hereafter, none of the funds appropriated
2 or otherwise made available for the United Nations may
3 be used by the United Nations for the promulgation or
4 enforcement of any treaty, resolution, or regulation au-
5 thorizing the United Nations, or any of its specialized
6 agencies or affiliated organizations, to tax any aspect of
7 the Internet or international currency transactions.

8 SEC. 406. None of the funds appropriated or other-
9 wise made available by this Act or any other Act for fiscal
10 year 2002 or any fiscal year thereafter may be obligated
11 or expended for the operation of a United States consulate
12 or diplomatic facility in Jerusalem unless such consulate
13 or diplomatic facility is under the supervision of the
14 United States Ambassador to Israel.

15 SEC. 407. None of the funds appropriated or other-
16 wise made available by this Act or any other Act for fiscal
17 year 2002 or any fiscal year thereafter may be obligated
18 or expended for the publication of any official Government
19 document which lists countries and their capital cities un-
20 less the publication identifies Jerusalem as the capital of
21 Israel.

22 SEC. 408. For the purposes of registration of birth,
23 certification of nationality, or issuance of a passport of
24 a United States citizen born in the city of Jerusalem, the

1 Secretary of State shall, upon request of the citizen,
 2 record the place of birth as Israel.

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

5 TITLE V—RELATED AGENCIES

6 DEPARTMENT OF TRANSPORTATION

7 MARITIME ADMINISTRATION

8 MARITIME SECURITY PROGRAM

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

13 OPERATIONS AND TRAINING

14 For necessary expenses of operations and training ac-
 15 tivities authorized by law, \$89,054,000.

16 MARITIME GUARANTEED LOAN (TITLE XI) PROGRAM

17 ACCOUNT

18 For the cost of guaranteed loans, as authorized by
 19 the Merchant Marine Act, 1936, \$100,000,000, to remain
 20 available until expended: *Provided*, That such costs, in-
 21 cluding the cost of modifying such loans, shall be as de-
 22 fined in section 502 of the Congressional Budget Act of
 23 1974, as amended.

24 In addition, for administrative expenses to carry out
 25 the guaranteed loan program, not to exceed \$3,978,000,

1 which shall be transferred to and merged with the appro-
2 priation for Operations and Training.

3 ADMINISTRATIVE PROVISIONS—MARITIME

4 ADMINISTRATION

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

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

21 COMMISSION FOR THE PRESERVATION OF AMERICA'S

22 HERITAGE ABROAD

23 SALARIES AND EXPENSES

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

1 COMMISSION ON CIVIL RIGHTS

2 SALARIES AND EXPENSES

3 For necessary expenses of the Commission on Civil
4 Rights, including hire of passenger motor vehicles,
5 \$9,096,000: *Provided*, That not to exceed \$50,000 may
6 be used to employ consultants: *Provided further*, That
7 none of the funds appropriated in this paragraph shall be
8 used to employ in excess of four full-time individuals under
9 Schedule C of the Excepted Service exclusive of one special
10 assistant for each Commissioner: *Provided further*, That
11 none of the funds appropriated in this paragraph shall be
12 used to reimburse Commissioners for more than 75
13 billable days, with the exception of the chairperson, who
14 is permitted 125 billable days.

15 COMMISSION ON OCEAN POLICY

16 SALARIES AND EXPENSES

17 For the necessary expenses of the Commission on
18 Ocean Policy, pursuant to Public Law 106–256,
19 \$2,500,000, to remain available until expended: *Provided*,
20 That the Commission shall present to the Congress within
21 18 months of appointment its recommendations for a na-
22 tional ocean policy.

4 For necessary expenses of the Commission on Secu-
5 rity and Cooperation in Europe, as authorized by Public
6 Law 94-304, \$1,432,000, to remain available until ex-
7 pended as authorized by section 3 of Public Law 99-7.

8 CONGRESSIONAL-EXECUTIVE COMMISSION ON THE
9 PEOPLE'S REPUBLIC OF CHINA
10 SALARIES AND EXPENSES

For necessary expenses of the Congressional-Executive Commission on the People's Republic of China, as authorized, \$500,000, to remain available until expended.

14 EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
15 SALARIES AND EXPENSES

For necessary expenses of the Equal Employment Opportunity Commission as authorized by title VII of the Civil Rights Act of 1964, as amended (29 U.S.C. 206(d) and 621–634), the Americans with Disabilities Act of 1990, and the Civil Rights Act of 1991, including services as authorized by 5 U.S.C. 3109; hire of passenger motor vehicles as authorized by 31 U.S.C. 1343(b); non-monetary awards to private citizens; and not to exceed \$33,000,000 for payments to State and local enforcement agencies for services to the Commission pursuant to title

1 VII of the Civil Rights Act of 1964, as amended, sections
 2 6 and 14 of the Age Discrimination in Employment Act,
 3 the Americans with Disabilities Act of 1990, and the Civil
 4 Rights Act of 1991, \$310,406,000: *Provided*, That the
 5 Commission is authorized to make available for official re-
 6 ception and representation expenses not to exceed \$2,500
 7 from available funds.

8 FEDERAL COMMUNICATIONS COMMISSION

9 SALARIES AND EXPENSES

10 For necessary expenses of the Federal Communica-
 11 tions Commission, as authorized by law, including uni-
 12 forms and allowances therefor, as authorized by 5 U.S.C.
 13 5901–5902; not to exceed \$600,000 for land and struc-
 14 ture; not to exceed \$500,000 for improvement and care
 15 of grounds and repair to buildings; not to exceed \$4,000
 16 for official reception and representation expenses; pur-
 17 chase (not to exceed 16) and hire of motor vehicles; special
 18 counsel fees; and services as authorized by 5 U.S.C. 3109,
 19 \$252,545,000, of which not to exceed \$300,000 shall re-
 20 main available until September 30, 2003, for research and
 21 policy studies: *Provided*, That \$218,757,000 of offsetting
 22 collections shall be assessed and collected pursuant to sec-
 23 tion 9 of title I of the Communications Act of 1934, as
 24 amended, and shall be retained and used for necessary ex-
 25 penses in this appropriation, and shall remain available

1 until expended: *Provided further*, That the sum herein ap-
 2 propriated shall be reduced as such offsetting collections
 3 are received during fiscal year 2002 so as to result in a
 4 final fiscal year 2002 appropriation estimated at
 5 \$29,788,000: *Provided further*, That any offsetting collec-
 6 tions received in excess of \$218,757,000 in fiscal year
 7 2002 shall remain available until expended, but shall not
 8 be available for obligation until October 1, 2002.

9 FEDERAL MARITIME COMMISSION

10 SALARIES AND EXPENSES

11 For necessary expenses of the Federal Maritime
 12 Commission as authorized by section 201(d) of the Mer-
 13 chant Marine Act, 1936, as amended (46 U.S.C. App.
 14 1111), including services as authorized by 5 U.S.C. 3109;
 15 hire of passenger motor vehicles as authorized by 31
 16 U.S.C. 1343(b); and uniforms or allowances therefor, as
 17 authorized by 5 U.S.C. 5901–5902, \$17,450,000: *Pro-*
 18 *vided*, That not to exceed \$2,000 shall be available for offi-
 19 cial reception and representation expenses.

20 FEDERAL TRADE COMMISSION

21 SALARIES AND EXPENSES

22 For necessary expenses of the Federal Trade Com-
 23 mission, including uniforms or allowances therefor, as au-
 24 thorized by 5 U.S.C. 5901–5902; services as authorized
 25 by 5 U.S.C. 3109; hire of passenger motor vehicles; not

1 to exceed \$2,000 for official reception and representation
2 expenses, \$156,270,000: *Provided*, That not to exceed
3 \$300,000 shall be available for use to contract with a per-
4 son or persons for collection services in accordance with
5 the terms of 31 U.S.C. 3718, as amended: *Provided fur-*
6 *ther*, That, notwithstanding any other provision of law, not
7 to exceed \$156,270,000 of offsetting collections derived
8 from fees collected for premerger notification filings under
9 the Hart-Scott-Rodino Antitrust Improvements Act of
10 1976 (15 U.S.C. 18a), regardless of the year of collection,
11 shall be retained and used for necessary expenses in this
12 appropriation, and shall remain available until expended:
13 *Provided further*, That the sum herein appropriated from
14 the general fund shall be reduced as such offsetting collec-
15 tions are received during fiscal year 2002, so as to result
16 in a final fiscal year 2002 appropriation from the general
17 fund estimated at not more than \$0, to remain available
18 until expended: *Provided further*, That none of the funds
19 made available to the Federal Trade Commission shall be
20 available for obligation for expenses authorized by section
21 151 of the Federal Deposit Insurance Corporation Im-
22 provement Act of 1991 (Public Law 102–242; 105 Stat.
23 2282–2285).

1 LEGAL SERVICES CORPORATION

2 PAYMENT TO THE LEGAL SERVICES CORPORATION

3 For payment to the Legal Services Corporation to
4 carry out the purposes of the Legal Services Corporation
5 Act of 1974, as amended, \$329,300,000, of which
6 \$310,000,000 is for basic field programs and required
7 independent audits; \$2,500,000 is for the Office of Inspec-
8 tor General, of which such amounts as may be necessary
9 may be used to conduct additional audits of recipients;
10 \$12,400,000 is for management and administration and
11 \$4,400,000 is for client self-help and information tech-
12 nology: *Provided*, That none of such funds for manage-
13 ment and administration shall be obligated or expended
14 for any program that is in addition to, or expanded from,
15 the programs funded under this heading for fiscal year
16 2001, unless the Legal Services Corporation prepares a
17 spending plan for such funds, and notifies the Committees
18 on Appropriations of the House of Representatives and the
19 Senate concerning the contents of the spending plan.

20 ADMINISTRATIVE PROVISION—LEGAL SERVICES

21 CORPORATION

22 None of the funds appropriated in this Act to the
23 Legal Services Corporation shall be expended for any pur-
24 pose prohibited or limited by, or contrary to any of the
25 provisions of, sections 501, 502, 503, 504, 505, and 506
26 of Public Law 105–119, and all funds appropriated in this

1 Act to the Legal Services Corporation shall be subject to
2 the same terms and conditions set forth in such sections,
3 except that all references in sections 502 and 503 to 1997
4 and 1998 shall be deemed to refer instead to 2001 and
5 2002, respectively.

6 MARINE MAMMAL COMMISSION

7 SALARIES AND EXPENSES

8 For necessary expenses of the Marine Mammal Com-
9 mission as authorized by title II of Public Law 92-522,
10 as amended, \$1,957,000.

11 NATIONAL VETERANS BUSINESS DEVELOPMENT

12 CORPORATION

13 For necessary expenses of the National Veterans
14 Business Development Corporation as authorized under
15 section 33(a) of the Small Business Act, as amended,
16 \$4,000,000.

17 SECURITIES AND EXCHANGE COMMISSION

18 SALARIES AND EXPENSES

19 For necessary expenses for the Securities and Ex-
20 change Commission, including services as authorized by
21 5 U.S.C. 3109, the rental of space (to include multiple
22 year leases) in the District of Columbia and elsewhere, and
23 not to exceed \$3,000 for official reception and representa-
24 tion expenses, \$109,500,000 from fees collected in fiscal
25 year 2002 to remain available until expended, and from

1 fees collected in fiscal year 2000, \$404,547,000 to remain
2 available until expended; of which not to exceed \$10,000
3 may be used toward funding a permanent secretariat for
4 the International Organization of Securities Commissions;
5 and of which not to exceed \$100,000 shall be available
6 for expenses for consultations and meetings hosted by the
7 Commission with foreign governmental and other regu-
8 latory officials, members of their delegations, appropriate
9 representatives and staff to exchange views concerning de-
10 velopments relating to securities matters, development and
11 implementation of cooperation agreements concerning se-
12 curities matters and provision of technical assistance for
13 the development of foreign securities markets, such ex-
14 penses to include necessary logistic and administrative ex-
15 penses and the expenses of Commission staff and foreign
16 invitees in attendance at such consultations and meetings
17 including: (1) such incidental expenses as meals taken in
18 the course of such attendance; (2) any travel and trans-
19 portation to or from such meetings; and (3) any other re-
20 lated lodging or subsistence: *Provided*, That fees and
21 charges authorized by sections 6(b)(4) of the Securities
22 Act of 1933 (15 U.S.C. 77f(b)(4)) and 31(d) of the Secu-
23 rities Exchange Act of 1934 (15 U.S.C. 78ee(d)) shall be
24 credited to this account as offsetting collections: *Provided*
25 *further*, That fees collected as authorized by section 31 of

1 the Securities Exchange Act of 1934 (15 U.S.C. 78ee) for
 2 sales transacted on, and with respect to securities reg-
 3 istered solely on, an exchange that is initially granted reg-
 4 istration as a national securities exchange after February
 5 24, 2000 shall be credited to this account as offsetting
 6 collections: *Provided further*, That for purposes of collec-
 7 tions under section 31, a security shall not be deemed reg-
 8 istered on a national securities exchange solely because
 9 that national securities exchange continues or extends un-
 10 listed trading privileges to that security.

11 SMALL BUSINESS ADMINISTRATION

12 SALARIES AND EXPENSES

13 For necessary expenses, not otherwise provided for,
 14 of the Small Business Administration as authorized by
 15 Public Law 105–135, including hire of passenger motor
 16 vehicles as authorized by 31 U.S.C. 1343 and 1344, and
 17 not to exceed \$3,500 for official reception and representa-
 18 tion expenses, \$333,233,000: *Provided*, That the Adminis-
 19 trator is authorized to charge fees to cover the cost of pub-
 20 lications developed by the Small Business Administration,
 21 and certain loan servicing activities: *Provided further*,
 22 That, notwithstanding 31 U.S.C. 3302, revenues received
 23 from all such activities shall be credited to this account,
 24 to be available for carrying out these purposes without fur-
 25 ther appropriations: *Provided further*, That \$88,000,000

1 shall be available to fund grants for performance in fiscal
 2 year 2002 or fiscal year 2003 as authorized by section
 3 21 of the Small Business Act, as amended.

4 OFFICE OF INSPECTOR GENERAL

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

9 BUSINESS LOANS PROGRAM ACCOUNT

10 For the cost of direct loans, \$1,860,000, to be avail-
 11 able until expended; and for the cost of guaranteed loans,
 12 \$93,500,000, as authorized by 15 U.S.C. 631 note, of
 13 which \$45,000,000 shall remain available until September
 14 30, 2003: *Provided*, That such costs, including the cost
 15 of modifying such loans, shall be as defined in section 502
 16 of the Congressional Budget Act of 1974, as amended:
 17 *Provided further*, That during fiscal year 2002, commit-
 18 ments to guarantee loans under section 503 of the Small
 19 Business Investment Act of 1958, as amended, shall not
 20 exceed \$3,750,000,000: *Provided further*, That during fis-
 21 cal year 2002, commitments for general business loans au-
 22 thorized under section 7(a) of the Small Business Act, as
 23 amended, shall not exceed \$10,000,000,000 without prior
 24 notification of the Committees on Appropriations of the
 25 House of Representatives and Senate in accordance with
 26 section 605 of this Act: *Provided further*, That during fis-

1 cal year 2002, commitments to guarantee loans under sec-
 2 tion 303(b) of the Small Business Investment Act of 1958,
 3 as amended, shall not exceed \$4,100,000,000.

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

8 DISASTER LOANS PROGRAM ACCOUNT

9 For the cost of direct loans authorized by section 7(b)
 10 of the Small Business Act, as amended, \$79,510,000, to
 11 remain available until expended: *Provided*, That such
 12 costs, including the cost of modifying such loans, shall be
 13 as defined in section 502 of the Congressional Budget Act
 14 of 1974, as amended.

15 In addition, for administrative expenses to carry out
 16 the direct loan program, \$125,354,000, which may be
 17 transferred to and merged with appropriations for Salaries
 18 and Expenses, of which \$500,000 is for the Office of In-
 19 spector General of the Small Business Administration for
 20 audits and reviews of disaster loans and the disaster loan
 21 program and shall be transferred to and merged with ap-
 22 propriations for the Office of Inspector General; of which
 23 \$115,000,000 is for direct administrative expenses of loan
 24 making and servicing to carry out the direct loan program;
 25 and of which \$9,854,000 is for indirect administrative ex-
 26 penses: *Provided*, That any amount in excess of

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

7 ADMINISTRATIVE PROVISION—SMALL BUSINESS

8 ADMINISTRATION

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

19 STATE JUSTICE INSTITUTE

20 SALARIES AND EXPENSES

21 For necessary expenses of the State Justice Institute,
 22 as authorized by the State Justice Institute Authorization
 23 Act of 1992 (Public Law 102–572; 106 Stat. 4515–4516),
 24 \$14,850,000, to remain available until expended: *Pro-*
 25 *vided*, That not to exceed \$2,500 shall be available for offi-
 26 cial reception and representation expenses.

1 UNITED STATES-CANADA ALASKA RAIL COMMISSION
2 SALARIES AND EXPENSES

3 For necessary expenses of the “United States-Canada
4 Alaska Rail Commission”, as authorized by Title III of
5 Public Law 106–520, \$4,000,000.

6 TITLE VI—GENERAL PROVISIONS

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

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

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

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

23 (b) Section 504 of title 28, United States Code, is
24 amended by inserting after “General” the following, “and

1 a Deputy Attorney General for Combating Domestic Ter-
2 rorism”.

3 (c) There is established within the Department of
4 Justice the position of Deputy Attorney General for Com-
5 bating Domestic Terrorism, who shall be appointed by the
6 President, by and with the advice and consent of the Sen-
7 ate.

8 (d) Subject to the authority of the Attorney General,
9 the Deputy Attorney General for Combating Domestic
10 Terrorism shall serve as the principal advisor to the Attor-
11 ney General on, and, with the Deputy Director of the Fed-
12 eral Emergency Management Agency, serve as one of two
13 key government officials responsible for domestic
14 counterterrorism and antiterrorism policy.

15 (e) The Deputy Attorney General for Combating Ter-
16 rorism together with the Deputy Director of the Federal
17 Emergency Management Agency shall coordinate all func-
18 tions of the Federal Government related to domestic
19 counterterrorism and antiterrorism activities, including—

20 (1) the development of a National Strategy for
21 Combating Domestic Terrorism that shall establish
22 national policies, objectives, and priorities for pre-
23 venting, preparing for, and responding to domestic
24 terrorism within the United States;

1 (2) the coordination of the implementation of
2 the National Strategy for Combating Domestic Ter-
3 rorism by the departments and agencies of the Fed-
4 eral Government and by State and local entities with
5 responsibilities for combating domestic terrorism;
6 and

7 (3) the recommendation of changes in the orga-
8 nization and management of Federal departments
9 and agencies and State and local entities engaged in
10 combating domestic terrorism to the Congress, the
11 President, the Vice President, the Attorney General,
12 and the Director of the Federal Emergency Manage-
13 ment Agency.

14 (f) Subject to the authority of the Attorney General,
15 the Deputy Attorney General for Combating Domestic
16 Terrorism shall be responsible for State and local pre-
17 paredness for weapons of mass destruction, security classi-
18 fications and clearances within the Department of Justice,
19 and contingency operations within the Department of Jus-
20 tice.

21 (g) For necessary expenses of the Office of the Dep-
22 uty Attorney General for Combating Domestic Terrorism,
23 \$23,000,000, to remain available until expended.

24 (h) Notwithstanding any other provision of law, all
25 authorities, liabilities, funding, personnel, equipment, and

1 real property associated with the Office of State and Local
2 Domestic Preparedness Support, the National Domestic
3 Preparedness Office, the Executive Office of National Se-
4 curity, and such components which relate to domestic
5 counterterrorism and antiterrorism activities in the Office
6 of Intelligence Policy and Review as are appropriate shall
7 be transferred to the Deputy Attorney General for Com-
8 bating Domestic Terrorism not later than 90 days after
9 enactment of this Act.

10 SEC. 605. (a) None of the funds provided under this
11 Act, or provided under previous appropriations Acts to the
12 agencies funded by this Act that remain available for obli-
13 gation or expenditure in fiscal year 2002, or provided from
14 any accounts in the Treasury of the United States derived
15 by the collection of fees available to the agencies funded
16 by this Act, shall be available for obligation or expenditure
17 through a reprogramming of funds which: (1) creates new
18 programs; (2) eliminates a program, project, or activity;
19 (3) increases funds or personnel by any means for any
20 project or activity for which funds have been denied or
21 restricted; (4) relocates an office or employees; (5) reorga-
22 nizes offices, programs, or activities; or (6) contracts out
23 or privatizes any functions, or activities presently per-
24 formed by Federal employees; unless the Appropriations

1 Committees of both Houses of Congress are notified 15
2 days in advance of such reprogramming of funds.

3 (b) None of the funds provided under this Act, or
4 provided under previous appropriations Acts to the agen-
5 cies funded by this Act that remain available for obligation
6 or expenditure in fiscal year 2002, or provided from any
7 accounts in the Treasury of the United States derived by
8 the collection of fees available to the agencies funded by
9 this Act, shall be available for obligation or expenditure
10 for activities, programs, or projects through a reprogram-
11 ming of funds in excess of \$500,000 or 10 percent, which-
12 ever is less, that: (1) augments existing programs,
13 projects, or activities; (2) reduces by 10 percent funding
14 for any existing program, project, or activity, or numbers
15 of personnel by 10 percent as approved by Congress; or
16 (3) results from any general savings from a reduction in
17 personnel which would result in a change in existing pro-
18 grams, activities, or projects as approved by Congress; un-
19 less the Appropriations Committees of both Houses of
20 Congress are notified 15 days in advance of such re-
21 programming of funds.

22 SEC. 606. Section 286(d) of Public Law 82–414, as
23 amended, is further amended—

24 (1) in subsection (d), by striking “\$6” and in-
25 serting “\$7”; and

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

3 “(3) Not less than nine percent of the total
4 amounts deposited under this subsection in a fiscal
5 year shall be available only to automate or otherwise
6 improve the speed, accuracy, or security of the in-
7 spection process.”.

8 SEC. 607. None of the funds made available in this
9 Act may be used for the construction, repair (other than
10 emergency repair), overhaul, conversion, or modernization
11 of vessels for the National Oceanic and Atmospheric Ad-
12 ministration in shipyards located outside of the United
13 States.

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

18 SEC. 609. None of the funds made available in this
19 Act may be used to implement, administer, or enforce any
20 guidelines of the Equal Employment Opportunity Com-
21 mission covering harassment based on religion, when such
22 guidelines do not differ in any respect from the proposed
23 guidelines published by the Commission on October 1,
24 1993 (58 Fed. Reg. 51266).

1 SEC. 610. None of the funds made available by this
2 Act may be used for any United Nations undertaking
3 when: (1) the United Nations undertaking is a peace-
4 keeping mission; (2) such undertaking will involve United
5 States Armed Forces under the command or operational
6 control of a foreign national; and (3) the President's mili-
7 tary advisors have not submitted to the President a rec-
8 ommendation that such involvement is in the national se-
9 curity interests of the United States and the President has
10 not submitted to the Congress such a recommendation.

11 SEC. 611. (a) None of the funds appropriated or oth-
12 erwise made available by this Act shall be expended for
13 any purpose for which appropriations are prohibited by
14 section 609 of the Departments of Commerce, Justice, and
15 State, the Judiciary, and Related Agencies Appropriations
16 Act, 1999.

17 (b) The requirements in subparagraphs (A) and (B)
18 of section 609 of that Act shall continue to apply during
19 fiscal year 2002.

20 SEC. 612. Hereafter, none of the funds appropriated
21 or otherwise made available to the Bureau of Prisons shall
22 be used to provide the following amenities or personal
23 comforts in the Federal prison system—

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

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

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

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

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

14 SEC. 613. Any costs incurred by a department or
15 agency funded under this Act resulting from personnel ac-
16 tions taken in response to funding reductions included in
17 this Act shall be absorbed within the total budgetary re-
18 sources available to such department or agency: *Provided*,
19 That the authority to transfer funds between appropria-
20 tions accounts as may be necessary to carry out this sec-
21 tion is provided in addition to authorities included else-
22 where in this Act: *Provided further*, That use of funds to
23 carry out this section shall be treated as a reprogramming
24 of funds under section 605 of this Act and shall not be

1 available for obligation or expenditure except in compli-
2 ance with the procedures set forth in that section.

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

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

15 (b) The requirements in subsections (b) and (c) of
16 section 616 of that Act shall continue to apply during fis-
17 cal year 2002.

18 SEC. 616. None of the funds appropriated pursuant
19 to this Act or any other provision of law may be used for:
20 (1) the implementation of any tax or fee in connection
21 with the implementation of 18 U.S.C. 922(t); and (2) any
22 system to implement 18 U.S.C. 922(t) that does not re-
23 quire and result in the destruction of any identifying infor-
24 mation submitted by or on behalf of any person who has

1 been determined not to be prohibited from owning a fire-
2 arm.

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

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

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

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

6 SEC. 621. The requirements of section 312(a)(3) of
7 the Magnuson-Stevens Fishery Conservation and Manage-
8 ment Act shall not apply to funds made available by sec-
9 tion 2201 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 sub-
16 section (a), is further amended by adding at the end the
17 following:

18 “(j) Not later than December 31, 2001, and every
19 2 years thereafter, the Pacific State Marine Fisheries
20 Commission shall submit to the Committee on Commerce,
21 Science, and Transportation of the Senate and the Com-
22 mittee on Resources of the House of Representatives a re-
23 port on the health and management of the Dungeness
24 Crab fishery located off the coasts of the States of Wash-
25 ington, Oregon, and California.”.

1 TITLE VII—RESCISSIONS
2 DEPARTMENT OF STATE AND RELATED
3 AGENCY
4 INTERNATIONAL ORGANIZATIONS AND CONFERENCES
5 CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING
6 ACTIVITIES
7 (RESCISSION)

8 Of the unobligated balances available under this
9 heading, \$126,620,000 are rescinded.

10 This Act may be cited as the “Departments of Com-
11 merce, Justice, and State, the Judiciary, and Related
12 Agencies Appropriations Act, 2002.”

Calendar No. 95

107TH CONGRESS
1ST SESSION

S. 1215

[Report No. 107-42]

A BILL

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.

JULY 20, 2001

Read twice and placed on the calendar